

CHAPTER I (GENERAL)

NOTHING IN THIS POLICY OR ANY OTHER POLICY, PROCEDURE, BOOKLET, MANUAL, OR OTHER DOCUMENT ISSUED BY OR THROUGH YUMA COUNTY CREATES OR MANIFESTS A CONTRACT WITH AN EMPLOYEE UNLESS THE DOCUMENT EXPRESSLY STATES THAT IT IS INTENDED AS A CONTRACT AND IS SIGNED BY THE COUNTY ADMINISTRATOR. THE YUMA COUNTY BOARD OF SUPERVISORS RETAINS THE RIGHT TO CHANGE ANY ORDINANCE, POLICY, RULE, OR REGULATION AFFECTING THE TERMS AND CONDITIONS OF EMPLOYMENT WITH YUMA COUNTY AT ITS OWN DISCRETION, WITH OR WITHOUT EMPLOYEE CONSENT.

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PR-100 Purpose and Administration

- A.** The Yuma County Board of Supervisors has adopted these Personnel Rules to aid in the efficient management of County governmental agencies by the officers and department heads who are charged by law with control and management of the employees within their respective agencies.

- B.** The Human Resources Director is charged by the Board with the duty of maintaining these personnel rules and is granted the authority to perform the duties as set forth herein. The Human Resources Director shall:
 - 1. Have authority for developing and administering a program of personnel administration for county service in conformance with the personnel rules, including issuing guidance and directives as are necessary or advisable to implement the rules in the most consistent and effective manner.

 - 2. Have the power to designate employees in various county offices, upon request of an agency head of the office, to perform certain functions of personnel administration where appropriate or necessary and shall be responsible for the direction of such persons as to performance of personnel administration, and shall have the authority required to assure that the designated employees comply with the direction received from the Human Resources Director.

 - 3. From time to time make recommendation to the Board of Supervisors of a salary plan and adjustments to the plan for employees in county services. In establishing the salary plan the Human Resources Director shall consider the relative levels of duties and responsibilities of the various classes of positions, rates paid for comparable positions elsewhere and

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other relevant factors. The Human Resources Director shall make advisory salary recommendations for specific positions in the County Administrator's office if requested by the respective agency head of these units of County government.

4. Promulgate rules relating to personnel and personnel administration in the following manner:
 - a. The Human Resources Director shall establish and maintain a personnel rule-making docket for each rule making proceeding.
 - b. A personnel rule making proceeding is pending from the time the Human Resources Director begins to consider proposing the rule for adoption by Board of Supervisors to the time the personnel rule-making proceeding is terminated by the Human Resources Director or has been terminated by adoption or rejection by the Board. A copy of the proposed rule must be posted in the various county work places at least 10 working days prior to the proposed date of submission of the rule to the County Attorney for certification. Any employee may make a written comment or suggestion on the rule and file it with the Human Resources Director at least one (1) day prior to the proposed date of submission to the County Attorney. The Human Resources Director may incorporate any comment or suggestion in the proposed rule prior to submission to the County Attorney.
 - c. For each personnel rule-making proceeding, the docket shall indicate all of the following:
 - (1) The subject matter of the proposed personnel rule and its current status in the rule-making process.
 - (2) The name of the person within the Human Resources Department with whom persons may communicate regarding the rule.
 - (3) The date the proposed rule was provided to each agency head for posting within the various county work places
 - (4) Whether any comment or suggestion was incorporated within the proposed rule.
 - (5) The date the Human Resources Director submitted the rule to the County Attorney for certification.
 - (6) The date of the rule's adoption.

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- (7) The date of the rule's rejection.
 - (8) The date the Human Resources Director terminated the rule-making process independently.
- d. A personnel rule proposed for adoption is subject to approval and certification, as legally correct, by the County Attorney in as nearly the same manner as practicable as is set forth in the certification rules of A.R.S. §41-1044. Following certification of the rule, the County Attorney shall file the original and two copies of the rule and a concise explanatory statement directly with the Clerk of the Board who shall present it to the Board in a timely manner. The Human Resources Director may withdraw the proposed rule at any time before it is presented to the Board of Supervisors.
- e. Within 30 days after the adoption of the personnel rule by the Board of Supervisors, the Human Resources Director shall ensure that a copy of the new rule is promulgated to all agencies for posting within the work place and that the personnel Rules are amended to reflect the adoption.

Historical Note: Adopted, Eff. 11/25/1994
Amended: 11/04/2002, 10/05/2015

PR-101 Definitions

The following words and phrases used in these rules have the defined meanings unless otherwise clearly indicated by the context. The definitions set forth in Section 8, Grievance and Disciplinary Procedures, shall be used for the purposes set forth in Section 8, and to the extent any definition set forth below is inconsistent with any definition set forth in Section 8, it shall not apply.

