

SECTION 1: EMPLOYMENT

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1.1 EQUAL EMPLOYMENT OPPORTUNITY

1.11 Policy:

It is the policy of Apache County to provide equal opportunity in employment to all employees and job applicants. The County shall not discriminate on the basis of race, religion, color, sex, age, national origin, or disability. The County shall neither refuse to appoint or promote, nor choose to suspend, demote or discharge an employee based on these factors. The County shall not discriminate in compensation or in other terms and conditions of employment.

1.12 Coverage:

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

1.2 RECRUITMENT AND SELECTION PROCESS

1.21 Policy:

The goal of the recruiting and selection process is to attract, retain and promote qualified applicants and to do so in a manner that complies with all state and federal employment laws. Within this context, the County has the exclusive right to determine the best manner to conduct its recruiting and selection efforts, recognizing that the process may vary with each individual job.

The following broad guidelines shall apply to the recruitment and selection processes:

- A. At the discretion of the elected official or department head, vacant positions shall be designated and posted as (1) Intra-Departmental (2) County-Wide or (3) Open postings.
- B. When recruiting to fill vacant positions, preference may be granted to existing county employees. Elected officials and/or department heads wishing to give preference to county employees in the recruitment process shall designate the recruitment as either an Intra-Departmental or County-Wide posting.
- C. Elected officials or Department Heads may, at any time, choose to change the recruitment designation from “Intra-Departmental” to a “County-Wide” or “Open” posting.
- D. Elected officials or department heads may, at any time, choose to change the recruitment designation from “County-Wide” to an “Open” posting.
- E. When examinations for employment are used, they will be conducted on a competitive basis. All aspects of testing will be designed to be internally consistent and to fairly measure the skills required to successfully perform the duties of the position.

1.22 Coverage:

This policy covers recruitment and selection for all classified and unclassified positions. Nothing in this policy modifies or waives the “at will” status of an unclassified employee.

1.23 Job Posting:

- A. Vacant positions will be posted in major county buildings on a regular basis. These job postings are intended to provide information to employees and to the public about vacant positions.
- B. The postings will include basic information about the positions such as the title, department, salary grade, and starting salary.
- C. Positions designated as “County-Wide” or “Open” shall be posted as stated in 1.23(A). At the discretion of the elected official or department head, positions designated as “Intra-Departmental” may be posted only within the affected department. The Human Resources Department will disseminate postings and, if applicable, advertise the position. Open positions will be advertised with the appropriate media.

1.24 Recruiting Process:

- A. All newly created positions must be approved by the Board of Supervisors prior to being filled. The Board will approve the job title, salary grade, and starting salary and verify that there are budgeted funds available.
- B. Once approved by the Board of Supervisors, The Elected Official or the Department Head shall notify Human Resources to coordinate the recruitment process. The Elected Official or Department Head will designate the position as an “Intra-Departmental”, “County Wide” or “Open” posting.
- C Existing approved positions that become vacant will be filled in accordance with the normal recruiting process. If the vacant position is filled at the beginning of the salary range, no formal Board of Supervisors approval will be needed.
- D. Anyone, including a current employee applying for a position, shall complete an employment application for the relevant position.
- E. Applications will be collected and screened for minimum qualifications by Human Resources. Applications that meet the minimum qualifications for the position shall be made available to the appropriate elected official or department head for review.
- F. Human Resources will schedule applicants for interview(s) and, where appropriate, written examinations/job testing. In the interest of saving time and expense, the county may choose to limit the number of applicants interviewed. Not every candidate will necessarily be interviewed.

1.25 Candidate Selection Process:

- A. Where possible, and, at the discretion of the Elected Official or Department Head, preference will be given in the selection process to existing county employees. Should an employee be selected for the position, and this results in a promotion, which is defined as a change in position that changes duties on a job description and an increase to their salary range as set forth in the table 3, then the employee will be eligible for an increase in salary of no less than 5%.
- B. Current county employees are encouraged to apply as position openings occur.
- C. Employees on probation are normally expected to stay in his or her position for at least six months before applying for a promotion or a transfer. Exceptions to this general rule will be based on business necessity and will be considered on a case-by-case basis. A promotion or transfer requires the approval of the current department. The necessary form can be obtained from the Human Resources Department.
- D. The county may prepare an eligibility list when the recruitment for any job opening has been completed. The purpose of an eligibility list is to provide a pool of qualified candidates and to expedite the recruiting process.

(1.25 Cont.)

