



CITY OF
CASA GRANDE
STRONGER UNITED

City of Casa Grande
PERSONNEL POLICY

(Amended August, 2025)

City of Casa Grande

Personnel Policy

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ARTICLE I - GENERAL PROVISIONS

Section 101 - Purpose

The general purpose of the City of Casa Grande Personnel Policy is to establish a system of personnel administration, to assist the City organization in its role of serving the citizens of Casa Grande. This system provides the means to recruit, select, develop and maintain an effective and responsive work force, and includes policies and procedures for employee hiring and advancement, training and career development, job classification, compensation administration, leaving the City service, fringe benefits, leaves, discipline and other related activities.

It is the desire of the Mayor and City Council of the City of Casa Grande to attract and retain qualified and competent persons to the positions in the City service. Appointments and promotions in the City service are to be based on factors of qualification, competence and suitability. While this Personnel Policy provides a basic guide to personnel-related activities of the City, it is recognized that administrative directives, departmental work rules and other policies and guidelines are promulgated from time to time as necessary to supplement this document. The City Manager is the final authority on all matters relating to this policy.

Section 102 - Classified and Unclassified Service

Employees in the City service are divided into the classified and unclassified service. The classified service is composed of all employees and officers of the City of Casa Grande except:

- A. City officers appointed by the City Council, namely the City Manager, City Attorney and City Judge.
- B. The City Manager's deputies and assistants, and designated department directors reporting directly to the City Manager or his/her deputies and assistants hired after July 1, 2022, and those that were hired before that date who may voluntarily elect by written agreement to be at-will employees assigned to the unclassified service.
- C. Temporary and seasonal employees; part-time, employees who are engaged to regularly work less than 20 hours per week.
- D. Attorneys hired by the City Attorney.

Unclassified employees specifically are "at will" employees; i.e.: unclassified employees under "A" above serve at the pleasure of the City Council, those under "B" and "C" above serve at the pleasure of the City Manager, those under "D" above serve at the pleasure of the City Attorney. The City Manager may develop and implement policies to provide a framework for conditions of employment, pay and benefit issues, etc., for unclassified employees, but their employment will remain at-will pursuant to this policy.

Elected officials, members of appointed boards, commissions, committees and volunteer personnel are not considered employees of the City of Casa Grande for the purposes of this policy.

Section 103 - Human Resources Director

The City Manager shall appoint a Human Resources Director for the City of Casa Grande who shall be responsible for the administration of the personnel system of the City, and who shall:

1. Administer the provisions of this Personnel Policy not specifically reserved to the City Council or City Manager and make such administrative regulations as are deemed necessary to implement and carry out the personnel function of the City and this policy.
2. Give notice of position openings within the City service.
3. Conduct applicant testing as appropriate.
4. Recommend to the City Manager revisions and amendments to the Personnel Policy as deemed necessary.
5. Recommend to the City Manager a position classification plan, including class specifications, and recommend revisions to the plan as deemed necessary.
6. Recommend to the City Manager a compensation plan for all position classifications in the City service, and recommend revisions to the plan as deemed necessary.
7. Allocate each position in the City service to its appropriate class in the classification plan and assign each class to an appropriate pay range in the pay plan.
8. Develop and assist others in the development of training programs for City employees.

Section 104 - Policy Not a Contract

Nothing in this Policy shall be construed as constituting the terms of an employment contract. The City reserves the right to modify or rescind any or all of the provisions of this Policy without prior notice and without reservation of the effect of any or all provisions of a previous form.

Section 105 - Fair Employment

No question in any test, or any application form or in any interview shall be so framed as to attempt to elicit information concerning race, color, national origin, sex, age, sexual orientation or gender identity, disability or political or religious opinions or affiliations of any applicant. No appointment to or removal from any position in the City service shall be affected or influenced in any manner by any considerations of race, color, national origin, sex, age, sexual orientation or gender identity, religion, equal pay, or disability.

Section 106 – Affirmative Action

The Human Resources Director may develop and implement an informational program designed to inform the general public and specific groups and organizations of the non-discriminatory policies and practices of the City of Casa Grande.

Section 107 - Positions Covered

These rules shall cover all employees of the City unless otherwise exempted in these rules.

Section 108 - Severability Clause

The provisions of this policy are declared to be severable and if any article, section, sentence, clause or phrase of this policy shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining articles, sections, sentences, clauses and phrases of this policy, but they shall remain in effect, it being the legislative intent that this policy shall stand notwithstanding the invalidity of any part.

ARTICLE II - EMPLOYEE RESPONSIBILITIES

Section 201 - Residency Requirements

Employees are encouraged to reside within the corporate limits of the City of Casa Grande. The City Manager may impose specific residency requirements for certain positions in order to meet service delivery requirements.

Section 202 - Political Activity

No person employed by the City shall orally, in writing or otherwise solicit or assist in soliciting any assessment, subscription or contribution for any political party or political purpose whatsoever from any City employee.

No City employee shall take part in the political management or affairs of any candidate's campaign for nomination or election to any City office, or in the recall of any Casa Grande municipal elected official, but may exercise any other rights as a qualified elector, such as voting or privately expressing an opinion. Except for City staff that conduct or give advice concerning City elections, privately expressing an opinion includes, but is not limited to, off-duty activities such as signing nominating or recall petitions, posting on personal or nongovernmental social media accounts, displaying a sign on nongovernmental property, and communicating with another person or group of people when the employee does not do so in an official capacity. Notwithstanding the foregoing, no City employee shall engage in political activities while on City time, in uniform, or using City resources.

No elected official, appointed official or employee of the City shall use any influence or pressure upon any employee to obtain any assessment or contribution of money or time, either directly or indirectly, for any political campaign or personal gain. No elected official, appointed official or employee of the City shall use or attempt to use any political influence to secure or assist any other employee in securing employment or any employment benefit or advantage.

Any City employee desiring to run for county, state or federal office must take a leave of absence without pay (subject to the provisions of Article VIII, Section 812) upon filing for said office and if elected, shall resign from the City service. The foregoing shall not apply to school board elections or elections to serve on a precinct committee. Any employee desiring to run for a City elected office shall resign from the City service upon filing for such office.

Section 203 - Nepotism

Appointment of relatives of City employees to positions in the City service shall be permitted, provided the relative shall not be employed in a position where one would be supervising the other, or where a family member would be in their chain of command (defined as a situation where one employee has influence over the other's employment, promotion, salary administration, or for relevant management or personnel considerations), or a conflict of interest might arise concerning a question of internal control. An employee may not be promoted or transferred into a position involving supervision by or of a relative. The provisions of A.R.S. §38-481 are incorporated herein by reference.

For the purposes of this section, relative is defined to include:

Spouse	Aunt
Parent (in-law & step)	Uncle
Brother (in-law, half & step)	Niece
Sister (in-law, half & step)	Nephew
Child (in-law & step)	Grandchild
	Grandparents (in-law)

Situations where an employee or a prospective employee is involved in a consensual romantic relationship which, though not spousal, is similarly close (such as what is sometimes referred to as a domestic relationship, domestic partnership, committed partnership, cohabitation, and such) shall also be considered to fall under the definition of "relative" for the purposes of this Section.

Employees in the same chain of command who enter into a familial or consensual romantic relationship with another employee as defined in this policy must immediately notify their supervisor. Upon such notification, the City will determine if and how such relationship may be accommodated pursuant to this policy. If there is no accommodation available, one of the employees must resign. If neither employee agrees to voluntarily resign, the City Manager shall have the discretion to determine which of the employees to terminate based on the operational needs of the City. This disclosure requirement also applies to new employees upon hiring. No provision of this rule shall exclude relatives of the City Council or City appointed boards, commissions or committees from entering the City service, provided no supervisory control of one over the other exists.

Section 204 - Gifts/Gratuities

No employee shall solicit, directly or indirectly, any gratuity, regardless of value. No employee shall accept directly or indirectly any gratuity, regardless of value, that is offered based on an understanding that a vote, official action or judgment of the employee would be influenced. City employees may accept gratuities without regard to value when they are offered and accepted on behalf of the City. The gift then remains the property of the City and should not be removed from City facilities. Employees may accept admission to events, regardless of value, to which they are invited in their official representative capacity for the City. An employee may accept unsolicited gifts or gratuities of a value not more than \$50, which cannot reasonably be presumed to influence the vote, action, or judgment of the employee, or be considered as part of a reward for action or inaction. Any accepted gift or gratuity with a value of \$25 or more must be reported on the prescribed written reporting form

forwarded to the City Clerk through the employee's department director (or through the City Manager for department directors) within thirty (30) calendar days of receiving the gratuity.

No person or employee who seeks appointment or promotion with respect to any City position or appointive office shall directly or indirectly give, render or pay any money, service or other valuable item to any person for or in connection with a test, evaluation, appointment, proposed appointment, promotion or proposed promotion. Any person or employee so described above may automatically be disqualified for employment or dismissed from employment if the act involves a promotion.

Section 205 - Conflict of Interest

It is the City's policy that employees at all levels be free from any interest, influence or relationship that might conflict, or appear to conflict, with the best interests of the City. The existence of an actual or potential conflict of interest depends on specific facts. In any uncertain situation, the employee should protect him/herself by immediately discussing the matter fully and frankly with the appropriate supervisor. Where there is any further doubt concerning a conflict, the specific facts should be noted in writing and sent to Human Resources for resolution. The continuing requirement to disclose serves to inform the City and, at the same time, protect the employee from the harmful effects of any subsequent revelation of activities, associations or interests, which might constitute a prohibited conflict of interest.

Section 206 - Outside Employment

Outside employment (that is, employees working for others or for him/herself during non-work time) is not prohibited, but is regulated by a few important rules. A City employee may not engage in outside employment in any way during working hours, while at City facilities or using City supplies, equipment, materials or personnel. Outside employment must not cause a conflict of interest or cause a deterioration in satisfactory performance of duties while in the City's employ.

City employees must obtain prior approval from their department director and the City Manager, through the Human Resources Department, to engage in outside employment. On January 1st of each year, all outside employment approvals expire and employees wishing to continue to engage in outside employment must submit a new approval form. Employees should recognize that any outside employment, which might be considered joint employment under the provisions of the Fair Labor Standards Act, will require close consideration and conformance with the requirements of that law.

Employees who have accepted approved outside employment are not eligible to receive compensation during an absence from work, which is the result of an injury on the second job, except through vacation or PTO leave except as mandated by law. Accommodation of any physical limitations, which may arise from an injury occurring during outside employment, shall be made in accordance with the requirements of the Americans with Disabilities Act and its amendments.