1. **“Agency”** means any governmental office, or department, or other governmental budget unit of the County except those exempted herein.
2. **“Agency head”** means the elected or appointed officer of any department, or office of the County. Agency heads are the appointing authorities within their respective departments or offices.
 - Public Fiduciary
 - Clerk Of the Board of Supervisors
 - County Engineer
 - Public Defender
 - Legal Defender

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3. **“Announcement”** means the public notice of evaluation procedure to fill positions by open competition, or the notice to employees of an evaluation procedure to fill positions from within the County Government.
4. **“Appeal”** RESERVED.
5. **“Applicant”** means any person who seeks appointment to a position in the County Government; includes current or former employees applying for positions within the County.
6. **“Appointing Authority”** means agency heads
7. **“Appointment”** means the offer to and the acceptance by a person of a position in the County Government.
8. **“Arbitrary”** means determined by chance, whim, or impulse, and not by necessity, reason, or principle.
9. **“Candidate”** means a person who has made a passing score on an evaluation procedure and whose name is placed in a register.
10. **“Cause”** means any of the reasons for disciplinary action provided by statutes or these rules.
11. **“Certification”** means the referral of candidates on a hiring list to an agency to be considered for appointment to a position in the County Government.
12. **“Child”** means:
 - a. For purposes pertaining to the health benefit plan for, each unmarried natural, adopted, foster, child under legal guardianship, and step-child under age 19, or under the age of 26 if a full-time student, who resides or is placed by court order in the household of the employee, the retired employee, or the former or incumbent elected official; and
 - b. For purposes pertaining to the life and disability income insurance plan, and pertaining to the life insurance plan for former elected officials, each unmarried natural, adopted, foster and step-child under age 19 who resides or is placed by court order in the household of the employee or the former or incumbent elected official; and

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- c. For purposes of PR-207 pertaining to the employment of relatives, and PR-410(B), pertaining to bereavement leave, each natural, adopted, foster and step-child.
 - d. For purposes of PR-411A, pertaining to family and medical leave, each natural, adopted, foster and step-child.
13. **“Class”** means a group of positions sufficiently similar as to duties performed, scope of discretion and responsibility, minimum requirements of training, experience, or skill, and such other characteristics that the same title and the same pay grade apply to each position in the group.
 14. **“Class series”** means the group of related classes as subsection of the occupational groups.
 15. **“Class specification”** means the description of the type and level of duties and responsibilities of the positions assigned to a class.
 16. **“Clerical pool appointment”** means the non-competitive temporary appointment of a qualified individual in the clerical position. This is a non-budgeted position and requires the approval of the County Administrator.
 17. **“Credited Service”** means the reinstatement of a previous regular status employee within two years immediately preceding separation from Yuma County employment.
 18. **“Competition”** means the process leading to the identification of candidates for employment or promotional consideration, which includes the announcement of a vacancy, a formal evaluation of applicants’ qualifications and the development of a hiring list, in accordance with the rules.
 19. **“County Administrator”** means the chief executive officer of the County appointed by and serving at the pleasure of the Board of Supervisors.
 20. **“County Government”** means all agencies, officers, and employees subject to these rules as set forth herein.
 21. **“Covered position”** means any position in the County Government.
 22. **“Days”** means calendar days unless otherwise stated.
 23. **“Demotion”** means change in the assignment of an employee for cause from a position in one class to a position in another class having a lower pay grade as a result of disciplinary action or voluntary grade decrease.

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24. **“Department”** means any separate budget unit of the Office of the Board of Supervisors whose agency head has been appointed by the Board of Supervisors and serves at the pleasure of the Board of Supervisors.
25. **“Designee”** means an employee appointed by an elected official or agency head to act on their behalf.
26. **“Detail to special duty”** means the temporary assignment of a regular employee to a covered position other than the employee’s current position in the same agency.
27. **“Direct threat to health or safety”** means a significant risk to the health or safety of others that cannot be eliminated by a reasonable accommodation.
28. **“Disability”** means a person who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment.
29. **“Disciplinary action”** means suspension, reduction in gross pay, demotion, or dismissal.
30. **“Elected County Officer”** means those officers enumerated in A.R.S. 11-401: Sheriff, Recorder, Treasurer, School Superintendent, County Attorney, Assessor, Constable, and Board of Supervisors.
31. **“Emergency appointment”** means an appointment made without regard to the recruitment, evaluation procedure, certification, or selection requirements of these rules in response to a governmental emergency and requires the approval of the County Administrator.
32. **“Evaluation procedure”** means the evaluation procedure used to determine the relative excellence of applicants.
33. **Exempt”** means an employee who is not eligible for overtime or compensatory time
34. **“Good standing”** means the status of a former employee at the time of separation from County Government for reasons other than disciplinary action.
35. **“Limited appointment”** means an appointment to a position which is funded through the budget process for at least 6 months but not more than 36 months.

