

ARIZONA STATE PERSONNEL SYSTEM
STATEWIDE POLICIES AND PROCEDURES

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| Policy Number: ASPS/HRD-PA2.01 | Issued: October 9, 2014 |
| Subject: Political Appointment Positions | Effective: October 9, 2014 |
| Policy Section: Classification | Revised: May 5, 2015 |
| Policy Owner: ADOA Human Resources Division | |

This policy does not create a contract for employment between any employee and the State. Nothing in this policy changes the fact that all uncovered employees of the State are at-will employees and serve at the pleasure of the appointing authority.

Scope:

This policy applies to all agencies, boards, offices, authorities, commissions, or other governmental budget units of the State that are part of the State Personnel System.

Actions taken under this policy are applicable only to positions in the uncovered service and uncovered employees and in particular uncovered positions/employees listed in A.R.S. § 41-742(F). An uncovered employee in a position listed in A.R.S. § 41-742(F) is referred to as a “political appointment.”

Note: An incumbent covered employee who is in a position listed in A.R.S. § 41-742(F) (for example, reports to an agency head, deputy director or assistant director), is not considered a political appointment. If the incumbent covered employee elects to become an at will uncovered employee or vacates the position, the position will become an uncovered political appointment position and will be subject to this policy.

Authority:

A.R.S. § 41-742, State Personnel System; covered and uncovered employees; application; exemptions
A.A.C. R2-5A-201, Classification System
A.A.C. R2-5A-307, Appointment
A.A.C. R2-5A-B602, Annual Leave
A.A.C. R2-5A-701, Performance Management; General
A.A.C. R2-5A-801, Disciplinary Actions; General

Definitions:

“ADOA” means the Arizona Department of Administration.

“Agency” means a department, board, office, authority, commission, or other governmental budget unit of the State Personnel System.

“Agency head” means the chief executive officer of a state agency, or designee.

Statewide Human Resources Policies and Procedures

Subject: Political Appointment Positions

“Director” means the Director of the Arizona Department of Administration or the Director’s designee, who is responsible for administering the State Personnel System pursuant to applicable state and federal laws.

“HRIS” means the Human Resources Information Solution, the State’s personnel and payroll system administered by the Arizona Department of Administration.

“MAP” means “Managing Accountability and Performance,” the State Personnel System’s performance management system.

“Political appointment” refers to an employee in a position listed in A.R.S. § 41-742(F), and includes:

1. Employees of the Governor's Office.
2. Employees of offices of elected officials who either:
 - (a) Report directly to the elected official.
 - (b) Head a primary component or report directly to the head of a primary component of the office of the elected official.
 - (c) As a primary duty, determine or publicly advocate substantive program policy for the office of the elected official.
3. The state agency head and each deputy director, or equivalent, of each state agency and employees of the state agency who report directly to either the state agency head or deputy director.
4. Each assistant director, or equivalent, of each state agency and employees in the state agency who report directly to an assistant director.
5. Attorneys in the Office of the Attorney General.
6. Employees in investment related positions in the state retirement system or plans established by Title 38, Chapter 5, Article 2, 3, 4 or 6.

“SPS Rules” means the rules in A.A.C. Title 2, Chapter 5.

Policy:

Arizona Revised Statutes, Title 41, Chapter 4, Article 4, and the SPS Rules identify certain provisions that do not apply to uncovered political appointments. An uncovered employee appointed to or employed in a position listed in A.R.S. § 41-742(F) is not subject to:

- Open competition;
- Annual leave accrual based on credited service;
- Retention based on performance; or
- Director review of a suspension, involuntary demotion or dismissal.

Recruitment

An individual appointed to a position listed in A.R.S. § 41-742(F) is not subject to open competition or the job posting requirements outlined in A.A.C. R2-5A-302(A). An agency head may appoint an individual to a political appointment position solely on the basis of the individual’s ability, knowledge and skills.