Employees may not work outside employment while off duty on sick leave or unplanned PTO, workers' compensation leave, Family & Medical Leave (FMLA), short-term disability leave, or on light duty. An employee may request to continue outside employment while on light duty, and the employee's department director may grant the request, if the physical and/or mental demands of the approved secondary employment are such as to clearly not violate any restrictions imposed supporting the light duty approval.

Section 207 - Financial Responsibility

Because of the nature of employment with a municipality, City employees are expected to pay their debts in a prompt and responsible manner in order to avoid having creditors contact the City in an attempt to collect delinquent debts from employees.

Section 208 - Weapons in the Workplace

Except as provided by law, City employees shall not have in their possession on City property, any handgun, firearm or other weapon, regardless of whether or not the employee is licensed to carry the weapon. This provision does not apply to sworn police personnel or other authorized individuals who carry weapons in the performance of their duties, or to “pocket knives” or similar kinds of knives. While some employees of the City may be required as a condition of their work assignment to possess firearms, weapons or other dangerous devices, or be permitted to carry them as authorized by law, it is the City’s policy that employees are to use them only in accordance with departmental operating procedures and all applicable State and Federal laws.

Section 209 - Workplace Violence

The City of Casa Grande recognizes workplace violence is a growing problem that needs to be addressed by all employers. Therefore, acts or threats of physical violence involving employees, including intimidation, harassment and/or coercion, will not be tolerated in the workplace. “Threats or acts of violence” include conduct against persons or property that is sufficiently severe, offensive or intimidating to alter the employment conditions at the City of Casa Grande, or to create a hostile, abusive or intimidating work environment for one or more City employees. General examples of prohibited workplace violence include, but are not limited to, threats or acts of violence occurring on City property, threats or acts of violence not occurring on City property but involving someone acting in the capacity of a representative of the City, and threats or acts of violence not occurring on City property involving a City employee if the threats or acts of violence affect the legitimate interests of the City of Casa Grande.

Specific examples of prohibited conduct include, but are not limited to, hitting or shoving an individual; threatening to harm an individual or his/her family, friends, associates or their property; making harassing or threatening telephone calls, using letters or other forms of written or electronic communications; intimidating or attempting to coerce an employee to do wrongful acts that would affect the business interests of the City; or conducting harassing surveillance (also known as “stalking”).

City employees are encouraged to report incidents of threats or acts of physical violence of which he/she is aware, to his/her immediate supervisor. In situations where reporting to the immediate supervisor is not appropriate, the employee should report such incidents to his/her department director and/or the City’s Human Resources Department.

Section 210 – Professional Attire/Appearance

The professional image of our organization is maintained, in part, by the image that our employees present to our citizens, vendors and other visitors. All employees should practice common sense rules for neatness, good taste and comfort. Specific rules about grooming and/or dress may be adopted by

departments, divisions or work groups due to the nature of the work of the employees in those units. However, in general, rings/hoops/studs through the nose, eyebrow, tongue or other exposed body parts (other than the ear lobe) may not be worn while working. And in general, all tattoos must be small in size or covered at all times and may not be offensive in nature.

Section 211 – Loyalty Oath

Every City employee shall take the oath or affirmation as prescribed by state law.

Section 212 – Reporting of Criminal Charges/Convictions

City employees are required to report any criminal charges filed against them, and any criminal convictions against them throughout their time of employment. A criminal charge or conviction will not automatically trigger a change in employment status of any kind. Factors that will be considered include the nature of the offense, the frequency of violations, the employee's work history and the relevance of the offense to the employee's position.

Section 213 – Non-Fraternization Policy

The efficient operation of the City organization requires that supervisors and managers deal fairly and objectively with the personnel they supervise directly or indirectly. If a supervisor has a close personal relationship with a subordinate, the likelihood of favoritism increases and/or creates at least a perception that compromises a manager or supervisor's ability to perform his/her job. In addition, if a supervisor or manager pursues a romantic or sexual relationship with a subordinate, claims of sexual harassment are possible. Therefore, managers and supervisors are forbidden from pursuing romantic or sexual relationships with employees whom they supervise or whose terms of employment they can influence. Supervisors or managers who violate this policy will be subject to discipline up to and including termination.

Section 214 – Discrimination and Harassment

It is the policy of the City of Casa Grande not to discriminate in decisions regarding hiring, promotion or any other employment action on the basis of age, sex, race, color, national origin, religion, disability or any legally protected status.

The City of Casa Grande prohibits discrimination, harassment or sexual harassment by all employees at all levels. Discrimination is generally defined as treating, or proposing to treat, someone unfavorably on the basis of age, sex, race, color, national origin, religion, disability, or any other legally protected status.

Harassment is a form of employment discrimination and is generally defined as unwelcome conduct on the basis of age, sex, race, color, national origin, religion, disability or any other legally protected status. Harassment is offensive conduct that becomes a condition of continued employment when the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating or abusive.

Sexual Harassment is generally defined as unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature when: a) submission to such conduct is made either

explicitly or implicitly a term or condition of an individual's employment, or b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

An employee who believes that he/she is being subjected to, or has witnessed, discrimination or harassment should report such treatment to his/her supervisor, manager, department director or the Human Resources Director. The supervisor, manager, or department director receiving such complaint shall inform the Human Resources Director immediately. An investigation will be initiated and all such complaints will be treated in the strictest confidence except as necessary to investigate the allegation. All necessary steps shall be taken to remedy the situation. No employee shall be retaliated against for bringing such complaint or for participating in such investigation.

Section 215 – Unauthorized Recording

Employees are prohibited from recording (audio and/or video, including the use of a tape recorder or any other electronic device, including cell phone) any individual in the workplace or while on duty without such individual's knowledge and consent, unless authorized to do so by the City Manager or designee or, for police officers only, as permitted under departmental rules in the normal course and scope of performing law enforcement-related duties (such as through the use of dash-mounted cameras). While it is recognized that under Arizona law, it is not illegal to record a conversation to which you are a party (the so-called "one party" consent rule), the City has a variety of legitimate and non-discriminatory justifications to support this recording ban, including:

- Encouraging the free flow of information within the City;
- Protection of confidential information and other privileged information;
- Fostering honest and open communication between employees, coworkers and supervisors;
- Preventing disruption in the workplace resulting from recordings.

This policy is not intended in any way to inhibit employees from engaging in protected activity under any other policy, rule, regulation or law.

Section 216 – Employee Drug and Alcohol Testing

The City is committed to maintaining a drug and alcohol-free workplace in order to provide a safe work environment for employees and safe service delivery to the public. In order to achieve this goal, the City has established a program designed to prevent and detect the misuse and abuse of alcohol and drugs in the workplace. This policy applies to all employees in all departments of the City. Positions regulated by federal or state law (such as employees required to obtain and maintain a Commercial Driver's License, and certified law enforcement officers) are subject to all applicable federal and state regulations and the City's Risk Management Manual.

The City tests for the following substances during pre-employment, reasonable suspicion, follow-up, return to duty, post-accident and/or random tests (Exception: In accordance with federally-mandated DOT regulations for CDL employees are subject to the prescribed 5-panel test) (Exception: a pre-employment or post-accident test will not include testing for marijuana/THC unless otherwise required by law, rule or regulation):

- Marijuana/THC
- Cocaine
- Opiates
- Phencyclidine (PCP)
- Methamphetamines
- Barbiturates
- Benzodiazepines
- Propoxyphene
- Amphetamines
- Methadone

When an alcohol test is administered during a random, reasonable suspicion, post-accident, or follow-up test, an alcohol concentration level of 0.02 or higher will be considered positive. The City reserves the right to test for substances other than those listed above.

All testing will be completed by a licensed professional vendor who will collect and analyze samples using an established protocol and scientific method that conforms with the requirements of A.R.S. Title 23, Chapter 2, Article 14 (A.R.S. § 23-493 et. seq). Results of the test will be in accordance with generally prescribed thresholds adopted by the licensed professional collection/testing facilities. Refusal to test shall be grounds for denial of employment or for City employees, grounds for disciplinary action up to and including termination. Any positive test shall be grounds for denial of employment or for City employees, grounds for disciplinary action up to and including termination.

Tested employees shall have the right, on request, to obtain the written test results. Prior to taking final disciplinary action, the City will, at the employee's or applicant's request, give the person an opportunity to explain, in a confidential setting, a positive test result. An employee's or applicant's failure to adequately explain the test result will constitute a violation of this policy.

The communications the City receives through this testing program that are relevant to test results are confidential and may not be disclosed except to the employees who have a legitimate business reason for knowing the information, the tested individual, or as otherwise authorized in applicable Arizona Revised Statutes. The City shall comply with the provisions of the Arizona Medical Marijuana Act.

Additional provisions necessary to fully administer the provisions of this policy shall be included in an Administrative Directive issued under the authority of the City Manager and made available to all employees.

ARTICLE III - RECRUITMENT AND SELECTION

Section 301 - Physical and Mental Fitness

All applicants considered for employment with the City shall possess position-appropriate physical and mental health. Appointments to the City service shall be subject to a satisfactory physical examination and examination to establish mental fitness where appropriate. Such examinations shall be given by an examiner designated by the City and at the expense of the City. If at any time during employment these levels are suspected of falling below acceptable standards, the City may require the employee to complete a physical examination administered by an examiner of the City's choice at the City's expense. An employee who, in the opinion of the examiner after consultation with the Human Resources Director, is physically incapable of meeting the requirements of his/her position shall be removed from his/her position as provided in these rules.

Section 302 - Recruitment

Recruitment publicity shall be carried out through all appropriate means for a reasonable period of time to assure sufficient opportunity for qualified candidates to apply and be considered for employment with the City. Recruitment shall be carried out on a wide enough basis to ensure an adequate number of applicants for consideration. The Human Resources Director shall coordinate all recruitment efforts. When a position in the City service becomes vacant, prior to recruitment efforts the director of the department involved, the City Manager and the Human Resources Director may meet to review the vacant position in regard to recruitment timing, duties and responsibilities and other pertinent factors.

Section 303 - Application

All applicants for City employment shall make application on forms provided by the Human Resources Director. The Human Resources Director may waive this requirement and accept resumes as application. Applicants must provide honest and complete information on all items, both in the City application form and in any accompanying information such as a resume. Failure to complete the employment application form as directed may result in disqualification, or dismissal from the City service. Any application may be rejected for the following reasons:

- The applicant did not fully complete the application form.
- The applicant appears not to possess the qualifying experience or training required for the position.
- The applicant has made any misstatement of any material fact.
- The applicant has practiced any deception or fraud in his/her application.
- The applicant has been convicted of a crime involving moral turpitude or has been convicted of a crime that is related to the duties and responsibilities of the desired position. (For example, an applicant has applied for a position as Accounting Clerk, but was convicted of embezzlement.)