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36. **“Midpoint”** means the salary amount midway between the minimum and maximum amounts of a salary range.
37. **“Mobility assignment”** means the assignment of a regular employee in an uncovered position to another county agency or department.
38. **“Non-eligible employee”** means temporary or probationary employees and any individual who is an elected or appointed officer, or who is a chief deputy to an elected official of such officer and who is authorized by law to exercise the same powers as the officer, and shall include heads of departments as listed in ARS 11-352B and any Attorney hired on or after the date of adoption of this particular rule.
39. **“Non-Exempt”** means an employee eligible to receive overtime pay and compensatory time.
40. **“Original probation”** means the specified period following initial appointment to the County Government in a regular or limited appointment position for evaluation of the employee’s work.
41. **“Pay grade”** means a salary level in a County Government salary plan.
42. **“Pay status”** means the condition of an employee who is receiving pay for work or for a compensated absence.
43. **“Prior Service”** means the recognition of years of service for previous Yuma County employment.
44. **“Promotion”** means a permanent change in assignment of a regular status employee from a position in one class to a position in another class having a higher pay grade.
45. **“Promotional probation”** means the specified period of employment following promotion for evaluation of the employee’s work.
46. **“Provisional appointment”** means an appointment of a qualified individual to fill a vacancy in a class for which there are less than three candidates available and for which no related registers can be used.
47. **“Qualified”** means meeting the minimum qualifications for a class as defined in the class specification plus any special requirements that may be published for a position in that class.
48. **“Reallocation”** means the changing of job title of a position.

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49. **“Reclassification”** means changing the classification of a position when a material and permanent change in duties or responsibilities occurs.
50. **“Reduction”** means the non-appealable movement of an employee from one position to another in a lower pay grade as result of a reduction in force.
51. **“Re-employment”** means the appointment of a former regular status employee who was separated by reduction in force.
52. **“Register”** means a file of candidates for a position or class, in final score order, from which hiring lists are prepared.
53. **“Regular status”** means the standing an employee achieves after the completion of an original probation or a promotional probation.
54. **“Reinstatement”** means the appointment of a former regular status employee who resigned, was separated in good standing, or was separated without prejudice.
55. **“Re-promotion”** means that promotion of an employee who was reduced in grade due to a reduction in force to the grade held prior to the reduction in force or to an intervening grade.
56. **“Reversion”** means the return of an employee on promotional probation to a position in the class in which the employee held regular status immediately prior to the promotion.
57. **“Rules”** means the rules contained in the Yuma County Personnel Manual.
58. **“Seasonal appointment”** means an appointment to a position which recurs on a seasonal or intermittent basis and is funded through the budget process.
59. **“Separation without prejudice”** means the removal without appeal rights, of an employee from the County Government due to a reduction in force, the lack of a position for an employee requesting to return from leave without pay, or the inability of an employee to return to work at the conclusion of a leave without pay.
60. **“Temporary appointment”** means the appointment to a position for a specified period of less than 6 months. This is a non-budgeted appointment.

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61. **“Transfer”** means the movement of an employee from one position in the County Government to another position in the County Government in the same pay grade.
62. **“Uncovered position”** means a position held by a non-eligible employee.
63. **“Underfill”** means the employment of a person in a class lower than the allocated class for that position.

Historical Note: Adopted, Eff. 11/25/1994
Amended: 3/21/2005, 10/05/2015, 01/07/2019
Revised: 01/07/2019

PR-102 General Provision

- A. Delegation of authority. Unless otherwise stated in these rules, an agency head may delegate any authority granted to the agency head in these rules.
- B. Availability of funds. The granting of any compensation in these rules is contingent upon the availability of funds, as determined by the agency head and the Board of Supervisors.
- C. Conflict with federal requirements. The provisions of the Federal Hatch Act shall be applicable to these rules, and any provision of these rules which conflicts or is inconsistent with federal rules, regulation or standards governing the granting of federal funds to an agency shall not be applicable to such agency and the rules and regulations under applicable Federal Office of Management and Budget (OMB) guidelines shall be used.
- D. Service of notice. If any notice or document is to be given to any person or agency, the notice or document may be served personally or mailed to the last known residence or current business address of the addressee. Unless otherwise provided by law or these rules, service is complete upon mailing.
- E. Employee handbook. The Human Resources Department may publish an employee handbook outlining pertinent rules and regulations and make such handbook available to all employees.
- F. Correction of errors. The Human Resources Department may correct a clerical error or mistake in these rules as may be necessary.

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- G.** Disclosure of Information by Public Employees. A.R.S. §§38-531 and 532, as added by Laws 1985, Chap.189, §1 shall apply to employment within County Government.

**Historical Note: Adopted, Eff. 11/25/1994
Amended: 10/05/2015, Revised 11/16/2017**

PR-103 Applicability

- A.** General. These rules are applicable to all covered employees and to all County service positions.
- B.** Exemptions. These rules do not apply to Elected Officials, Chief Deputies designated either by statute or the Elected Official to act for and perform the duties of the Elected Official, County Administrator, Assistant County Administrator, all Agency Heads, Clerk of the Board, Public Fiduciary, the County Engineer, Public Defender, Legal Defender, all Attorney positions, Hearing Officer, Planning and Zoning Director, and any other County Officers as delineated by statute.