- E. Applications for all candidates will be maintained in the Human Resources Department for at least six months. Based on the results of the application process, some applicants may be placed on an eligibility list for future open positions.
- F. The county reserves the right to transfer or promote employees within or between departments as required by business necessity without following the standard recruitment process identified above.
- G. No Employee or candidate shall be eligible for employment with the county while on probation for any Arizona or federal felony, or for any out-of-state criminal offense that would be considered a felony if committed in Arizona.

1.26 Hiring of Relatives/Personal Relationships:

1. Immediate family members may not be employed in a position where one supervises or is supervised by the other, or both report to the same first level supervisor. For purposes of this section, immediate family members shall be defined as a spouse, child, child's child, parent, grandparent, brother or sister of the whole or half blood and their spouses and the parent, brother, sister or child of a spouse as described pursuant to A.R.S. § 38-502.
2. Immediate family members shall not be employed in the same department when the safety, efficiency, morale of effective administration of the department's operations will be adversely affected. Employment may not create either an actual conflict of interest or the appearance of a conflict of interest.
3. This policy must also be considered when assigning, transferring, or promoting an employee.
4. Employees who become immediate family members or who establish a consensual relationship that is romantic or sexual may continue employment as long as it does not violate subsection 1 or 2 above. Employees who become immediate family members or who establish a consensual relationship that is romantic or sexual must notify the Elected Official/Department Head and Human Resources. If employees become immediate family members or establish a consensual relationship that is romantic or sexual that implicates subsection 1 above, the county will make reasonable efforts to assign job duties so as to minimize problems of supervision, safety, security, or morale. If accommodations of this nature are not feasible, the employees will be permitted to determine which of them will resign. If employees become immediate family members or establish a consensual relationship that is romantic or sexual that implicates subsection 2 above, the county will make reasonable efforts to re-assign the employee that is in the supervisory position; and if such re-assignment is not reasonably possible, shall allow the employee in the supervisory position to resign in lieu of termination.
5. If a consensual relationship of a romantic or sexual nature develops between a supervisor/manager and a subordinate, it shall be the responsibility and mandatory

(1.26 Cont.)

obligation of the supervisor/manager to promptly disclose the existence of the relationship to the Department Head and Human Resources. The subordinate may make the disclosure as well; however, the burden of disclosure rests with the supervisor/manager.

1.27 Background Checks:

- A. The county may choose to contact prior employers, schools and others to check references of potential employees. The hiring department shall conduct reference checks to verify employment history of each new hire. The county may refuse to hire an applicant based upon these reference checks.
- B. The county may also choose to conduct criminal history investigations, and otherwise investigate the qualifications of potential employees.

1.28 Fingerprinting Checks:

- A. The purpose of this section is to comply with the intent of A.R.S. §15-512. This policy applies to county school superintendent employees and any other county employees who work with juveniles as a regular part of their job. The policy does not apply, however, to law enforcement and probation personnel who are covered by departmental policies.
- B. Employees working with juveniles will be fingerprinted as a condition of employment. Fingerprint checks will be conducted in accordance with A.R.S. §41-1750. These personnel shall certify on forms provided by the county and notarized whether they are awaiting trial or, have ever been convicted or admitted committing any of the criminal offenses specified in A.R.S. § 15-512.
- C. The county may choose not to hire or to terminate the employment of an individual based on the results of the fingerprint check.
- D. Apache County may hire non-certificated employees before receiving the results of the fingerprint check, but only under the circumstances and conditions outlined in A.R.S. § 15-512(K).

1.29 Immigration Reform and Control Act:

Apache County complies with the Immigration Reform and Control Act (IRCA), 8 U.S.C. §§ 1324(a) and (b). As such, all new hires must provide complete INS Form I-9 on or before the first day of hire. All new hires are required to provide proof of eligibility to work in the United States no later than three working days after the employee commences work. The Human Resources Department will verify the documents and maintain them. Employment with Apache County is contingent upon satisfactory completion of the verification requirement.

1.3 PROBATIONARY PERIOD

1.31 Policy:

All new and rehired employees shall be subject to an initial probationary period. The purpose of the probationary period is to closely monitor performance as well as to ensure that the employee is effectively learning and performing the duties and responsibilities of the position. The probationary period described in this section does not apply to employees who are transferred, promoted, or demoted.