Application forms, when submitted, become the property of the City along with any documentation attached by the applicant.

Section 304 - Examinations

Examinations shall consist of selection techniques which will assist the City in assessing the qualifications of the candidates and include, but are not limited to, achievement and aptitude tests, other written tests, personal interviews, performance tests, physical agility tests, evaluation of daily work performance, work samples, medical and psychological tests, electronic truth measuring tests or any combination of these or other tests.

Appointments to the City service to positions which include driving a vehicle shall be subject to verification of an appropriate driver's license and satisfactory driving record.

In case of vacancy in a position requiring peculiar and exceptional qualifications of a scientific, professional or expert nature, or in other unusual circumstances, and upon satisfactory evidence that competition is impractical and that the position can be best filled by the selection of some designated person of recognized attainments, the Human Resources Director may suspend competition.

Section 305 - Employment Lists

When the recruitment testing and interview process has been completed for a position, qualified applicants not selected for the current vacancy may be placed on an eligibility list for possible consideration for similar position vacancies occurring in the subsequent 6-month period. The Human Resources Director may, after consultation with the director of the department in which a vacancy exists, evaluate the benefits of extending the validity period for a given certification list and may extend the use of a certification list for up to one year.

Section 306 – Under-filling Positions

When deemed appropriate by the department director and approved by the Human Resources Director, an approved budgeted position in the City service may be under-filled by hiring an applicant to fill the position in a classification with a lower pay range than the approved budgeted position.

ARTICLE IV - PROBATION

Section 401 - Period of Initial Probation

Every classified employee shall work satisfactorily for a period of probation in order to satisfy the requirements for regular employment in the City service. The period of initial probation normally shall consist of six months of work, except that in the case of any sworn Police classification below Chief, any sworn Fire classification below Assistant Chief, and Public Safety Dispatcher, Supervisor, and Manager, who all shall serve an initial probationary period of twelve months. Employees in the classifications of Police Officer Recruit and Firefighter Recruit shall be at-will employees during the period of their academy training. Upon successful completion of the academy training, these employees shall be reclassified to Police Officer or Firefighter (as the case may be) and then begin to serve the twelve-month normal initial probationary period for those classifications. The probationary period may be extended for one 90-day period at the request of the department director and upon approval of the Human Resources Director.

Time taken on sick leave, PTO, approved leave without pay, leave as a result of a workers' compensation claim, or time spent in an alternate/light duty assignment not in excess of 30 calendar days shall be included as creditable time to the probationary employee.

Section 402 - Appointment Following Initial Probationary Period

Prior to the end of the initial probationary period, the department director shall submit to the Human Resources Director or designee, a performance review of the probationary employee. A satisfactory performance review and affirmative recommendation by the department director with approval of the City Manager or designee shall confirm a probationer to regular status with the City.

Section 403 – Non-Confirmation of Probationary Employee

During the initial probationary period, an employee may be dismissed at any time without notice, without cause and without the right of appeal.

Section 404 - Promotion/Demotion/Transfer Probationary Period

When an employee is promoted, demoted or transferred, that employee shall serve a probationary period of six months in the new position. Prior to the end of the six-month period, the department head shall submit to the Human Resources Director or designee, a performance review of the promoted/demoted/transferred employee. An employee who has been promoted, demoted or transferred and is given an unsatisfactory evaluation at the end of the promotion/demotion/transfer probationary period may be returned to his/her former position or another similar position if vacant, or otherwise handled as provided in these rules.

Section 405 - Special Review Period

An employee may be placed in a special review period at any time when the performance of the employee falls below acceptable levels. The normal term of a special review period shall be 60 days; a written evaluation and/or report is to be at the end of this period to document the results of the special review period. Should the problems with an employee's performance not be corrected during this period, other action may be taken as provided in these rules.

ARTICLE V - PERFORMANCE EVALUATIONS

Section 501 - Purpose

The purpose of the performance evaluation system is to formally evaluate the performance of employees in the accomplishment of their assigned duties and responsibilities, to set and measure progress towards the achievement of goals and objectives and to assist in targeting training and/or educational needs.

Section 502 – Administration

The Human Resources Director or designee shall administer the performance evaluation system. Performance reviews shall be conducted:

- Just prior to the end of the initial probationary period,
- Just prior to the end of a promotional/transfer probationary period,
- Just prior to each annual performance date and
- Whenever the department director or City Manager so requires.

Section 503 - Rating and Reviewing

The performance reviews shall be documented on forms developed by the Human Resources Director. The rating authority shall be that person who directly supervises the work of the employee being rated. The reviewing authority shall be the department director. However, the function of review may be delegated to any other supervisor by the director. Each employee shall have an opportunity to review the rating with their supervisor. The Human Resources Director has the authority to investigate the accuracy of ratings. Completed performance rating forms shall be submitted, in a timely manner, to the Human Resources Director for review. The Human Resources Director will then ensure Human Resource staff, files each form in the employee's personnel file.

Section 504 - Special Merit Increase

Under unusual circumstances, and upon the recommendation of the department director, the City Manager may approve a special merit pay increase for an employee in recognition of outstanding, exceptional and meritorious service.

ARTICLE VI - CLASSIFICATION, COMPENSATION AND BENEFITS

Section 601 - Position Classification Plan

The Human Resources Director or designee shall ascertain and record the duties and responsibilities of all positions in the classified service and, after consultation with the directors of departments affected, shall develop a classification plan for such positions. The classification plan shall consist of classes of positions in the classified service defined by class specifications including job titles. The classification plan shall be so developed and maintained that all positions substantially similar with respect to duties, responsibilities, authority and character of work are included within the same class and the same schedules of compensation may be made to apply with equity under like working conditions to all positions in the same class. The plan shall be amended from time to time as the duties, responsibilities and employment conditions change.

Section 602 - Class Specifications

The Human Resources Director, or designee, shall maintain copies of current specifications for all classifications in the classification plan. When a new classification is created, or when a current classification is determined to be obsolete, the classification plan shall be amended accordingly.

Section 603 - Reclassifications

When the scope of the duties and responsibilities of a position have changed materially so as to necessitate reclassification, such position shall be analyzed by the Human Resources Director, or designee, and recommendations submitted to the City Manager to reclassify the position to a more appropriate class (if justified), whether new or existing. An employee may request a classification review through the department director.

Section 604 - Compensation Plan

The Human Resources Director, or designee, shall prepare a pay plan covering all positions in the classified service. In arriving at compensation rates or ranges, consideration shall be given to the prevailing rate of pay and consideration of working conditions for comparable work. In addition, consideration shall be given to internal equity, the City's financial condition, related City policies, and any other relevant factors.

Section 605 - Pay Ranges

Each classification shall be assigned to a pay range that, through the application of other provisions of this policy, is deemed appropriate. Each employee may be advanced through the pay range based

on performance until the maximum step in the pay range is reached. Advancement through the pay range shall be subject to the recommendation by the employee's department director through the formal performance evaluation system and after review by the Human Resources Director.

Section 606 - Performance Increases

City employees shall be eligible for consideration for performance or pay increases as follows:

1. Up to a one-step increase upon successful completion of the initial probationary period.
2. Up to a one-step increase upon successful completion of a promotional probationary period.
3. Up to a one-step increase in each 12-month period of service after completion of the initial or a promotional probationary period, to be granted on the performance date and based on the performance evaluation. Such increases shall not be automatic, but shall depend on increased service value of an employee to the City as exemplified by the recommendation of the supervisor, performance record, special training undertaken, or other pertinent evidence.
4. At other times as may be approved by the City Manager.

Section 607 - Range Adjustments

When it is determined that the pay range assigned to a particular classification is no longer appropriate due to changes in market conditions or duties and responsibilities of the classification, the Human Resources Director shall conduct a review of the range assigned to the particular classification. If it is determined that the pay range assigned to the classification is either too high or too low, the Human Resources Director shall make a recommendation for change to the City Manager and, if approved, the classification shall be moved to the recommended pay range. Affected employees shall be moved to a step in the new pay range as determined by the Human Resources Director. Performance evaluation dates shall not change for affected employees as a result of a range adjustment.

Section 608 - Temporary Assignments

Upon the recommendation of the department director and approval of the City Manager, an employee may be assigned, on a temporary basis, to a position in a classification with a higher pay range, either in the employee's department or another department. For such temporary assignments, which are intended to be more than a few weeks in duration, the employee may be compensated at an "Acting" pay rate during the assignment. The City Manager must approve "Acting" pay. The City Manager may assign an employee to work in his/her classification in a different department with no additional pay, on a temporary basis, as deemed necessary.

Section 609 - Overtime

Overtime is defined as time worked in excess of the normally designated work period for non-exempt employees. This includes qualified hours that may be worked under a grant, an intergovernmental agreement, or other such agreement. It is the policy of the City of Casa Grande to avoid the necessity for overtime whenever possible. Overtime work may sometimes be necessary to meet emergency situations and seasonal or peak workload requirements. Supervisory personnel are responsible for the advance planning and, as required, implementing schedule changes, in order to minimize the need for overtime. Necessary overtime shall be authorized by the appropriate supervisor prior to such overtime being worked. Compensation for overtime worked, whether through cash payment or the use of

compensatory time off in lieu of cash payment as outlined in policy below, shall be made in accordance with applicable Federal regulations. The employee's time in and time out which falls within five (5) minutes prior to or after the hour, or half hour, of that employee's shift begin or end time shall round to the scheduled start/end time. Any other time worked will calculate to the minute for pay and overtime calculation purposes.

Refusal of an employee to work overtime when requested may be cause for disciplinary action.

It shall be the general policy of the City to pay overtime compensation for all non-exempt City employees required to work overtime hours. City department directors or their designees may allow employees to earn compensatory (comp) time off in lieu of overtime pay, so long as there is an understanding reached prior to the performance of the overtime worked. No department director or designee, nor any employee, shall be required to choose compensatory time in lieu of overtime pay. No employee shall be allowed to have more than forty (40) hours of compensatory time off accumulated at any time and no employee shall be granted compensatory time off in excess of forty (40) accumulated hours.

A non-exempt employee who works beyond the normally scheduled work day may be allowed or required to alter the work hours in another work day in the same work period to compensate, hour for hour, as approved or directed by the employee's supervisor. This "flex" arrangement does not reduce or increase the number of hours worked in a given work period. This flex time cannot be banked and must be accomplished within the same work period, or it must revert to paid overtime and compensated as otherwise provided in this Section.