Historical Note: Adopted, Eff. 11/25/1994

PR-104.A Nondiscrimination

An agency shall not discriminate against an individual in violation of A.R.S. §§41-1461, 41-1463, and 41-1464 or in violation of any Federal law.

PR-104.B Anti - Harassment Policy

The County is committed to maintaining a work environment that is free of harassment. Each employee has a responsibility to ensure that harassment based on an individual's gender, race, color, national origin, religion, disability, age, sexual orientation, genetic information or veteran's status does not occur in the workplace.

Harassment is prohibited. Behavior is considered harassment when such conduct has the purpose or effect of unreasonably interfering with an employee's work performance, or creating an intimidating, hostile or offensive work environment. Harassment can be physical or verbal behavior and can include stereotypical terms, derogatory statements, abusive language, and discriminatory remarks that are offensive or objectionable to the recipient.

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Definition: Harassment on the basis of sex is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) 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.

The following is a partial list of unwelcome behavior:

- a. Unwelcome sexual advances or propositions;
- b. Requests for sexual favors;
- c. Written or verbal material of a sexual nature such as cartoons, drawings, pictures, posters and magazines;
- d. Unwelcome or unwanted comments about an individual's body or appearance;
- e. Speaking about one's sex life or gossiping about another's sex life, sexual prowess, sexual jokes, epithets, slurs, derogatory comments, profanity, and obscenity.

A. Workplace Harassment

Definition: Any verbal or physical conduct that denigrates or shows hostility or aversion to an individual because of his/her race, color, gender, sexual orientation, genetic information, religion, age, national origin, veterans status or disability. Harassment can also be verbal or physical behavior which is derogatory, abusive, disparaging, bullying, threatening or disrespectful even if unrelated to a protected class.

The following is a partial list of workplace harassment behavior:

- a. Verbal or physical conduct that denigrates or shows hostility or aversion to an individual or groups.
- b. Epithets, slurs, stereotyping, or threatening, intimidating, or hostile acts based on any characteristic in paragraph 104 B (1).
- c. Written or graphic material that denigrates or shows hostility or aversion toward an individual or group.

Although some acts prohibited by this policy may not constitute unlawful harassment under state or federal law, employees who feel they are being subjected to harassment of any kind must bring the matter to the attention of one of the persons listed in No. 3 below.

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- 1) Violation of policy: Violation of this policy shall be grounds for disciplinary actions. Should any grievance proceeding under these rules result in a finding that a violation of this policy has occurred, disciplinary actions shall be commenced immediately under the disciplinary rules and the grievance proceedings shall be terminated.
- 2) Harassment Complaint Procedure: Any employee who believes that they are the victim of workplace or sexual harassment should complain immediately to their next level supervisor, agency head, or the Human Resources Director. Any supervisor who observes possible acts of harassment in the workplace shall immediately report what they observed to their next level supervisor, agency head, or the Human Resources Director. In every instance in which a complaint or report of possible sexual harassment is received by a supervisor or agency head, the supervisor or agency head shall immediately notify the Human Resources Director.
- 3) Harassment Investigation Procedure: The Human Resources Director shall immediately, or as soon as reasonably possible, conduct an investigation of any complaint or report of possible workplace or sexual harassment. The Human Resources Director may designate a qualified investigator to perform the investigative duties, with the report submitted to the Human Resources Director.
 - a. The parties and all witnesses, if any, shall be interviewed and written or recorded statements taken. The Human Resources Director shall conclude the investigation and submit written findings and conclusions to the responsible agency head within fifteen working days of first receiving the report or complaint.
 - b. The Human Resources Director shall advise the agency head if either an allegation or denial is supported by convincing evidence. If in the director's opinion it is impossible to satisfactorily determine the truth or falsity of the complaint or report, the agency head shall be advised that the allegation has not been substantiated. If the Human Resources Director determines that an act of harassment occurred, the Director's report shall also include recommendations as to disciplinary and other remedial action.
- 4) Responsibility of Agency Head after receiving results of investigation: Upon receipt of the results of the investigation by the Human Resources

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Director, the responsible agency head shall have five working days in which to take action. In the exercise of his or her sound discretion, the agency head may either accept, reject, or modify the findings, conclusions, and recommendations submitted by the Human Resources Director. However, if the agency head determines to reject or modify the findings, conclusions, or recommendations of the Human Resources Director, he or she shall do so by written response, stating the reasons for doing so. If an appointed county officer and the Human Resources Director disagree on the action(s) to be taken, the matter will be resolved by the County Administrator. If there is a conflict between the County Administrator and the Human Resources Director, the matter will be referred to the Board of Supervisors for a decision. If the disagreement is between an elected County officer and the Human Resources Director, the matter will be referred to the Board of Supervisors for a decision.