1.32 Coverage:

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

1.33 Timing:

The probationary period shall be six months, beginning with the first day of the job assignment, with the exception of adult detention officers, probation officers and deputy sheriffs whose probation shall be for a period of twelve months, beginning with the first day of their job assignment. The probationary period may be extended for up to six additional months in situations where the employee is progressing but is not fully effective.

At the discretion of the elected official or department head, temporary status employees may have their probationary period waived when converted to regular full or part-time status, providing they have worked for the County for at least six months.

Two to four weeks prior to the end of the six-month probationary period, the employee's performance should be evaluated. Based on this evaluation, the employee's immediate supervisor should determine whether his/her performance warrants successful completion of the probationary period. At this time, the immediate supervisor may recommend that the elected official or department head take one of three actions:

- Remove the employee from probation and confirm regular status;
- extend the probationary period for up to six additional months; or
- terminate the employment status of the employee.

At any time during the probationary period, the elected official or department head may terminate the employment relationship. The individual's employment may be terminated without cause and without the right of appeal.

1.34 Completing Probation:

Completion of the probationary period is not automatic. Employees shall be removed from probation only through specific action of the department head, elected official and the Board of Supervisors. The employee has the right to request a performance evaluation and a decision on his/her probationary status.

It is the intent of the County to provide a probationary pay increase at the end of probation. If it is determined that the employee has successfully completed probation in six months, the pay increase will be effective on that date.

Upon successful completion of the probationary period, the employee shall:

- A. Receive an end-of-probation increase. The increase percentage shall be established by the Board of Supervisors prior to the beginning of each fiscal year as part of the budgeting process. During the year, the Board of Supervisors may suspend or cancel probationary increases at any time based on budget considerations and/or issues of salary equity among employees with similar jobs.
- B. Upon completion of probation, the employee will be credited with vacation, at the regular rate of accrual, retroactive to the beginning of the original probationary period.
- C. Adult detention officers, probation officers, and deputy sheriffs serving probation for twelve months shall be credited with vacation at six months and will continue to accrue vacation time at the regular rate of accrual. They shall also be eligible for all county-wide pay increases (i.e., C.O.L.A., etc.) after six months of probation.
- D. Probationary regular part-time employees in positions designated to work 1040 hrs or more per year and regular full-time probationary employees will be eligible for sick leave following thirty days of employment. Following the first thirty days of initial probation, eligible employees will be credited with sick time retroactive to the beginning of the original probationary period.
- E. While on probation, an employee will not be eligible for the regular annual increase, except as provided in subsection C, above. Instead, he/she may be eligible for an increase upon successful completion of the probationary period.

1.4 PERFORMANCE EVALUATION

1.41 Policy:

The purpose of the performance evaluation process is to evaluate the performance of employees in the accomplishment of their assigned duties and responsibilities. The evaluation process shall be used as a means of providing performance feedback to all employees. For this reason, the evaluation shall focus on how performance can be improved in the future, as well as the level of past performance. The performance evaluation may be considered in determining salary changes, transfers, promotions and merit increases. The performance evaluation may also be considered in decisions related to lay-off and discharge.

1.42 Coverage:

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

1.43 Types of Evaluations:

- A. Regular Evaluation: At a minimum, each employee should be evaluated annually, although more frequent evaluations are encouraged.
- B. Special Evaluation: Special evaluations may be administered at any time to address performance issues occurring throughout the year in a non-disciplinary manner. Conducting a special evaluation does not pre-empt or limit in any way the ability of the County to take appropriate disciplinary action at any time for any given performance issue.
- C. End-of-Probation Evaluation: Evaluations should also be conducted prior to removing an employee from probationary status.

1.44 Documentation Requirements:

The annual evaluation shall be documented on an evaluation form selected by the elected official or department head. An approved form is available from the Human Resources Department and may be modified as necessary to meet specific needs.

Once the evaluation form has been completed, the evaluation shall be discussed in a private meeting between the employee and appropriate management personnel. The elected official or department head shall sign the evaluation. The employee should also sign to indicate that the process has been completed.

Completed performance evaluations shall be sent to the Human Resources Department to be filed in the employee’s official personnel file.

1.5 EMPLOYMENT STATUS

1.51 Policy:

This section identifies the employee categories and their eligibility for policy coverage, compensation and benefits.