Section 610 - Call-Out

The call-out procedure is established to provide for emergency situations where it is determined that additional assistance is required, resulting in an employee being called into duty to return to the workplace, a designated location, or via remote access, outside of his/her normal working hours, with less than a four (4) hour notice.

If an employee is called out to work as noted above, the employee will receive credit for two hours worked, paid at the overtime rate, regardless of the duration of the call out. Once the employee works more than two hours, the time credited will be the actual time worked.

Operational demands sometimes require that employees be contacted while off-duty (via calls, texts, emails). Insubstantial or insignificant periods of time outside scheduled working hours are not compensable. Such time is considered to be "de minimis".

Section 611 – On-Call Time

On-call status (sometimes called stand-by) refers to situations where it is determined that a non-FLSA-exempt employee is required to be placed on call for duty. Employees in on-call status must be available, accessible, maintain a physical readiness to respond to fully perform their duties, and be accessible to respond to a call-out within a reasonable time as established by the department, to address an issue either by returning to the workplace or off-site (if applicable). No employee shall be required to be on-call, be assigned on-call duty, or be entitled to on-call pay unless directed or

authorized by the immediate supervisor. City departments may establish policies to compensate employees assigned to on-call status, as approved by the City Manager.

An employee assigned to be on-call is not required to stay at home, but must ensure they can be contacted and are able to start work within a reasonable time. A return to the workplace may not be necessary in all circumstances. In the event that the employee does return to the workplace, call-out provisions as outlined in Section 610 shall apply. In the event that the employee does not meet the criteria as outlined above, and therefore was not able to respond to a call, they shall not be paid for any part of the on-call status period.

Section 612 - Clothing Allowances, Uniforms and Expense Reimbursement

Clothing allowances and uniform privileges shall be approved by the City Manager. The City Manager shall have the authority to establish administrative regulations providing for the reimbursement to employees of necessary expense incurred while engaged in City business including approved travel and conference expenses as well as automobile allowances.

Section 613 - Other Benefits

City employees shall receive additional benefits as approved by the City Manager and (as appropriate) the City Council, or as might be mandated by law such as health insurance, worker's compensation coverage and retirement benefits.

ARTICLE VII - PROMOTION, TRANSFER AND DEMOTION

Section 701 - Promotion

Insofar as consistent with the best interest of the City, vacancies in the City service shall be filled by promotion from within, after consideration is given to all interested, qualified employees. Promotional opportunities are open to employees who have completed the initial probationary period and who meet the additional job requirements, except as may be approved by the City Manager. Upon promotion, the employee shall be moved to a step in the pay range assigned to the new position as approved by the Human Resources Director. The annual evaluation date shall normally be changed to reflect the promotion.

Section 702 – Eligibility Lists

When the recruitment, testing and interview process has been completed for a position, an eligibility list shall be developed which shall note the person to be hired/promoted into the vacancy and other candidates deemed to be qualified to be hired or promoted into future vacancies. Eligibility lists shall remain in effect for a minimum of six months and may be used for position openings in classifications with similar duties and responsibilities.

Section 703 - Transfer

With the approval of both department directors involved and the City Manager, an employee may be transferred from a position in one department to a position with the same pay range in another department. The annual performance evaluation date of the employee will not change.

Section 704 - Demotion

A demotion occurs when an employee is moved to a classification assigned to a lower pay range than that currently held by the employee. A demotion may be voluntary or involuntary and must be approved by the City Manager. In the case of an involuntary demotion, the employee's annual performance evaluation date will not normally change.

ARTICLE VIII - LEAVE

Section 801 - Holidays

The following days have been established as paid holidays for City employees:

New Year's Day	Veteran's Day
M.L. King Jr. Birthday	Thanksgiving Day
President's Day	The Friday After Thanksgiving Day
Memorial Day	Christmas Day
Independence Day	Floating Holiday
Labor Day	Other days as may be set by the City Council

When a holiday falls on a Saturday, the preceding Friday shall be observed. When a holiday falls on a Sunday, the following Monday shall be observed, except for Fire Department employees working 24-hour shifts, for whom the Independence Day holiday shall be observed on July 4 of each year and the Christmas Day holiday shall be observed on December 25 of each year.

The floating holiday may be taken at any time, subject to the same approval as required for vacation and planned PTO. The floating holiday may not accrue from calendar year to calendar year. Hours provided as a floating holiday are designed to be used in the same manner as any other holiday, therefore all floating holiday hours must be taken together and may not be taken in hourly increments. Employees shall not be required to be on duty on holidays unless the employee's assignment is deemed to be essential in order to maintain necessary service levels, or is essential to public health, safety or general welfare. Should a holiday fall on an employee's regularly scheduled day off, every effort should be made to give the employee a regular work day off, in the same work week, to compensate. Where that is not possible or practical, non-exempt employees, except those fire personnel assigned to 24-hour shift work, shall be paid 8 hours of holiday pay in addition to pay for hours worked or other authorized paid time off. A full-time non-exempt employee, except those fire personnel assigned to 24-hour shift work, whose assigned shift exceeds 8 hours and who are not required to work the holiday may use their vacation or paid time off (PTO) to supplement holiday pay in order to be paid their normal number of hours for that day. Regular part-time employees receive credit for holidays on a prorated basis as determined by the Human Resources Director.

A non-exempt employee, except those fire personnel assigned to 24-hour shift work, who is required to work on the holiday, shall be paid at the overtime rate. When the observed holiday and the actual holiday are not the same day, the holiday overtime pay shall be paid to those employees required to work on the actual holiday.

An employee whose shift crosses over midnight shall be paid the holiday overtime for their entire shift when fifty percent (50%) or more of their assigned shift falls on the actual holiday. When less than fifty percent (50%) of their assigned shift falls on the actual holiday, that employee shall not be paid holiday overtime for any portion of that shift.

Fire personnel assigned to 24-hour shift work shall be paid an additional 12 hours of holiday pay in the workweek on which the holiday falls, regardless of whether they work the holiday or not. No additional overtime pay will be provided to these employees for work on the holiday.

Any employee enrolled in the paid time off (PTO) program who is off work due to a non-work related injury or illness and is collecting short term disability payments through the City- sponsored short term disability insurance carrier shall have holiday pay provided to them on a pro-rated basis. Should a holiday fall on a day when the employee is collecting short term disability, that employee will be paid holiday pay at the rate of 2 hours and 45 minutes for an 8 hour holiday and 4 hours for a 12 hour holiday. The employee will be allowed to supplement the short term disability and holiday pay with PTO to get to 100% of their pay for the day. Under no circumstances will the employee be allowed to supplement to receive more than 100% pay.

Section 802 – Holiday On-Call

Holiday On-Call refers to time periods, on the actual holiday, during which an employee must be available and able to respond, within a reasonable time, to resolve a problem either by returning to the workplace or off-site (if applicable). Holiday On-Call applies to the time periods on the actual holiday that are not regular working hours. Holiday On-Call shall be managed as outlined in Article VI, Section 611.

Section 803 - Vacation Leave

Traditional Vacation Benefit: Employees hired before June 30, 2018 who opted to stay in the traditional vacation/sick leave program, shall receive the benefits outlined in Sections 803 (Vacation,) 804 (Sick Leave,) and 806 (Sick Leave Incentive Program.) The employee will remain in the selected program throughout their career with the City of Casa Grande.

Vacation leave is provided to regular employees of the City enrolled in the traditional vacation benefit program on the following accrual schedule:

ALL EMPLOYEES EXCEPT FIRE SERVICE EMPLOYEES WORKING 24-HOUR SHIFTS:

1 month through 5 years of service.....	8 hours per month
5 years through 10 years of service.....	12 hours per month
10 years through 15 years of service.....	16 hours per month
15 or more years of service.....	20 hours per month

FIRE SERVICE EMPLOYEES WORKING 24-HOUR SHIFTS EMPLOYED AS OF 6/30/06:

1 month through 5 years of service.....	12 hours per month
5 years through 10 years of service.....	18 hours per month
10 years through 15 years of service.....	24 hours per month
15 or more years of service.....	30 hours per month

FIRE SERVICE EMPLOYEES WORKING 24-HOUR SHIFT EMPLOYED AFTER 7/1/06:

1 month through 5 years of service.....	11.2 hours per month
5 years through 10 years of service.....	16.8 hours per month
10 years through 15 years of service.....	22.4 hours per month
15 or more years of service.....	28 hours per month

Upon completion of the initial six-month probationary period (or six months of service in the case of public safety employees serving a one-year probationary period), vacation leave may be taken subject to available accrued leave. Employees who work less than 1,040 hours per year shall not accrue vacation time. Employees who work less than full time but more than 1,040 hours per year shall accrue vacation time on a prorated basis. Accrued vacation leave may be carried over from year to year, subject to an accrual limitation. That is, on the last day of the pay period which includes March 31st of each year, all vacation leave accrued in excess of the amount of vacation leave which could be earned in 18 months of service shall be forfeited by the employee. Holidays are not counted toward vacation days.

Requests for vacation leave shall be made by the employee far enough in advance to allow planning for the absence but no less than the day prior to the requested vacation day. Every effort should be made to honor an employee's vacation request but such requests may be denied if the employee's absence would result in a negative impact on the department's operation. Vacation leave shall be scheduled by the department with due regard to the requirements for service delivery and the employee's wishes.

Employees who have satisfactorily completed the initial probationary period and who terminate employment shall be paid for all accrued vacation leave.

Section 804 - Sick Leave

Sick leave with pay is granted to all probationary and regular employees in the City service as outlined below

In accordance with applicable state law, the City authorizes no more than a cumulative total of forty (40) hours of paid sick time in any fiscal year to be used for personal illness or injury, family member (as defined in A.R.S. 23-371) illness or injury, or any other legally prescribed use as outlined in A.R.S. 23-373. Once the total of forty (40) hours of paid sick time as defined by law has been reached, the remainder of an employee's accrued sick time may only be used as outlined below.

Accrued sick leave may be used when the employee is unable to report to work due to his/her personal illness or injury or when their presence is required elsewhere in order to provide care for a family member, as defined below, whose illness or injury necessitates such care.

For the purposes outlined in the paragraph above, family is defined as:

Spouse	Aunt
Parent (in-law & step)	Uncle
Brother (in-law, half & step)	Niece
Sister (in-law, half & step)	Nephew
Child (in-law & step)	Grandchild Grandparents (in-law)

When the use of paid sick time is foreseeable, the employee shall make every effort to provide notice of the need for such time to their supervisor as far in advance as possible. The employee may request such leave either orally, in writing, or electronically. Regardless of how the original request was made, the employee shall, in advance of such leave, enter the leave request through the appropriate section of the City's electronic payroll system. Such entry shall constitute a valid request and no other request shall be required. Approval of such requests shall be made through this same system.