- 5) If action is warranted, the agency head shall immediately initiate the same. The agency head shall also notify the Human Resources Director of all action taken with regard to the results of the investigation.

Amended: 11/4/2002, 10/05/2015, 04/16/2018

PR-104.C EEOC/ADAAA/Affirmative Action/Other Federal Requirements

The County of Yuma is an Equal Opportunity Employer and complies with all Equal Employment Opportunity Commission (EEOC), Americans with Disabilities Act Amendment Act of 2008 (ADAAA), Affirmative Action (AA) and other applicable Federal employment related guidelines as set forth by law and requires all county agencies to implement any and all programs deemed necessary to attain compliance.

PR 104 D. Americans with Disabilities and Reasonable Accommodation

A. Purpose

The Americans with Disabilities Act Amendment Act of 2008 (ADAA) requires employers to reasonably accommodate qualified job candidates and employees with disabilities.

B. Policy

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Yuma County is committed to providing qualified individuals who have disabilities with reasonable accommodations in regard to application procedures, hiring, advancement, discharge, compensation, training, and other terms, conditions and privileges of employment.

All employees are required to comply with safety standards, policies and procedures. Applicants who pose a direct threat to their health or safety and that of other individuals in the workplace of which such threats cannot be eliminated by reasonable accommodations will not be hired. Current employees will be placed on administrative leave until a decision is made in regard to an employee's immediate employment situation.

Human Resources will be responsible for enforcement of this policy, including review of any reasonable accommodation requests, safety, and undue hardship issues.

C. Procedures

Reasonable accommodation request process for Yuma County means a change or adjustment that enables a person with a disability to apply for a job, perform job duties, or enjoy the benefits such as reasonable accommodation" means activities that include: restructuring job duties; modifying work schedules; obtaining or modifying equipment or devices; modifying examinations, training materials or policies; granting leaves of absence; modifying or re-engineering existing facilities readily accessible to and usable by individuals with disabilities.

1. The accommodation process is initiated when the employee makes an oral or written request for an accommodation. All requests must be documented on the ADA application form and submitted to Human Resources. If not obvious, the request must indicate a disability which makes the accommodation necessary. If the employee has a proposed accommodation, it should be specified in the request. Each accommodation request will be considered on a case by case basis.
2. Upon receiving a request for accommodation, Human Resources will determine whether the employee meets eligibility requirements under the law.
3. In order to make an eligibility determination, medical documentation from the employee's health care provider may be required. If the information provided is not sufficient, Human Resources may request the employee obtain clarification from their health care provider or request the employee undergo an additional

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examination by a health care provider of the County's choosing. The additional examination will be at the expense of the County.

4. Pending the County's determination of whether an accommodation is possible, the employee may be assigned temporary modified duties that may or may not fall within his/her assigned job classification. The employee will receive his/her full pay regardless of the assigned duties. A temporary assignment will not exceed 90 calendar days.
5. If the employee is deemed eligible, a Human Resources representative, the individual employee and department representative will enter into an interactive accommodation process. Efforts will be made to explore accommodations so the employee can perform the essential functions of the position. If no accommodation is possible, the employee may apply for other positions available for which they are qualified. If no vacancy exists, the employee may be separated from employment.
6. The process for internal applicants is the same as the process for employees with the exception that other County vacancies will not be explored should an accommodation not be available for the job for which the applicant applied.
7. All medical information pertaining to accommodation requests shall be maintained in secured files, separate from the employee's personnel file, and treated as confidential, except:
 - a. Management staff may be informed of necessary work restrictions or accommodations on a need to know basis; and
 - b. First aid and safety personnel may be informed, that special assistance is required in the event of a fire, flood, or other emergency measures.
8. The Human Resources Department shall review all vacant comparable positions to determine which positions, if any, the employee qualifies for, with or without a reasonable accommodation. If after 90 calendar days, a comparable position is not identified for which the employee is qualified, lower graded positions may be identified. If a lower graded position is found, Human Resources shall certify that the employee possesses the requisite job qualifications to perform the essential functions of the position and, when necessary, a health care provider shall certify they can safely perform the essential functions of the position. If placed into a lower graded position, the employee's salary will be adjusted according to the position's classification, salary range, and experience requirements.

