

MARICOPA SPECIAL HEALTH CARE DISTRICT EMPLOYEE MERIT SYSTEM RULES

RULE 1 - DEFINITIONS

The following words and phrases used in these Rules have the defined meanings hereinafter set forth unless otherwise clearly indicated in the context:

- 1.01 APPEAL:** a regular employee's written request that the Commission review a suspension, involuntary demotion, dismissal, or reduction in force where permitted by these Rules.
- 1.02 APPELLANT:** a regular employee who has filed an appeal with the Commission.
- 1.03 APPLICANT:** a person who has filed an application for employment in the classified service.
- 1.04 APPOINTING AUTHORITY:** the single administrative or executive head of a department, or the designated representative authorized to act in this capacity.
- 1.05 ASSESSMENT:** process used to evaluate the qualifications of applicants to perform the duties of positions.
- 1.06 AUTHORIZED RETIREMENT SYSTEM/PLAN:** the statutorily-authorized Arizona retirement system into which an employee is required to contribute with matching contributions by the District. (e.g., Arizona State Retirement System.)
- 1.07 BASE PAY RATE:** an employee's established rate of pay, exclusive of any differentials, incentives, or other pay.
- 1.08 BOARD:** the Maricopa Special Health Care District Board of Directors.
- 1.09 CANDIDATE:** an applicant approved for participation in an assessment process.
- 1.10 CERTIFICATION:** the list of names of qualified eligibles referred by the Director to an appointing authority.

- 1.11 CLASSIFIED SERVICE:** includes all positions in the District service except those identified as unclassified (including contract) and temporary employees.
- 1.12 COMMISSION:** the Maricopa Special Health Care District Employee Merit System Commission.
- 1.13 CREDITED SERVICE:** the amount of credited service time on account with the authorized retirement system into which the employee currently contributes or continuous years of service with the District, which ever is greater. For purposes of this definition, retirement from a position in one authorized retirement system and re-hire into a position in another authorized retirement system (i.e. from Public Safety Personnel Retirement System into Arizona State Retirement System) on the next business or scheduled work day does not constitute continuous service.
- 1.14 DISTRICT:** Maricopa Special Health Care District.
- 1.15 DISTRICT ADMINISTRATIVE MANUAL:** the official Maricopa Special Health Care District manual containing the policies and procedures approved by the Chief Executive Officer (and where applicable, the Human Resources Director) to provide guidance to managers and supervisors on the proper administration of District policies and plans.
- 1.16 DISTRICT SERVICE:** District service shall encompass all employment with the District wherein persons are paid a wage or salary from public monies in accordance with official entries on a District payroll. However, the District service shall not include persons who perform services for which payment is made on a fee, claim, or volunteer basis, independent contractors, patients, or inmates of county institutions or members of boards, commissions and committees appointed by the Board.
- 1.17 DAYS:** calendar days unless the context otherwise requires.
- 1.18 DEMOTION:** a change in the assignment of a regular employee to a lower base pay rate.
- 1.19 DEPARTMENT:** a District governmental unit designated as an appointed or elected department or a special district under the annual budget for the District.

- 1.20 DIRECTOR:** the Maricopa Special Health Care District Human Resources Director or designee.
- 1.21 DISCIPLINARY ACTION:** an action taken by an appointing authority against an employee, including oral counseling, written warning, suspension, demotion or dismissal.
- 1.22 DISMISSAL:** the involuntary separation of a regular employee for disciplinary reasons or as a result of unsatisfactory service.
- 1.23 ELIGIBLE:** a person who has attained a passing score on an assessment process for a specific type of job.
- 1.24 EMPLOYEE:** a person who is in the District service.
- 1.25 FAMILY MEDICAL LEAVE ACT (FMLA):** the Family and Medical Leave Act (29 5.S.C. § 2601 et seq.), the federal regulations implementing the FMLA (29 C.F.R. Part 35) and applicable case law. The FMLA allows eligible employees to take job-protected leave, or to use available paid leave if the employee has sufficient accruals, for up to a total of 12 work weeks in a twelve (12) month period. The FMLA allows employees to use Personal Leave or Family/Medical Leave for FMLA leave if accruals are available..
- 1.26 FAMILY MEDICAL LEAVE ACT (FMLA) QUALIFYING EVENT:** an event that qualifies under the FMLA, permitting an employee to take a job-protected leave of absence. These events are generally limited to:
1. The birth of a child and to care for the newborn child;
 2. The placement of a child with the employee for adoption or foster care;
 3. The employee's care of a immediate family member with a Serious Health Condition; or
 4. The employee's own Serious Health Condition.
- 1.27 HEARING OFFICER:** a person appointed by the Commission or its chairman to hear appeals on behalf of the Commission.
- 1.29 INITIAL PROBATION:** a specified period of time following the selection of an employee for a regular status position through certification from a register, during which the work performance of the employee is evaluated. An initial probationary employee serves in an unclassified status, and may be released from initial probation for or without cause.
- 1.30 JOB ANNOUNCEMENT:** the official public issuance of notice that a recruitment is being conducted.
- 1.31 MARICOPA SPECIAL HEALTH CARE DISTRICT EMPLOYEE COMPENSATION PLAN:** the plan approved by the Board establishing District employee compensation strategy and addressing related matters.

- 1.32 POSITION:** a specific employment, whether occupied or vacant, involving duties requiring the services of one person.
- 1.33 PROBATIONARY EMPLOYEE:** a person who is serving an initial probation period in the classified service.
- 1.34 PROMOTION:** the movement of an employee to a different position control number at a higher base pay rate through an announced recruitment process.
- 1.35 REASSIGNMENT:** a change in the assignment of an employee from one position control number to another under the same appointing authority in the same Market Range title and at the same base pay rate.
- 1.36 REDUCTION IN FORCE (RIF):** the separation of a regular employee for reasons of lack of funds, lack of work, or abolishment of position.
- 1.37 REGISTER:** an official list of eligibles for a particular job which shall be used by the appointing authority for selection for employment in the classified service.
- 1.38 REGULAR:** an employee occupying a classified position who has successfully completed an initial probationary period. (This should not be confused with an employee who is eligible to be considered for benefits.)
- 1.39 RESOLUTION:** the Resolution of September 22, 2004, that established the Maricopa Special Health Care District Employee Merit System effective December 31, 2004 and all subsequent amendments.
- 1.40 RESPONDENT:** the department against which an appeal is filed.
- 1.41 SERIOUS HEALTH CONDITION:** an illness, injury, impairment or physical or mental condition that is defined as a serious health condition by the FMLA. Such conditions generally involve:

1. inpatient care in a hospital, hospice, or residential medical care facility;
2. a chronic condition, such as asthma; or,
3. a continuing regimen of treatment by a health care provider for more than three (3) consecutive days.

1.42 **SUSPENSION:** an involuntary leave without compensation of a regular employee for disciplinary reasons.

1.43 **TRANSFER:** a movement of an employee from a position under one appointing authority to another position under a different appointing authority.