- Classified/Unclassified
- Non-Covered/Exempt/Non-Exempt
- Other Job Categories

1.52 Coverage:

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

1.53 Classified/Unclassified:

- A. Classified employees are covered by the employment provisions of the County policies dealing with grievances and appeals of employment decisions.
- B. Unclassified employees are "at will" employees. Unclassified employees serve at the pleasure of the appointing authority. Their employment may be terminated without cause.
- C. Temporary, probationary and part-time employees who are ineligible for benefits are unclassified. In addition, the following positions are unclassified: County Manager, Deputy County Manager, Clerk of the Board of Supervisors, Chief Deputy to an Elected Official, Department Directors, County Engineer, Chief Probation Officer, Chief Deputy Probation Officer, Deputy County Attorneys, Court Administrator, Judicial Assistant, Court Reporter, District Manager, and District II's Operations Manager, Field Operations Manager and Administrative Coordinator, the County Attorney's Chief of Staff, Community Resources Liaison, Investigators, Legal Coordinator, Legal Program Coordinator, and Office Administrator, and District III's Division Manager of Health, Safety and Environmental, Division Manager of Special Projects, and Division Manager of Technical Services, and Roads Manager.

1.54 Non-Covered/Exempt/Non-Exempt:

This section is intended to comply with the Federal Fair Labor Standards Act (FLSA).

- A. Non-Covered: Elected officials, their personal staff members, policy-making appointees, and legal advisors are non-covered under the FLSA. Volunteers, independent contractors and prisoners are also non-covered under the FLSA.
- B. Exempt: Exempt employees are exempt from the overtime provisions of the FLSA. These positions are paid on a salaried rather than an hourly basis. As such, employees in these positions do not receive overtime or compensatory time. Employees are considered exempt on the basis of their job description and actual duties performed in accordance with guidelines set forth by the FLSA.
- C. Non-Exempt. Non-exempt employees are covered by the overtime and minimum wage provisions of the FLSA.

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Non-exempt employees become eligible for overtime compensation after working 40 hours in a workweek. Non-exempt employees are eligible for compensation at one and one-half their normal pay rate for time worked over 40 hours.

Compensatory time is the standard form of overtime compensation used by Apache County. Overtime can be compensated in additional salary only with approval of the County Manager. Compensatory and overtime policies are explained in the Compensation and Benefits section of this material.

1.55 Types of Positions:

Regular Full Time: Regular full-time employees are in approved budgeted positions that are an ongoing part of the County's normal staffing plans. These positions have no specified ending date. These positions may be classified or unclassified depending upon the pay grade as stated in paragraph 1.53 above.

Part Time: Part-time employees who are regularly scheduled for 20 hours or more per week are paid for holidays, are credited for sick and vacation time, at a prorated amount and are eligible for health and retirement benefits. Part-time employees who work less than 20 hour per week are not eligible for benefits. Part-time positions may be classified or unclassified depending upon the appropriate criteria as stated in paragraph 1.53 above.

Temporary: Temporary employees are in positions that have specified ending dates. These positions are approved to meet County needs in peak work periods, for special programs and to fill department vacancies during the recruiting process. Temporary employees are only paid for actual hours worked. They do not receive holiday, vacation or sick time. They are not eligible for health benefits but are covered by worker's compensation and will receive retirement credit if they work more than 90 days. These positions are unclassified as stated in paragraph 1.53 above.

Grant-funded positions: Grant-funded positions may be regular or temporary and may be full-time or part-time. These status issues will be determined individually with each position, based on terms specified in the grant. Regular full-time and eligible part-time grant-funded positions will have all of the same benefits as regular positions funded by the County. If the grant-funding is canceled for any reason, the position is automatically eliminated and the employee is laid off. This layoff is effective no later than the date the grant funds are exhausted. Grant-funded positions may be classified or unclassified depending upon the appropriate criteria as stated in paragraph 1.53 above.

1.6 LAYOFF, RECALL, RESIGNATION, AND RE-EMPLOYMENT

1.61 Policy:

This section outlines the circumstances surrounding layoff, recall and re-employment of employees.

1.62 Coverage:

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

1.63 Lay-Off:

The Board of Supervisors may layoff an employee because of a change in duties, re-organization, or shortage of work or funds. A layoff may occur when a position is eliminated or when the number of positions in any given classification has to be reduced. Typically, the lay-off is a result of a reduction in funding or reorganization.

A layoff may be based on a Retention Rating Index incorporating seniority, performance and conduct when there is more than one employee in any given position subject to the reduction in force. Retention Rating Index forms may be obtained through the Human Resources Department.

When a layoff affects only one department, only employees in that department will be considered for layoff. Employees in other departments will not be affected.