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9. Accommodations can only be made into comparable or lesser positions. For vacancies which represent a promotional opportunity, Human Resources will provide the information on the application process.
10. When a reasonable accommodation can be made in a comparable or lesser position, the employee shall bypass the competitive process and, under the authority of the County Administrator, be offered the position.
11. The employee shall serve a probationary period in the position to which transferred.
12. If no reasonable accommodation is possible, written justification, attached to the record of accommodation form, shall be required from the agency head/elected official and submitted to the Human Resources Department.
13. Human Resources will review such cases with the County Attorney's office and provide recommendations to the County Administrator. Denial of accommodation will require County Attorney and County Administrator concurrence.
14. Human Resources shall refer the employee to the appropriate retirement office to determine the possibility of applying for disability retirement, if no reasonable accommodation is possible.
15. Upon resolution of a reasonable accommodation request, the agency head/elected official shall complete and forward to the Department, a record of accommodation form. The original completed and executed form will be retained in the Department.
16. All employees are required to comply with health and safety standards. Potential reasonable accommodation will be evaluated based on the ability to facilitate safe and successful job performance, as well as, associated costs of the accommodation. An employee who poses a direct threat to themselves or the health and safety of other employees or the public will be placed on leave with pay until a decision has been made in regard to the employee's immediate employment situation.
17. Yuma County will not consider accommodation that would cause or result in an undue hardship to the county and is defined as an action or accommodation requiring significant difficulty or expense by Yuma County. Such a determination will be based upon the nature and cost of the accommodation in relation to the

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county's size, financial resources, nature and structure of the county, as well as, the impact of the accommodation on the specific facility considering the accommodation.

18. If it is determined that an employee has a disability that is covered by the ADA, Yuma County will engage in an interactive accommodation process which includes meaningful dialogue with the employee to find the best means of accommodating the disability. If reasonable accommodation is not possible, the employee will be considered for other available positions for which the employee is qualified and able to perform, even if the position is not in the same job grade. In the event that a position is offered but is refused by the employee, the employee's employment will be terminated.
19. All reasonable accommodations shall be granted through consultation with Human Resources.
20. Some reasonable accommodation may require the approval of the Board of Supervisors prior to being granted.

Reasonable accommodation process for applicants

The process for applicants will be the same as the process for employees with the following exceptions:

1. The request for reasonable accommodation shall be coordinated between Human Resources and the agency head following the offer of employment; and
2. At the sole discretion of the County, other vacancies will not be explored should the request for accommodation be unreasonable or place a burden on Yuma County.

D. Complaints

Employees or applicants who believe they have been discriminated against due to a disability or who believe they have been discriminated against due to their relationship or association with an individual with a known disability, should contact or the County Administrator.

1. All complaints will be investigated. The concerned employee or applicant will be notified as to the outcome of the investigation and any action that will be taken.

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2. Employees or applicants who make claims or complaints under this rule shall be protected from retaliation.

Historical Note: Adopted, Eff. 11/25/1994, 10/05/2015, 04/16/2018

PR-105 Personnel records

A. Content: Each employee's official Personnel file shall contain:

1. The original job application for the employee's current position.
2. The original signed job description for the employee's current position.
3. All original evaluation reports.
4. A file of Personnel Action Forms (PAF) that have authorized changes in employment status, position, classification, pay, or leave status.
5. Letters of commendation and certificates.

B. Benefit records: benefit are contained separately from the employee's official personnel file and kept in the benefit's office.

C. Access: Access to any employee's official Personnel file shall be limited to:

1. The employee or any individual who has written authorization from the employee to review the Personnel file.
2. Agency personnel designated by the agency head as having a need for such information.
3. Human Resources Department employees in the line of duty.
4. Officials acting in response to court orders or subpoenas.
5. Officials of an agency to which the employee has applied.
6. An official of an agency of the federal government, state government or any of their political subdivisions, but only when it is deemed by the agency head of the employing agency as appropriate to a proper function of the official requesting access.

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D. Disclosure of information: The following information will be provided to any person pursuant to Article 4, Chapter 8, Title 23, A.R.S. § 23-1361:

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

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

F. Control:

1. When an employee moves from one County service agency to another, the losing agency will direct the Human Resources Department to change its records to reflect the move.
2. Personnel files shall be maintained by the County Human Resources Department and disposed of in conformance with rules and regulations promulgated under A.R.S. § 41-1331 et. reg.
3. Any Human Resources Department employee who learns that any Personnel record or its contents has been disclosed by any person within the Human Resources Department in any manner not authorized herein shall immediately report such disclosure to the Human Resources Director who shall notify the affected employee. Any failure to comply with this rule subjects the Human Resources Department employee to dismissal from employment with County Government.

Historical Note: Adopted, Eff. 11/25/94

PR 106 - Internet, E-Mail Usage & Social Media

A. Purpose

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To establish a policy for employee use of Information Technology Systems (ITS), here defined as internal and internet e-mail, social media, internet, software programs, hardware, communication devices and general computer usage by employees of Yuma County. The County uses these sources to support and facilitate ITS delivery of County services. Inappropriate use of ITS IT systems could give rise to legal actions against the County and/or individual employees. Therefore, this policy applies to all County IT systems regardless of location (i.e., office, home, field locations, etc.) And any or all electronic devices used in County business or to access County IT systems. Each County employee who is or becomes an authorized user of the County's IT systems is required to sign the "acceptable use policy acknowledgement."

B. Policy

All IT systems owned or implemented by the County, and all content including but not limited to: messages, text, graphics, images, electronic files and other information transmitted by, received through or stored in these systems, are the property of the County.