When an employee needs to use paid sick time due to last minute illness, injury or other unforeseen circumstance, he/she must contact their supervisor, manager, or director, by phone or text, as determined by the individual's department rules, as soon as possible but no less than one (1) hour prior to the employee's scheduled start time. The only exception to this notification time requirement would be an emergency that takes place less than one hour prior to the employee's schedule start time, thereby making it impossible to provide such notice. In such cases, the employee shall contact their supervisor, manager or director, as soon as such notice is feasible.

Regardless of the manner in which the original notice is made, the employee must enter the last minute time off request through the City's electronic leave and payroll system immediately upon their return to work unless their return to work is after the close of the affected pay period. In that case, the employee's supervisor will enter the time off directly onto the employee's timesheet and annotate in the comment section the reason for the absence.

In order to comply with legally mandated tracking, all sick leave time off requests, whether in advance or last minute, shall include in the comments section the reason for the time off (IE: personal, spouse, child illness or injury, personal or child doctor appointment, etc.).

For all personal sick leave absences exceeding three working days, the employee shall provide written documentation from the treating physician or health care practitioner giving reason for the absence and approving the employee's return to work.

Misuse or abuse of sick leave may be cause for disciplinary action.

In the event that a paid holiday falls during a period when an employee is on approved paid sick leave, the holiday shall not be charged against the employee's accrued sick leave. In the event an employee becomes sick or has an accident during paid vacation leave, the time may be charged to accrued sick leave (subject to proper medical documentation).

Sick leave shall accrue at the rate of eight hours per month for all employees except fire service employees working 24-hour shifts, who shall accrue sick leave at the following rates:

Those employed on 6/30/06 – 12 hours per month
Those employed after 7/1/06 – 11.2 hours per month

Unused accrued sick leave may be carried over from year to year, subject to the following accrual limitation:

On the last day of the pay period which includes March 1st of each year, all sick leave in excess of 1280 hours for all employees except fire service employees working 24-hour shifts, and 1792 hours for fire service employees working 24-hour shifts, shall be forfeited by the employee, except that those employees who, on March 1, 2006, have accrued sick leave balances in excess of the aforementioned accrual limitations will have those balances established as their individual accrual limitations under the provisions of this policy. The City of Casa Grande shall comply with the provisions of the Family & Medical Leave Act of 1993 and its amendments.

Upon separation from the City service in good standing (for the purposes of this Section defined as voluntary separation from the City service), employees will be paid for unused accrued sick leave as follows:

ALL EMPLOYEES EXCEPT FIRE SERVICE EMPLOYEES WORKING 24-HOUR SHIFTS:

10 years through 14 years of service: 30 percent of unused accrued sick leave with no more than 128 total hours paid

15 years through 19 years of service: 40 percent of unused accrued sick leave with no more than 288 total hours paid

20 or more years of service: 50 percent of unused accrued sick leave with no more than 640 total hours paid

FIRE SERVICE EMPLOYEES WORKING 24-HOUR SHIFTS:

10 years through 14 years of service: 30 percent of unused accrued sick leave with no more than 180 total hours paid

15 years through 19 years of service: 40 percent of unused accrued sick with no more than 404 total hours paid

20 or more years of service: 50 percent of unused accrued sick leave with no more than 896 total hours paid

Section 805 – GST Leave

This Section is applicable only to part time non-benefited employees and seasonal employees.

In accordance with Arizona Revised Statute 23-372, all part time non-benefited and seasonal employees shall earn 1 hour of GST leave for every 30 hours worked. Such leave shall accrue so long as the employee receives pay for hours worked.

Accrued GST shall not be paid out to any employee who leaves City service under any circumstances. However, the number of accrued hours an employee has upon separation from City service shall be reinstated to that employee should they be rehired within nine (9) months of their separation date.

An employee may use accrued GST for their own illness or injury or that of their family members, as defined in A.R.S 23-371, or for any other purpose authorized in A.R.S 23-373. However, under no circumstances will an employee be authorized more GST than they have earned. Further, should an employee have more than 40 hours of earned GST, they shall not be authorized to use more than forty (40) hours of GST in any fiscal year.

When the use of GST is foreseeable, the employee shall make every effort to provide notice of the need for such time to their supervisor as far in advance as possible. The employee may request such leave either orally, in writing, or electronically. Regardless of how the original request was made, the employee shall, in advance of such leave, enter the leave request through the appropriate section of the City's electronic payroll system. Such entry shall constitute a valid request and no other request shall be required. Approval of such requests shall be made through this same system.

When an employee needs to use GST due to a last minute illness, injury or other unforeseen circumstance, he/she must contact their supervisor, manager, or director, via phone or text, as determined by the individual's department rules, as soon as possible but no less than one (1) hour prior to the employee's scheduled start time. The only exception to this notification time requirement would be an emergency that takes place less than one hour prior to the employee's schedule start time, thereby making it impossible to provide such notice. In such cases, the employee shall contact their supervisor, manager or director, as soon as such notice is feasible.

Regardless of the manner in which the original notice is made, the employee must enter the last minute time off request through the City's electronic leave and payroll system immediately upon their return to work unless their return to work is after the close of the affected pay period. In that case, the employee's supervisor will enter the time off directly onto the employee's timesheet and annotate in the comment section the reason for the absence.

In order to comply with legally mandated tracking, all GST requests, whether in advance or last minute, shall include in the comments section the reason for the time off (IE: personal illness or injury, spouse illness or injury, child illness or injury, personal or child doctor appointment, etc.).

Section 806 - Sick Leave Incentive Program

Those employees who elected to continue to receive sick leave instead of transitioning into the PTO program are eligible to request a cash payment of up to 32 hours (45 hours for 24-hour shift employees) each calendar year. Any such request shall be submitted on City approved forms and at such times as set forth by the Human Resources Department. The optional sick leave payout will be administered in compliance with applicable IRS regulations. The total number of hours paid out will be deducted from the employee's sick leave bank and will no longer be available for the employee's use.

Section 807 - Sick or PTO Leave In Relation To Worker's Compensation

Employees are insured by the City under the provisions of the Arizona Worker's Compensation statutes, against on-the-job injuries and illnesses. It is mandatory that every job-related injury or illness, regardless of severity, be reported immediately to the supervisor. The injured employee shall report any work-related injury to their supervisor prior to the end of their workday, regardless of whether the injury requires medical attention or not.

Under worker's compensation law, medical expenses are paid for a covered injury or illness. Compensation is paid for lost-time injury or illness if disability extends beyond a seven-day period. If the absence extends beyond 13 days, compensation is made retroactive to the date of injury or illness. When an employee misses work time due to a covered injury or illness, the employee will continue to receive his/her full compensation from the City for up to 13 calendar days without being charged any leave time for the absence. Should the absence be for 14 calendar days or more, the employee may elect to use accumulated sick leave or PTO in order to maintain his/her regular income for up to 90 additional days. The appropriate department director and Human Resources Director or designee will review each case on an individual basis and determine if the circumstances of an individual claim justify extension of that time. The City Manager or his/her designee may approve additional extensions based on all factors deemed appropriate to consider including the likelihood of the employee returning to duty. All employees receiving full compensation in lieu of temporary disability payments under worker's compensation coverage shall remit any funds received under worker's compensation to the City. An employee receiving worker's compensation disability payments and not supplementing their income with PTO, sick or vacation leave shall not accrue paid leave or receive pay for holidays for any pay period they do not actually perform their duties.

No employee may receive sick leave pay as a result of a job injury or disease incurred while self-employed or while employed by someone other than the City of Casa Grande except as allowed by law.

Section 808 – Documentation Supporting Absence and Return To Duty

Regardless of whether an employee is covered under the sick leave or PTO program provisions of this Policy, reasonable documentation supporting an absence of more than three (3) consecutive working days for a personal health-related absence or supporting any absence defined in A.R.S. 23-373, may be required. Upon return to work after an absence of more than three (3) consecutive working days, an employee may be required to submit return to work documentation validating the employee's ability to return to duty. Should there be a question regarding an employee's fitness for duty, the applicable department director shall consult with the Human Resources Director to determine whether additional documentation is required in order to ensure the safety and welfare of the employee.

Section 809 – Bereavement Leave

Upon documentation that a relative (as defined below) has died, an employee may be granted a bereavement leave with pay, not to be charged to any accrued PTO, sick or vacation leave, for a period not to exceed three (3) work days or three (3) 24-hour shifts in the case of fire service employees working shift work. An additional two (2) work days or two (2) 24 hour shifts in the case of fire

service employees working shift work, may be granted if out-of-state travel is necessary. Absences exceeding the above shall be charged to accrued PTO or vacation leave.

For the purposes of this section, relative is defined to include:

Spouse	Child (in-law & step)	Uncle
Parent (in-law & step)	Grandchild	Niece
Brother (in-law, half & step)	Grandparents (in-law)	Nephew
Sister (in-law, half & step)	Aunt	

Any employee using bereavement leave shall enter, in the comments section of their electronic time sheet, the relative for whom the leave was taken.

Section 810 - Military Leave

Military leave shall be granted in accordance with the provisions of State law. All employees entitled to military leave shall give their supervisors an opportunity, within the limits of military regulations, to determine when such leave may be taken. The City of Casa Grande shall comply with the provisions of the Uniformed Services Employment and Reemployment Rights Act of 1994, as amended.

Section 811 - Jury Leave

Every employee of the City who is required to serve as a juror shall be entitled to leave not charged to any accrued leave during the period of such service or while necessarily being present in court as a result of such call. Under such circumstances, the employee will be paid full salary and any payment received from the court shall be remitted to the City, except travel pay, for such duty. Employees subpoenaed to testify as witnesses in criminal or civil cases shall be entitled to the same benefit as employees called as jurors.

Section 812 - Leave Without Pay

A department director may grant a probationary or regular employee a leave of absence without pay, not to exceed five (5) working days (or one [1] 48-hour tour of duty for Fire Department Shift employees) in duration. The City Manager may grant a probationary employee or a regular employee a leave of absence without pay, not to exceed three months in duration. A leave without pay may be granted only in situations where there is no paid leave time available to the employee. For a leave without pay exceeding the department director authority, the employee desiring leave without pay shall make a written request setting forth the request and the length of time requested. The Human Resources Director shall be made aware of such leave requests prior to such leave being granted in order to ensure such leave is in compliance with Arizona Revised Statutes. Such request must be approved by the City Manager. Upon expiration of an approved leave, the employee shall be reinstated in the position held at the time the leave was granted. Failure on the part of an employee on leave without pay to report promptly upon expiration of the leave may be cause for termination.

