

July 18, 2024

MEMORANDUM TO: Honorable Mayor and City Council

THRU: Charles P. Potucek, City Manager  
Victoria Yarbrough, Assistant City Manager

FROM: Barbara L. Fleming, CHRO

SUBJECT: REQUEST FOR AGENDA ITEM PLACEMENT  
RESOLUTION 2024-053  
AMENDMENT TO PERSONNEL RULES AND  
REGULATIONS

RECOMMENDATION:

The City Manager recommends approval

INITIATED BY:

Barbara Fleming, CHRO

BACKGROUND:

Updates to the Personnel Rules and Regulations are being presented for your approval. The approval of this resolution would make these Personnel Rules and Regulations effective **August 1, 2024**.

CHANGES:

Rule 1 – Section 3 - Added a definition of a Domestic Partner

Rule 3 – Section 5 - Changed the falsification of an employment application disqualification time from indefinite to two (2) years from the date of the application.

Rule 4 – Section 13 - Added Mandatory Holdover definition and compensation.

Rule 10 – Section 1 – Changed vacation usage eligibility from six (6) months to thirty (30) days.

Rule 10 – Section 13 - Added Domestic Partner as an eligible family member for the purpose of bereavement leave. Additionally, modified the amount of paid bereavement leave from twenty-four (24) hours to forty (40) hours (from sixty (60) to forty-eight (48) for Fire personnel).

BUDGET APPROPRIATION:

None.

RESOLUTION 2024-053

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; ADOPTING THE **PERSONNEL RULES AND REGULATIONS** EFFECTIVE **AUGUST 1, 2024**. AND AUTHORIZING AND DIRECTING THE CITY MANAGER, CITY CLERK, CITY ATTORNEY, AND CHIEF HUMAN RESOURCES OFFICER OR THEIR DULY AUTHORIZED OFFICERS AND AGENTS TO TAKE ALL STEPS NECESSARY TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.

WHEREAS, new Personnel Rules and Regulations are needed in order to stay current and compliant with current state and federal laws; and

WHEREAS, the City Council adopts the Personnel Rules and Regulations by resolution which may be modified or changed from time to time; and

WHEREAS, the immediate operation of the provisions of this Resolution is necessary for the preservation of the public peace, health and safety, and this resolution shall be in full force and effect from and after its passage.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, AS FOLLOWS:

SECTION 1

That the attached changes to the Personnel Rules and Regulations be, and hereby are affirmed effective August 1, 2024.

SECTION 2

That the "Personnel Rules and Regulations", as presented and on file in the office of the City Clerk, are hereby declared a public record.

SECTION 3

The City Manager, City Clerk, City Attorney, and Chief Human Resources Officer or their duly authorized officers and agents are hereby authorized and directed to take all steps necessary to carry out the purposes and intent of this resolution.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF  
THE CITY OF SIERRA VISTA, ARIZONA THIS 25<sup>TH</sup> DAY OF JULY, 2024.

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Clea McCaa  
Mayor

APPROVED AS TO FORM:

ATTEST:

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NATHAN J. WILLIAMS  
City Attorney

\_\_\_\_\_  
JILL ADAMS  
City Clerk

PREPARED BY:  
Shanna Melanson  
Human Resources Management Analyst

## **RULE 1: GENERAL PROVISIONS**

### SECTION 3: DEFINITIONS

#### S. Domestic Partner

A domestic partnership meets the following criteria:

- Both partners share a common residence
- Both individuals are in a committed relationship and share responsibility for each other's common welfare
- Neither individual is married to any third party
- Neither partner is part of an existing domestic partnership or civil union with any third party
- Each individual is at least 18 years old
- The individual partners are not related to one another by blood closer than would bar marriage in the State of Arizona

## **RULE 3: RECRUITMENT, SELECTION AND HIRING OF EMPLOYEES**

### SECTION 5: DISQUALIFICATION

Any applicant found to have falsified their application or failed a non-police background investigation will be deemed not eligible for future employment for two (2) years from the date of their application.

## **RULE 4: CLASSIFICATION AND COMPENSATION**

### SECTION 13: STAND-BY AND CALL-OUT DUTY

#### C. Mandatory Holdover

##### a. Definition and General

Mandatory holdover applies to Fire & Medical Service Department staff and is used when the department cannot get personnel to meet the minimum requirements to staff vehicles on any given day. This situation is caused by sick leave, vacation, training, and low staffing levels. Minimum staffing levels are in place to ensure the SVFMS personnel can respond and mitigate incidents in the safest manner. Mandatory holdover is put into place after all efforts to get off-duty personnel to come in and work part or an entire shift to meet the minimums required to operate safely. Mandatory holdover personnel are asked to work and not exceed a 12-hour period. All efforts will be given to get off-duty personnel to come in for all or any part of the minimum staffing levels available even after mandatory holdover is put into place.

##### b. Compensation

All non-exempt, full-time employees of the Fire and Medical Services Department who are held in a mandatory status to work more than their scheduled period are eligible for compensation in the form of one and one half (1 ½) times the regular wage or compensatory time. Mandatory holdover pay or compensatory time is earned in minimum units of one-quarter (0.25) hour. Fractions of time worked less than fifteen (15) minutes is not compensable. Any pay period totals of mandatory

holdover or compensatory time hours resulting in a 0.25 hour balance shall be rounded up to 0.5 hour at the time of payroll submission to simplify the record keeping process.

- c. This policy will sunset on December 28, 2025 unless it is rescinded earlier or extended by resolution.

## **B. RULE 10: LEAVE OF ABSENCE**

### SECTION 1: VACATION LEAVE

#### C. Accrual Requirements

1. Employees begin to accrue vacation immediately upon hire, but are not eligible to use or be compensated for vacation accruals until they have completed thirty (30) days of City service.

### SECTION 13: BEREAVEMENT LEAVE

The purpose of bereavement leave is to provide paid leave for full time employees after the death of a qualified family member. A qualified family member is defined as: parent, step parent, spouse, domestic partner, child, step child or legal dependent, sibling, grandparent and in-laws of the same or a grandchild, or any person who was a dependent or member of the household precedent to the death. Employees requesting bereavement leave will be required to provide documentation of the death.

Paid bereavement leave must not exceed forty (40) hours (48 for fire personnel).