All systems must be used in accordance with current United States copyright laws and intellectual property rights. County employees do not have a right to and should not have an expectation of privacy while using any County equipment at any time. The County reserves the right to access, view, review, monitor, read, copy, print, disclose, delete, forward, or otherwise control any and all e-mail messages, County owned content and internet access logs or associated electronic files residing on or generated through any County system or device at any time, with or without cause or notice. This includes whether the messages, logs or files reside on the system, device or otherwise, whether the messages, logs or files are County business related or personal, and whether the messages, logs or files are sent or received. County also reserves the right to check messages, logs and files to determine whether its e-mail and internet use policy is being followed. The County retains the right to unilaterally limit access to the information technology environment for any reason.

The purpose of providing access to the internet is to support business-related activities and research by County employees. The equipment necessary to access the internet is the exclusive property of Yuma County; therefore, any access of the internet is to be used for official business purposes only. Access to the internet will be at the sole discretion of County management. The information technology services department will make access to the internet available when appropriate.

C. Permissible uses of Yuma County computer systems

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In general, the use of the County's IT systems must be related to County business. Incidental or occasional personal use of the County's IT systems may occur, subject to the restrictions and warnings contained in this policy and all other policies of the County, and is allowed only when such use does not directly or indirectly interfere with the County's operation of ITS it systems, with the user's employment or other obligation to the County, and neither expresses nor implies sponsorship or endorsement by the County. Any such incidental and occasional use of the County's IT systems or devices for personal purposes will be treated the same as business related uses of the County's IT systems and devices.

D. Prohibited uses of e-mail and internet

All e-mail messages sent by users will contain a return e-mail address identifying the message as having been sent from the County e-mail system and may be considered public record. Consequently, all users are expected to send and to receive only e-mail messages that they would expect to be read by the general public. Prohibited uses include, but are not limited to, the following:

1. County network, computers, e-mail systems, or social media programs used for transmitting, retrieving or storing of any communications of a defamatory, discriminatory, or harassing nature; or materials that are obscene or pornographic unless directly related to job responsibilities.
2. Disparaging, abusive, sexually explicit, profane, threatening, illegal or otherwise offensive language or materials that would adversely or negatively reflect upon the County or contrary to the County's best interests; any illegal activities including, but not limited to piracy, extortion, blackmail, copyright infringement, and unauthorized access to any computers, electronic files or internet e-mail.
3. Downloading non-business related information. Examples include streaming video of sporting events/games, streaming audio of radio programs, mp3 files, online games, web cams, social media posts, etc.
4. Uses for personal monetary gain or for commercial promotional purposes, personal email messages offering to buy or to sell goods or services.
5. Downloading from the internet, or otherwise opening, executing, sending, copying, saving or using documents or computer files of any kind in

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violation of copyright or other intellectual documents in violation of copyright or other intellectual property rights of third parties.

6. Downloading from the internet; receiving, opening or executing, saving, or installing and using software, programs, plug-ins or other binary files, such as ones containing the file extensions .exe or .com, in violation of copyright other intellectual property rights, or software licensing requirements of third parties, and/or that have not been approved by the County IT Department and that have not been checked for viruses or other potentially detrimental code by a procedure approved by the County IT Department.
7. Intercepting or altering another person's e-mail messages without proper authorization.
8. Composing and sending e-mail messages so they appear to be from someone else.
9. Attempting to or sending e-mail messages anonymously, or using another person's user ID or password.
10. Sharing one's account with another user;
11. Obtaining access to the e-mail messages of others when one has no substantial County business purpose for doing so (i.e., snooping);
12. Attempting unauthorized access to e-mail messages or attempting to breach any security measures on any e-mail system.
13. Sending of any e-mail messages addressed to everyone on the County's e-mail system, unless you are authorized to do so.
14. Communicating confidential or sensitive County information.
15. Forwarding of any e-mail message that is marked as personal, private or confidential to anyone outside the County's e-mail system without the written permission of the original sender.
16. Forwarding of any chain letter e-mail message; or
17. Adding software or hardware to County-owned personal computers without the consent and approval of the County IT department.

E. Prohibited uses of social media

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All social media posts and/or messages will be sent from an authorized County user profile and may be considered public record. Consequently, all users are expected to send and to receive only social media posts and/or messages that they would expect to be read by the general public. Prohibited uses include, but are not limited to, the following:

1. Social media posts and/or messages used for transmitting, retrieving or storing of any communications of a defamatory, discriminatory, or harassing nature; or materials that are obscene or pornographic.
2. Disparaging, abusive, sexually explicit, profane, threatening, illegal or otherwise offensive language or materials that would adversely or negatively reflect upon the County or contrary to the County's best interests; any illegal activities including, but not limited to piracy, extortion, blackmail, and copyright infringement.
3. Uses for personal monetary gain or for commercial promotional purposes, social media posts and/or messages offering to buy or to sell goods or services.
4. Intercepting or altering another person's or party's social media profile, posts and/or messages without proper authorization.
5. Composing and sending social posts and/or messages so they appear to be from someone else.
6. Attempting to or sending social media posts and/or messages anonymously, or using another person's social media profile.
7. Sharing one's social media account profile with another user without authorization.
8. Obtaining access to the social media posts and/or messages of others when one has no substantial County business purpose for doing so (i.e., snooping).
9. Attempting unauthorized access to social media user profiles, posts, and/or messages or attempting to breach any security measures on a social media site.