1.64 Recall:

Employees who have been laid off are subject to recall within six months of the effective date of lay-off. Employees will be recalled in the reverse sequence in which they were laid off.

Employees recalled from a layoff within six months will be reinstated into County benefits programs with credit for prior service. They will not receive credit for the time they were out of work. These employees will:

- A. Accrue vacation time at the same rate as they had at the time of layoff. The accrual will begin with the first payroll period.
- B. Have the sick time balance reinstated, unless they were paid for the time.
- C. Be re-enrolled in the health plan with the normal waiting period. Any employee who is an active COBRA participant will be allowed to re-enroll in the health plan without a waiting period.

Employees recalled may or may not receive the same rate of pay as they had earned at the time of the layoff. The County reserves the right to respond to budgetary and staffing considerations at the time of the recall.

1.65 Resignation:

An employee wishing to leave the County service shall file with the appointing authority a letter stating the effective date of resignation. This letter should be filed as soon as possible, but no later than two weeks prior to leaving the County. Failure to give notice as required by this policy may be cause for denying future employment by the County.

1.66 Termination:

Elected officials or department heads shall verify that terminating employees return all keys, credit cards and other county property. Prior to the final payment to any terminating employee, the department head or elected official and the Finance Department shall ensure that all travel advances have been reconciled.

1.67 Job Abandonment:

In the event an employee is absent without approved leave for a period greater than two days, the County shall notify the employee of intent to dismiss due to job abandonment. The notification will be delivered in person or sent to the employee's last known address. If the employee has not returned to duty within 48 hours of notice, then this shall be cause for immediate discharge.

1.68 Re-employment:

- A. Employees who provide the appropriate notice and leave the County in good standing may be eligible for re-employment. If an employee has twice previously left the County in good standing and been re-hired more than once, any subsequent re-employment is prohibited unless first approved by the County Board of Supervisors.
- B. Employees who were terminated are not eligible for re-employment.
- C. Employees who are re-employed with the County within two years of separation may be eligible for credit for prior service with regard to accrual rate of vacation, reinstatement of past unpaid sick-pay balances and pay scale placement. All decisions regarding credit for prior service shall be made within thirty (30) days of re-employment. Failure to credit past service within thirty (30) days, shall constitute a decision not to credit prior service. Reinstatement in the retirement programs will be based on the current rules of the particular retirement program.

1.7 RELOCATION ALLOWANCE

1.71 Policy:

Apache County may reimburse up to \$500 of actual relocation expenses incurred by a new employee who relocates to the County. The decision to reimburse these expenses shall be approved by the Board of Supervisors.

1.72 Coverage:

This policy only applies to unclassified employees in salary grade 50 and above. Nothing in this policy modifies or waives the “at will” status of an unclassified employee.

1.73 Qualifying Criteria:

All of the following conditions must be met for the new employee to qualify for the relocation allowance:

- A. The expenses must be incurred as a direct result of the relocation.
- B. The expenses must be incurred within three months of beginning employment with Apache County.
- C. The move must begin outside Apache County and involve a distance greater than 175 miles.
- D. The employee must be hired to a professional or managerial position in salary grade 50 or above.
- E. The expenses must not be reimbursable through any other program or resource.

1.8 AMERICANS WITH DISABILITIES

1.81 Policy:

Apache County provides equal opportunity to all individuals in programs, activities, employment benefits, participation, services and assistance, and to comply with the spirit of Section 504 and the Americans with Disabilities Act (ADA). Apache County will also provide reasonable accommodation in the essential functions of a given position for those qualified individuals with qualifying disabilities as identified by the ADA providing the accommodation does not place an undue burden upon the County.

1.82 Coverage:

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

1.83 Requests for Reasonable Accommodation:

Individuals with qualifying disabilities may request reasonable accommodation in the essential functions of their job. All requests for reasonable accommodation shall be made with the Human Resources department for consideration. It is the responsibility of the employee to notify Apache County of the need for reasonable accommodation. The county will engage in an interactive process with the employee to determine if reasonable accommodations can be made.

1.9 EMPLOYEE RECORDS

1.91 Policy:

The official personnel file for each employee shall be maintained by the Human Resources Department. Medical files containing confidential medical information regarding a given employee will also be maintained by the Human Resources Department. Departments may keep supplemental records but should limit the contents of these files to information relevant to the administrative operations of the department.