An employee on leave of absence without pay for seven (7) or more consecutive calendar days shall accumulate no PTO, vacation or sick while on such leave, and shall receive no holiday pay should a holiday fall within the period of unpaid leave. The term of a leave of absence without pay may be extended under unusual circumstances by the City Manager.

In the event an employee enrolled in the City's Paid Time Off (PTO) program had earned a minimum of forty (40) PTO hours to date, yet has no paid leave available, and finds themselves in need of such leave for any reason outlined in A.R.S. 23-373 the Human Resources Director or designee will determine whether they are authorized additional paid time in accordance with such statute. In the event that the employee is authorized additional time under such statute, the employee will be paid the additional hours as Planned or Unplanned PTO, as appropriate, prior to being required to take leave without pay. Any such additional PTO shall result in a "negative" balance in the employee's leave bank. Once the employee returns to work and begins to accrue PTO again, all accrued PTO will be used to clear the negative balance prior to the employee having any paid time off available to them. Should an employee fail to accrue enough time to clear the negative balance prior to separation from City employment, the value of such time shall be withheld from their final pay.

An employee who is being paid "negative" PTO as outlined above shall accrue no additional PTO during any workweek wherein they do not have paid work time.

Section 813 - Vacation Leave Donation Program

The Vacation Leave Donation Program is established to allow a qualified employee who has exhausted all his/her paid leave hours a means of financial assistance through the contributions of vacation leave accruals from fellow employees. A qualified employee is any regular City employee who has a serious health condition (as defined in the Family & Medical Leave Act) and who has exhausted all paid leave hours. Donating employees may only donate vacation leave time in one-hour increments. An employee needing the benefits of this Program must make the need known to his/her supervisor. That supervisor and/or the department director may make the donation need known to other members of the department and other City employees through appropriate means. The Human Resources Department shall prepare appropriate forms to document vacation leave donation authorization to ensure proper record keeping. Donated accrued vacation leave will be converted on a straight hour-for-hour basis to the recipient employee's sick leave or PTO leave balance as required on a first in first out basis. The tax liability associated with the donated leave will be the responsibility of the recipient. All leave donations will be voluntary and no employee may intimidate, threaten or coerce any other employee with respect to donating or receiving leave under this program. Sick Leave may not be donated under any circumstances.

Section 814 – Paid Time Off (PTO) Program

PTO Benefit: All employees hired after July 1, 2018, and those employees hired prior to June 30, 2018 who opted for the PTO program, will be registered in the PTO program outlined in Section 814 (Paid Time Off Program) and Section 815 (Paid Time Off Donation Program). The employee will remain in this program throughout their career with the City of Casa Grande.

All regular, full-time and part-time employees selecting this program are eligible to accrue/earn Paid Time Off (PTO) beginning on the employee's first day of employment with the City. Employees are eligible to utilize accrued/earned PTO immediately. Employees are expected to use accrued PTO responsibly to assure necessary rest and relaxation away from work and to maintain an appropriate balance of PTO for use in unexpected emergencies or in cases of serious illnesses or injuries.

Full-time employees who are regularly scheduled to work 40 hours per week or more shall accrue PTO each pay period. Employees assigned as regular part-time employees on the staff compliment

and who regularly work less than full-time but more than 1040 hours per year shall accrue PTO at a rate of 3.077 hours per pay period worked. Employees who are regularly assigned to work less than 1040 hours per year will not accrue PTO. Accrual rates are based upon the employee's City service and accrue as outlined below:

Regular Full-Time Employees assigned to an annual 2080 hour schedule:

Completed Years of Service	Paid Time Off Accrual hours per Pay Period	Approximate Annual Accrual (hours)
<1 year	6.1666	160
1	6.500	169
2	6.85	178
3	7.2	187
4	7.55	196
5	7.9	205
6	8.2333	214
7	8.6	223
8	8.9333	232
9	9.28333	241
10	9.61666	250
11	9.96666	259
12	10.31666	268

Fire Personnel Assigned to 24 hour shifts:

Completed Years of Service	Paid Time Off Accrual per Pay Period (hours)	Approximate Annual Accrual (hours)
<1 year	8.61666	224
1	9.100	236
2	9.6	249
3	10.08333	262
4	10.55	274
5	11.05	287
6	11.51666	299
7	12	312
8	12.48333	324
9	12.96666	337
10	13.46666	350
11	13.93333	362
12	14.43333	375

The maximum amount of PTO which may be accrued by employees is 600 hours for regular employees and 840 hours for 24-hour fire personnel. Upon reaching the applicable maximum, an employee shall cease accruing PTO until the employee's accrued hours drop below the maximum.

Employees are responsible for knowing the amount of PTO available for their use. PTO to the employee's credit may be requested by the employee for time off due to planned or unplanned time away from work.

Use of PTO for Planned Absence:

Employees requesting the use of PTO for planned absences shall request approval for the use of PTO as far in advance as possible, and generally no later than the end of the workday prior to the day(s) desired off (or earlier if required by the employee's department). Requests may be made orally, electronically, or in writing. Regardless of how the original request was made, the employee shall, in advance of such leave, enter the leave request through the applicable section of the City's electronic payroll system. Such entry shall constitute a valid request and no other request shall be required. Approval of such requests shall be made through this same system. Granting of requests is subject to the approval of the supervisor and based upon operational needs except where such leave is mandated by law. PTO may be used in conjunction with worker's compensation and short term disability to bring an employee's pay up to their normal weekly pay.

Use of PTO for Unplanned Absence:

An unplanned absence is any circumstance which requires the employee to be absent from work, which could not have been foreseen, and would have been improbable to schedule in advance.

Employee Obligations: To be eligible to use PTO for unplanned absences as defined herein, an employee must:

- i. Notify his/her supervisor, manager, or director, via phone or text as determined by the individual's department rules, as soon as possible but no less than one (1) hour prior to the employee's scheduled start time. The only exception to this notification time requirement would be an emergency that takes place less than one hour prior to the employee's scheduled start time, thereby making it impossible to provide such notice. In such cases, the employee shall contact their supervisor, manager or director, as soon as such notice is feasible.
 - a. Regardless of the manner in which the original notice is made, the employee must enter the last minute time off request through the City's electronic leave and payroll system immediately upon their return to work unless their return to work is after the close of the affected pay period. In that case, the employee's supervisor will enter the time off directly onto the employee's timesheet and annotate the reason for the unplanned time off in accordance with item "v" below.
 - ii. Schedule medical appointments during non-work hours, to the extent this is possible.
 - iii. Submit a physician's certificate verifying the need for absence and outlining any restrictions on return to full duty when the employee's unplanned absence extends for three or more consecutive work days.
- iv. Indicate the use of PTO for the time absent on the timecard covering the pay period containing the PTO use and annotate it as unplanned.

- v. In order to comply with legally-mandated tracking, all Unplanned PTO requests shall include, in the comments section of the electronic leave and payroll system, the reason for the unplanned time off (i.e., personal, spouse, child illness or injury, personal, or child doctor appointment, etc.).

While on Leave: Employees absent from work for unplanned absences and receiving PTO may not work, perform services, receive, or earn compensation for or from any other entity, including the employee's own business except as authorized by state statute, from the beginning of such absence until the employee returns to work.

Medical Examination: The City may require an employee to submit to an examination conducted by a licensed physician chosen by the City to determine the employee's ability to perform the essential functions of the employee's employment position. The cost of the examination shall be paid by the employee's insurance or the employee.

The City reserves the right to investigate all usage of PTO for unplanned absences. Should the City determine that an employee has not used PTO in accordance with these rules and regulations, corrective action may result. NOTE: Provisions in Section 812 address a specific circumstance regarding no available PTO and A.R.S. 23-373.

PTO use will be assigned as follows:

Non-exempt employees absent on approved PTO for planned or unplanned absences shall be paid from their available PTO balance at their applicable hourly rate for the time absent, rounded up to the nearest quarter hour. Use of PTO must be reflected on the time card covering the pay period in which the PTO was used.

Exempt employees shall use PTO for planned or unplanned absences in accordance with FLSA standards and per applicable City guidelines.

Optional Annual PTO Payout: While employees are expected to use PTO to assure necessary rest and relaxation away from work, eligible employees may also be afforded the opportunity to request a cash payment of up to eighty (80) hours of PTO (112 hours for 24-hour shift employees) each calendar year. Any such request shall be submitted on City approved forms and at such times set forth by the Human Resources Department. The optional annual PTO payout will be administered in compliance with applicable IRS regulations. The total number of hours paid out will be deducted from the employee's PTO bank and will no longer be available for the employee's use.

Payment of Earned but Unused PTO at Time of Separation: Employees shall be paid for accrued but unused PTO at the time of their separation from City service through the normal payroll process unless otherwise determined by law.

Short Term Disability – The City will provide short term disability insurance to employees eligible for PTO. The provider of this benefit will be chosen solely at the city's discretion.

Section 815 – Paid Time Off (PTO) Donation Program

The PTO Donation Program is established to allow a qualified employee a means of financial assistance through the contributions of paid time off from fellow employees. A qualified employee is any regular full-time City employee who has a serious health condition (as defined in the Family & Medical Leave Act) and who has exhausted all paid leave hours.

An employee needing the benefits of this program must make the need known to his/her supervisor. That supervisor and/or the department director will work with the Human Resources Department to ensure the request meets the requirements of the donation program. After which, the supervisor and/or department director may make the donation need known to other members of the department and other City employees through appropriate means. Human Resources will prepare appropriate forms to document paid time off donation authorization to ensure proper record keeping. Donating employees may only donate paid time off in one-hour increments. Donated accrued paid time off will be converted on a straight hour-for-hour basis and will then be applied to the recipient employee's sick or PTO leave balance as required on a first in first out basis. The tax liability associated with the donated paid time off will be the responsibility of the recipient. All paid time off donations will be voluntary and no employee may intimidate, threaten or coerce any other employee with respect to donating or receiving paid time off under this program.