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10. Sending of any social media posts and/or messages addressed to contacts and/or other County business contacts on the user's social media profile, unless authorized to do so.
11. Communicating confidential or sensitive County information on social media.
12. Forwarding of any chain letter, social media post and/or message of a non-County business related nature.

F. Administration and oversight of social media in Yuma County

1. The creation of all County departmental social media profiles shall be approved by the agency head and County Administrator prior to activation.
2. Yuma County's social media presence shall be limited to Facebook and Twitter. Any other Yuma County social media presence and/or use of any other social media platforms are not permitted without authorization from the County Administrator.
3. All social media profiles shall have at least two employee Administrators; one within the agency and one designee from County Administration's communications division.
4. All social media profiles and account activity may be monitored by a designee from County Administration's communications division.
5. The agency head shall oversee and audit their department's social media profile and activity on a quarterly basis.
6. All escalated issues occurring on social media shall be resolved by the agency head and County Administrator or designee.

Legitimate law enforcement use (e.g., those whose job requires them to track sites of an otherwise questionable nature) may exceed the guidelines within this section. For law enforcement activities, the County may choose to provide alternative internet access that is not part of the County network for the purposes of investigations and stealth. Any equipment on alternative internet access that is used for law enforcement investigations will not be subject to this policy.

G. Privacy, confidentiality and access and disclosure of e-mail messages, log of internet sites visited, social media and all associated electronic files.

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It is the intended purpose of this policy to limit personal use of the County's e-mail and internet systems during scheduled business hours. Users of the County's e-mail and internet systems should be aware that the County's internet access software automatically creates a log of the addresses of the internet sites visited. The County reserves the right to access information on an account or device at any time without prior notice or permission from the user, in the course of an investigation of misconduct or misuse of the e-mail or internet system, or:

1. To prevent interference with the mission of the County or department.
2. To locate substantive information required for County business.
3. To respond to legal processes.
4. To fulfill the County's obligation to third parties.
5. To respond to open public records requests.
6. To investigate a possible violation of County policy.
7. To investigate a breach of the security of the e-mail system.
8. When there is reasonable suspicion that a user has committed or is committing a crime.
9. When a user is unavailable and such information is vital to County operations.
10. When a user leaves County employment for any reason; or for any other reason identified by appropriate authorities of the County.

H. Disciplinary action

Violations of this policy are subject to disciplinary action, up to and including separation of employment from Yuma County, and/or criminal prosecution, if appropriate.

Historical Note: Adopted, Eff. 10/02/2017

PR 107 Dress Code

A. Purpose

To establish the criteria for presenting a professional business appearance that is appropriate to the job.

B. Policy

CHAPTER I (GENERAL)

Employees are expected to represent Yuma County to its citizens in an exemplary, professional manner.

Clothing worn by employees shall be clean, and in keeping with the nature of the duties performed.

Yuma County strives to ensure the comfort and safety of our employees by encouraging an environment free from smoke, fragrances, and other strong odors. These odors can be distracting and may trigger allergic reactions or create health problems for sensitive individuals. This policy is meant to cover noticeable odors from any source.

C. Responsibilities

The agency head is responsible for determining and enforcing the dress code for their respective areas of responsibility.

When uniforms are required, it is the responsibility of the agency head to determine the standards for acceptable wear of the applicable uniform.

Clothing, shoes, hairstyles, jewelry or personal hygiene cannot pose a safety hazard. Mini-skirts, athletic wear, faded or cutoff shorts, leggings used as pants, tops that show a bare midriff or significant cleavage, dresses or tops with spaghetti straps (unless worn under a jacket, sweater or shirt) are not acceptable.

Footwear should be appropriate for the work environment and should not expose a hazard to the employee or to the public. Flip-flops, shower shoes, and slippers may not be worn.

D. Accountability

Any employee whose appearance does not meet this policy or the employee's department policies will be counseled by his/her agency head or supervisor.

If the employee's appearance is determined to violate policy, the employee may be sent home to correct the problem and will not be compensated for any time missed as a result of failure to comply with the dress code policy. Repeated violations of the dress code policy will result in disciplinary action up to and including separation from employment.

E. Exceptions

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Any exceptions to the dress code policy shall be made on a case-by-case basis by the agency head. Religious beliefs, medical conditions or other exceptions as defined by law will be considered on an individual basis.

Historical Note: Adopted, Eff. 11/25/1994
Amended: 10/05/2015, 8/07/2017
Revised: 9/01/2017