1.92 Coverage:

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

1.93 Disposition of Records:

Employee records are closed to the public except for those records authorized for release in accordance with ARS 39-101. Generally, the following records may be released:

- A. full name of the employee
- B. dates of employment
- C. current and previous job titles
- D. current and previous salaries
- E. name of current supervisor
- F. any additional information authorized by the employee in writing.

Medical information shall always be treated as confidential and will be kept in a medical file separate from the personnel file.

Department Heads and Elected Officials may view the personnel files on a need-to-know basis. They are expected to deal with the information in a confidential manner. Medical file information will be kept confidential and will be shared only with prior written authorization from the employee.

An employee may review and/or make copies of the contents of his/her personnel or medical file. The employee is expected to make an appointment with Human Resources in order to view the file.

Notwithstanding the foregoing, employee records may be released as necessary for Apache County to defend itself against claims made or litigation commenced by an employee, and any employee bringing such a claim waives his/her right to confidentiality to the extent necessary for the County to defend itself.

1.94 Applicant Records:

Job applicant records shall be considered confidential. Applications, resumes, and related information submitted to the County by a job applicant are the property of the County. The County reserves the right to distribute this applicant information as it sees fit within the County. This information will not be available to the public, however, except for the names of the final candidates for positions of public interest.

Notwithstanding the foregoing, applicant records may be released as necessary for Apache County to defend itself against claims made or litigation commenced involving claims of discrimination in hiring.

1.95 Reference Checks on Past Employees:

All reference checks provided on past Apache County employees shall be provided by elected officials and department heads. County employees receiving reference calls from prospective employers shall direct the inquiry to the Human Resources Department. Apache County will provide any prospective employer the information identified in Section 1.83 of this policy. Apache County may provide information concerning a former employee's education, training, experience, qualifications and job performance pursuant to A.R.S. § 23-1361 (B). If the County is willing to provide that supplemental information, however, it reserves the right to require former employees to sign a written authorization prior to a release of the additional information.

Any elected official, department head or the Human Resources Department, if providing a written reference for a past employee, shall send a copy of the written reference to the former employee at his/her last known address as required by A.R.S. § 23-1361 (B).

1.10 EMPLOYEE PROPERTY, WORKPLACE PRIVACY LIMITATIONS & DRESS CODE

1.101 Policy:

County employees are allowed to bring personal property belonging to them into the workplace with the approval of the elected official or department head.

1.102 Coverage:

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

1.103 Liability for Employee Property:

If employees choose to bring their own personal property into the workplace, Apache County shall not be liable for any damage that might result thereto from theft, fire, or any other type of loss. Employees bring such property into the workplace at their own risk and should make sure they are adequately insured for any loss that might occur while the property is in the workplace.

1.104 Workplace Privacy Limitations:

Any county-provided property is subject to entry, search and inspection (to include computers, computer files, lockers, file cabinets, desks, etc.) by authorized personnel without prior notice. Any privately-owned property contained in such equipment (including the contents of sealed items/containers) may also be opened and examined without prior notice and without permission in order to investigate work-related misconduct. This includes any county-provided equipment that is protected by a personally owned lock that an employee may place on that equipment. Therefore, employees have no expectation of privacy when using county-provided resources and/or equipment. Workplace searches must be authorized by the County Manager, Human Resources Director, or designee of same.

1.105 Dress Codes:

Apache County employs individuals in a wide array of positions that may require varying dress codes. The elected official or department head has the responsibility of establishing an appropriate dress code, and County employees are expected to follow the policies established by their own departments.

1.11 CONSTRUCTIVE DISCHARGE

1.111 Policy:

Apache county hereby informs all county employees of the requirement of the following regarding Arizona's constructive discharge statute A.R.S. § 23-1502.

1.112 Coverage:

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

1.113 Notice:

An employee is encouraged to communicate to the employer whenever the employee believes working conditions may become intolerable to the employee and may cause the employee to resign. Under A.R.S. § 23-1502, Arizona revised statutes, an employee may be required to notify an appropriate representative of the employer in writing that a working condition exists that the employee believes is intolerable, that will compel the employee to resign or that constitutes a constructive discharge, if the employee wants to preserve the right to bring a claim against the employer alleging that the working condition forced the employee to resign.

Under the law, an employee may be required to wait, for fifteen calendar days after providing written notice before the employee may resign if the employee desires to preserve the right to bring a constructive discharge claim against the employer. An employee may be entitled to paid or unpaid leave of absence of up to fifteen calendar days while waiting for the employer to respond to the employee's written communication about