ARTICLE IX - DISCIPLINARY ACTION AND RULES OF CONDUCT

Section 901 - Purpose

The orderly and efficient operation of the City's business requires that employees maintain discipline and proper personal standards of conduct at all times. Maintaining proper conduct and job performance is necessary to protect the health and safety of all employees and others, to maintain uninterrupted productivity and to protect the City of Casa Grande's good will and property. The general responsibilities of all employees as outlined elsewhere in this policy, along with specific job responsibilities, need to be performed properly to ensure our success. If inappropriate behavior or poor job performance is observed, employees may be warned and counseled about the need to refrain from similar conduct in the future. However, such steps are not required and termination may immediately occur. Disciplinary action may take the form of admonishment, reprimand, reduction in pay, suspension or dismissal. For the purposes of this Article, "day" means a calendar day unless otherwise expressed. If the last day of any time period stated herein shall fall on a Saturday, Sunday or legal holiday in the City of Casa Grande, then the duration of such time period shall be extended so that it shall end on the next succeeding day which is not a Saturday, Sunday, or legal holiday in the City of Casa Grande.

Section 902 - Reasons for Disciplinary Action

Grounds for disciplinary actions include but are not limited to the following. This listing is not all inclusive. Other work rule violations or other actions which reflect poorly on the employee or the City may also subject an employee to disciplinary action, up to and including termination from City employment. This list only illustrates the type of inappropriate actions, which may result in disciplinary action:

1. Inefficiency, incompetence, or negligence in the performance of duties.
2. Abusive attitude, language or conduct.
3. Negligence or carelessness
4. Any conduct resulting in injury to employees, wards of the City or members of the public.
5. Violation of any City codes, policies, procedures, administrative directives, ordinances, or any State or Federal law, rule or regulation.
6. Being found to be under the influence of alcohol or non-prescribed drugs while on duty, or at such a time as it could impact the employee's work performance or the safety of others.
7. Damaging City property.
8. Absence from work without an approved leave.
9. Failure to report for duty as scheduled.
10. Use of City property for personal purposes without prior authorization.
11. Violation of the conflict of interest policy.
12. Abusing sick leave, workers compensation leave, or malingering.
13. Engaging in any conduct, on or off the job, that might bring discredit to the City service.
14. Falsification of City records or other documents.
15. Falsification of the employment application or other employment records.
16. Lying about a job-related matter or making a material misrepresentation during an investigation.
17. Engaging in any discrimination, sexual harassment or any other unlawful employment practice.
18. Failure to properly report an accident involving City property or potential City liability; failure to report an on-the-job injury in a timely manner.
19. Violation of the violence in the workplace policy or the weapons in the workplace policy.
20. Conviction of a crime which, in the City's sole judgment, renders the employee unfit to perform the duties of his/her position.
21. Violation of City and/or departmental policies and guidelines regarding access to and use of the City's infrastructure.
22. Failure to maintain minimum qualifications for position.
23. Any other action or inaction, malfeasance or misfeasance by any City employee which, in the City's sole discretion, warrants disciplinary action.

This list does not apply to employees who are deemed "at will" including but not limited to, probationary employees who may be terminated at any time, with or without cause and with or without notice.

This list is not an exclusive list of grounds or "good cause" for termination from the City service. For employees who may only be terminated for good cause, the City retains the right to terminate any employee for any reason it deems to constitute good cause.

Section 903 - Administrative Leave

The department director, with review by the Human Resources Director and notification to the City Manager, may place an employee on administrative leave with pay pending an investigation or for any other reason as may be deemed appropriate. Placement on administrative leave with pay is not considered a disciplinary action, and is not subject to grievance or appeal procedures.

Section 904 - Levels of Disciplinary Action Imposed

The City may impose disciplinary action as appropriate under the given facts and circumstances. The decision as to what level of discipline to impose is the sole and exclusive decision of the City. The City Manager will have the final authority as to whether a particular level of discipline is appropriate in any given case. The following factors may be considered, if appropriate, in determining which level of discipline will be imposed in a particular case:

1. The seriousness of the offense.
2. The employee's work history and prior disciplinary actions.
3. Prior warnings or notice to the employee of the inappropriateness of the conduct.
4. The employee's longevity (or lack thereof) with the City.
5. The exposure or liability risk to which the employee's conduct exposes the City.
6. The City's treatment of other similar cases in the past.

This list is not intended to be all-inclusive, nor is it intended to list the factors in any particular order of priority or importance. Other factors may be considered in a particular case in deciding an appropriate disciplinary action. Nothing in this policy shall be interpreted or construed as requiring the application of "progressive discipline" in any circumstance or set of circumstances. It is the sole and exclusive decision of the City to choose and apply whatever level of disciplinary action it deems appropriate to any given circumstance or set of circumstances.

Section 905 - Levels of Disciplinary Action Available

1. Admonishment - An admonishment is the least severe formal disciplinary action and is intended to point out problems and outline suggestions for resolution of those problems to employees.
2. Reprimand - A reprimand may be issued by a department director or a designated representative to an employee for an offense not serious enough for suspension, demotion or dismissal. A reprimand shall be in writing and a copy shall be forwarded to the Human Resources Director for insertion in the employee's personnel file.
3. Disciplinary Suspension - A department director, after review by the Human Resources Director, may suspend an employee without pay at any time for disciplinary reasons, not to exceed 24 hours (33 hours for fire service employees working 24-hour shifts). Suspensions of more than 24 hours (33 hours for fire service employees working 24-hour shifts) must be approved by the City Manager. Exempt employees (those exempt from the provisions of the Fair Labor Standards Act) may not be suspended without pay for disciplinary reasons for a period of time less than one day.
4. Disciplinary Demotion - A department director, after review by the Human Resources Director and with approval of the City Manager, may demote an employee whose ability to perform required duties falls below the minimum job requirements or for disciplinary reasons. A demoted employee shall be placed in the pay range assigned to the classification to which the employee is demoted as determined by the Human Resources Director. Final authority for demotions rests with the City Manager.

5. Disciplinary Reduction In Pay - A department director, after review by the Human Resources Director and with approval of the City Manager, may use reduction in pay as disciplinary action. Final authority for reductions in pay rests with the City Manager.
6. Disciplinary Dismissal - The ultimate step in any disciplinary action is dismissal from the City service. Final dismissal authority rests with the City Manager.

ARTICLE X - GRIEVANCES AND APPEALS

Section 1001 - Grievance Procedure

1. Matters Subject To Grievance - If an employee believes that (1) the City, through its managers or supervisory personnel, violated or misinterpreted one of its express policies, regulations, administrative rules, state laws or federal laws, and (2) the grieving employee was negatively affected by the alleged violation or misinterpretation, then the City employee may file a grievance. No other matters are subject to a grievance.

Any issues concerning an imposed disciplinary suspension (without pay) in excess of 24 hours (33 hours for fire service employees working 24-hour shifts), disciplinary reduction in pay, disciplinary demotion or disciplinary dismissal must be appealed pursuant to the appeal procedure (see Section 1002 below) and cannot be pursued through the Grievance Procedure. For the efficient operation of the City, should an employee have an issue that is subject to this Grievance Procedure and also concurrently have an issue that is subject to the Appeal Procedure, the City Manager may, in his or her discretion, after the employee's timely submittal of appropriate forms, order all matters to be decided pursuant to the City's Appeal Procedure in one proceeding by so notifying the City employee. Issues relating to employee performance evaluations are not matters subject to grievance under the provisions of this policy. Disciplinary suspensions (without pay) of less than 24 hours (33 hours for fire service employees working 24-hour shifts) are subject to grievance under the provisions of this policy.

2. Grievance Procedure

Step One - Informal Level - An employee who has a problem or complaint subject to the Grievance Procedure must first immediately try to settle the matter through discussion with the immediate supervisor. If, after this discussion, the employee does not believe the problem has been satisfactorily resolved, the employee may discuss the matter with the next level of supervisor or the department director. Employees are obliged to make good faith efforts to resolve any dispute informally at the lowest possible level before proceeding up the chain of command or proceeding to the next steps in the Grievance Procedure. The employee must act expeditiously at all times to comply with the time lines set forth in this Grievance Procedure.

Employees who habitually misuse or abuse the Grievance Procedure, or who repeatedly attempt to invoke the Grievance Procedure for matters that are not subject to grievance may, in the discretion of the City Manager, be barred from using the procedure for a period of time as may be deemed appropriate by the City Manager under the facts of any particular case.

Step Two - Written Grievance - If the grievance is not resolved at the informal level, the employee may proceed to the second step of the procedure by writing the grievance, using the City of Casa Grande Employee Grievance Form. No writing shall be considered a grievance under this procedure unless it is submitted on the City's form, is fully completed, and is submitted to the Department Director to whom the employee's department reports, within fifteen (15) working days following the incident about which the employee wishes to complain. The employee's written grievance must contain, at a minimum, the following information:

- A. An identification of the policy, regulation, administrative rule, state laws or federal laws that the employee believes the City, through its managers or supervisory personnel, violated or misinterpreted;
- B. How the employee was negatively affected by the alleged violation or interpretation; and
- C. The employee's requested relief or remedy.

Upon receipt of a written grievance as defined by this section, the Department Director shall respond to the employee's written grievance in writing within five (5) working days of receipt of the grievance.

The employee may proceed to Step Three of this Grievance Procedure only under the following circumstances:

- A. The Department Director did not grant the employee's relief requested and the employee is dissatisfied with the Department Director's response; or
- B. The Department Director did not provide the employee with a written response within five (5) working days of the employee's grievance.

Step Three - City Manager Decision - An employee who is eligible to proceed to Step Three of the Grievance Procedure (as set forth in Step Two) may submit a copy of his or her original written grievance, as well as the Department Director's written response (if any) to the City Manager within five (5) days of the Department Director's written response. The papers should be submitted to the City Manager with a cover memo explaining that these documents are submitted to the City Manager pursuant to Step Three of the Grievance Procedure. The employee may state in the cover memo the reason(s) the employee is dissatisfied with the Department Director's response to the grievance, if applicable, but may not add any additional or extraneous matters that were not considered by the Department Director in rendering his or her decision on the grievance.

Upon receipt of an employee's grievance pursuant to this procedure, the City Manager may, in his or her sole discretion, decide to:

- A. Rule on the employee's grievance; or conduct (or assign a further investigation and then rule on the employee's grievance); or
- B. Hold a hearing with the employee and/or any person to gather more facts before ruling on the employee's grievance; or
- C. Take some other action on the grievance as he or she, in his or her sole discretion, deems appropriate under the circumstances.

The City Manager shall issue a written decision on the grievance. The decision of the City Manager on any grievance is final and binding for all purposes.

Section 1002 - Appeal Procedure

1. Purpose - The purpose of the City's Appeal Procedure is to provide an internal mechanism by which employees may challenge a decision imposing a disciplinary suspension (without pay) of more than 24 hours (33 hours for fire service employees working 24- hour shifts), disciplinary reduction in pay, disciplinary demotion or disciplinary dismissal. The Appeal Procedure is also designed to provide due process for all employees who have a significant property interest in their employment with the City of Casa Grande. Employees who are considered to be "at will" by either the nature of their employment relationship with the City or because they are terminated during a probationary period are not eligible to utilize this procedure to appeal a dismissal from the City service.

This Appeal Procedure provides the exclusive remedy for any challenge that an employee (or terminated employee) was terminated, suspended, demoted or received a disciplinary reduction in pay in excess of 24 hours (33 hours for fire service employees working 24- hour shifts) in violation of City rules, ordinances, personnel regulations or state or federal law. Therefore, any claim that an employee may wish to raise challenging a disciplinary action suspension (without pay) in excess of 24 hours (33 hours for fire service employees working 24-hour shifts), disciplinary reduction in pay, disciplinary demotion or disciplinary dismissal must be raised by following the procedures set forth in this policy, or it will be deemed waived. The decision made pursuant to this procedure is final and binding resolution of any issues raised for all purposes.

2. Matters Subject To Appeal - The only matters which may be appealed pursuant to this procedure are decisions imposing a disciplinary suspension (without pay) in excess of 24 hours (33 hours for fire service employees working 24-hour shifts), disciplinary reduction in pay, disciplinary demotion or disciplinary dismissal (hereafter referred to as "appealable disciplinary actions"). Other matters which the employee contends constructively constitute a disciplinary suspension (without pay) in excess of 24 hours (33 hours for fire service employees working 24-hour shifts), disciplinary reduction in pay, disciplinary demotion or disciplinary dismissal must also be appealed pursuant to this procedure. Issues relating to employee performance evaluations are not matters subject to appeal under the provisions of this policy.

3. Appeal Procedure

Step One-Written Appeal - An employee who is eligible and wishes to commence an appeal of an appealable disciplinary action must submit a written request for an appeal to the City Manager. Once an employee has been notified that he or she has been suspended without pay in excess of 24 hours (33 hours for fire service employees working 24-hour shifts), has received a disciplinary reduction in pay, a disciplinary demotion or disciplinary dismissal, this Appeal Procedure must be invoked within ten (10) calendar days of the imposition of an appealable disciplinary action or the employee waives his or her right to appeal and any other remedy which may otherwise be available.

The employee must file a written request for an appeal of the appealable disciplinary action on the City's Employee/Former Employee Appeal Form, setting forth the following item:

- A. Identification of the action that the employee contends was an appealable disciplinary action, including the effective date of the action;
- B. The reason(s) that the employee contends the imposition of the disciplinary action at issue was not appropriate in this case, by reference to facts, documents, other evidence or legal arguments; and
- C. The employee's relief requested.

Upon receipt of the written appeal request, the City Manager shall appoint a Hearing Officer, who shall not be an employee of the City, who shall determine all administrative and scheduling issues relating to the appeal, and who will preside at the hearing. In any appeal, the appellant shall be notified of the Hearing Officer selection and shall have one opportunity to request a change of Hearing Officer without cause. Such request shall be made to the City Manager in writing within five (5) business days of receiving Hearing Officer selection notice. The Hearing Officer shall be responsible for scheduling the appeal hearing, and shall set a date and time for the hearing which is no later than sixty (60) calendar days after submittal of a valid Appeal Form. The Human Resources Director or designee may assist in coordination of the appeal hearing process. The Hearing Officer or his/her designee will notify the City and the appellant of the scheduled date, time and place for the hearing. ARS Section 38-1101 relating to appeals of disciplinary actions by law enforcement officers is herewith incorporated by reference and shall supersede the provisions of this article as appropriate.

No less than ten (10) calendar days prior to the date set for the appeal hearing, the appellant and the City shall submit to the Hearing Officer and to each other a pre-hearing statement which shall include the following:

- A. The names, addresses and phone numbers of all parties to the appeal.
- B. The names, addresses and phone numbers of legal counsel or representatives for the parties.
- C. A list of witnesses, including addresses and phone numbers, and brief summaries of their testimony.
- D. A description of the exhibits to be used at the hearing.

After receipt of the pre-hearing statements, the Hearing Officer may, at the request of either of the parties or on his/her own initiative, schedule a pre-hearing conference at a time convenient to all parties. At the pre-hearing conference, the Hearing Officer may request exhibits, define the issues, and accept stipulations of the parties. The Hearing Officer may rule on the admissibility of exhibits and witnesses and may reject irrelevant or cumulative exhibits and disapprove witnesses whose testimony is irrelevant or cumulative.

The parties are responsible for securing the attendance of their own witnesses, but the City will request the presence of any City employee requested to be present as a witness and such employee shall be allowed adequate time from work to testify. The parties do not have any subpoena power to compel witness attendance.

The Hearing Officer may, in his/her sole discretion, grant continuances during the entire proceeding to each party for good and sufficient cause.

At the hearing, the City shall be represented by the City Attorney or designee. The appellant may represent him/herself, or be represented by an attorney licensed to practice law in the State of Arizona, at the employee's sole cost. The appealing employee shall appear personally at the hearing. If the appealing employee fails to appear at the scheduled appeal hearing, the appeal will be considered abandoned and the matter will be closed and cannot be reinstated. Prior to opening statements, the Hearing Officer will specify a time limit to be adhered to by both parties, covering opening remarks, examination and cross-examination of witnesses, and closing statements.

The hearing shall be conducted in closed session. A record of the hearing proceedings shall be made, either by audio or videotape or by a court reporter, at the sole discretion of the City. The hearing need not be conducted in accordance with technical rules relating to evidence and witnesses, but hearing shall be conducted in a manner most conducive to determination of facts. Any relevant evidence may be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rules, which might make improper the admission of such evidence over objection in civil actions. Hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence but shall not be sufficient in itself to support a finding unless it would be admissible pursuant to the Arizona Rules of Evidence. The rules of privileges shall be effective to the same extent that they are now or hereafter may be recognized in civil actions, and irrelevant and unduly repetitious evidence may be excluded. Decisions made by the Hearing Officer shall not be invalidated by any informality in the proceedings, and the Hearing Officer shall not be bound by technical rules of evidence. The Hearing Officer shall rule on the admission or exclusion of evidence. The City is obligated to establish that just cause was satisfied by a preponderance of the evidence (it is more likely than not). After each party has made a brief opening statement, testimony and evidence shall be presented with cross-examination by the opposing party. After completion, each side shall briefly sum up its respective case and the hearing is concluded.

The Hearing Officer may sustain the disciplinary action invoked against the employee, grant the employee's requested relief, or recommend some other level of discipline. The standard of review is not "denovo". The Hearing Officer shall render findings of fact, conclusions of law, and a recommendation to the City Manager, the Human Resources Director and the employee as soon after the conclusion of the hearing as possible, and in no event, later than thirty (30) calendar days after conducting the hearing unless otherwise stipulated by the parties. The Hearing Officer's decision in the form of a recommendation to the City Manager shall set forth the findings as to each of the charges and the reasons therefore. Within ten (10) calendar days of receiving the Hearing Officer's report, the City Manager shall issue his/her decision to accept, reject or accept with modification, the Hearing Officer's recommendation. The City Manager's decision is final and binding.

Section 1003 - Final and Binding-Exclusive Remedy

Any contention that the City has failed to comply with any obligation it has made to an employee through its ordinances, personnel rules, or any other written or verbal commitments, must be raised

pursuant to the City's Grievance and Appeal Procedures, as set forth in these policies. Further, any contention that the City has violated state or federal law in connection with any disciplinary suspension (without pay) in excess of 24 hours (33 hours for fire service employees working 24-hour shifts), disciplinary reduction in pay, disciplinary demotion or disciplinary dismissal must be raised in a timely manner pursuant to the Appeal Procedure, or it is deemed waived. The final decision rendered pursuant to the exhaustion of the Grievance and/or Appeal Procedure on any matter is a final and binding resolution of the issue for all purposes. Any failure of an employee to pursue any step of the grievance or appeal renders the last decision by the City the final decision.

ARTICLE XI - LEAVING THE CITY SERVICE

Section 1101 - Resignation

An employee wishing to leave the City service in good standing shall file with his/her department director at least ten working days before leaving the service, a written resignation stating the effective date. The employee's resignation date shall be the last day of actual work, unless otherwise approved in advance by the employee's department director. Pay in lieu of notice for up to two weeks of regular pay may be awarded to regular full-time employees who have completed the initial probationary period, at the discretion of the City Manager.

The resignation shall be forwarded to the Human Resources Department for processing and, upon receipt, the Human Resources Director or designee shall prepare all appropriate release documents.

Failure to comply with the provisions of this article shall be entered into the employee's personnel file and may be cause for denial of future employment with the City. Department directors may waive the notice requirement.

Employees leaving the City service shall turn in all City property and clear all debts to the City prior to receipt of the final paycheck. An exit interview will be scheduled for each employee resigning or retiring from the City service as a way of obtaining comments, complaints and suggestions for improvements to the City service.

Section 1102 - Reduction In Force

The City Manager may direct a reduction in force through layoff because of material changes in duties or organization or shortage of work or funds. Whenever possible, employees to be laid off will be given a two-week notice. To determine which employee(s) are to be laid off, the City Manager may take into consideration length of continuous, regular service to the City and employee skills, training and job knowledge as determined by performance evaluations and other factors as may be deemed appropriate.

Section 1103 - Retirement

Eligible employees who retire from the City service shall file with the department director at least ten days prior to the effective date of retirement, a written notice stating the effective date of the retirement. The notice shall be forwarded to the Human Resources Department for processing and, upon receipt, the Human Resources Director or designee shall prepare all appropriate release

documents and ensure proper processing of all final pay due the employee. Final pay will be processed through normal payroll processing and no separate checks will be issued.

Section 1104 - Separation Incentive Program

Regular employees employed on or before February 28, 2006, who become eligible for normal retirement thereafter as defined in the Arizona Revised Statutes are eligible to participate in the separation incentive program as follows, in lieu of the separation provisions of Article VIII, Section 804. For a period of 60 calendar days following the date of program eligibility as noted above, eligible employees may separate from City service and participate in the separation incentive program whereby the participating employee will receive payment for accrued unused sick leave at the rate of 4 hours of sick leave redeemed for every month of service with the City of Casa Grande up to a maximum of 240 months (960 hours), paid at the employee's hourly rate of pay at the time of separation, except that Fire Department shift employees participating in the program will receive payment for accrued unused sick leave at the rate of 5.6 hours of sick leave redeemed for every month of service with the City of Casa Grande, up to a maximum of 240 months (1,344 hours). No premium pay of any type shall be added to this calculation.