Annual Leave Accrual

In accordance with A.A.C. R2-5A-B602(B)(1)(c), an employee in a position listed in A.R.S. § 41-742(F) accrues annual leave at the rate of 6.47 hours bi-weekly. Once an

Statewide Human Resources Policies and Procedures

Subject: Political Appointment Positions

employee no longer occupies a political appointment position, whether due to a change in position or a change in supervisor, the employee's leave accrual will be determined by the employee's hire date, as outlined in A.A.C. R2-5A-B602(B)(1).

Director Review of Disciplinary Actions

A suspension, involuntary demotion or dismissal of an employee in a position listed in A.R.S. § 41-742(F) is not subject to the Director's review. A.A.C. R2-5A-801 stipulates that any action that involves a suspension greater than 80 working hours, an involuntary demotion or a dismissal requires review by the Director prior to an agency administering such action, unless the employee is in a position listed in A.R.S. § 41-742(F).

MAP

An uncovered employee in a position listed in A.R.S. § 41-742(F) may be subject to MAP. Although MAPs are not mandated for employees in certain positions, appraisals may be required for these positions at the discretion of the agency head (or appointing authority in the case of a board or commission).

A.A.C. R2-5A-701(C) provides:

- The appointing authority may determine whether the agency head shall be subject to the performance management system.
- The agency head may determine whether deputy and assistant directors shall be subject to the performance management system.

In accordance with the temporary procedures implemented by the Director, the agency head may also determine whether other positions listed in A.R.S. § 41-742(F) in the agency are required to participate in the performance management system.

Compensation Guidelines

Most employees in positions listed in A.R.S. § 41-742(F) are subject to the Compensation Guidelines; however, there are some employees that are not eligible for some or all of the strategies. Please refer to the Compensation Guidelines for specific information regarding eligibility, applicability and exemptions.

HRIS Data Maintenance

In HRIS, political appointment positions are identified in the "At-Will Status" field (see Exhibit A for the list of codes and category descriptions). Please note that the code is tied to the position, not the employee.

The "At-Will Status" field codes/categories of Governor's Office employees, public policy positions in an agency headed by an elected official, Attorney General's Office attorneys, and ASRS and PSPRS investment-related positions have been determined by identifiers associated with the position in HRIS. The codes/categories of these positions shall not be changed without consulting with the ADOA Human Resources Division (HRD).

The "At-Will Status" field codes/categories of agency head, deputy director, and assistant director positions have been determined by certain identifiers associated with the position in HRIS and through input from agencies. The codes/categories of these

Statewide Human Resources Policies and Procedures

Subject: Political Appointment Positions

positions shall not be changed without consulting with the ADOA Human Resources Division (HRD).

The "At-Will Status" field codes/categories of positions that report directly to an agency head, to a deputy director, or to an assistant director are determined by the supervisor code recorded in HRIS. A change in supervisor may necessitate a change to the "At-Will Status" field code/category of these positions. Further, changes in reporting relationships can result in a position becoming a political appointment or ceasing to be a political appointment. (See Exhibit B for examples of changes in reporting relationships.)

For the purposes of this policy, a temporary change in a reporting relationship, defined as less than six months, or a special assignment, does not affect the "At-Will Status" field code/category. For example, if an employee in a political appointment position (e.g. direct report to an assistant director) leaves the agency, but the assistant director intends to fill the position, positions reporting to the vacant position should continue reporting to the vacant position while it is unfilled, up to six months. If the position is not filled within the six-month period, the agency shall designate a new, permanent reporting relationship for those positions that report to the vacant supervisor position, unless an exception is granted by the Director. (See Exhibit B for an example of a temporary change in a reporting relationship.)

An agency's Human Resources Office is responsible for the proper oversight and maintenance of the agency's political appointment positions. The agency must ensure that HRIS reflects the correct position information and annual leave plans. *PLEASE NOTE: It is critical that the position information and annual leave plans are correct because the annual leave accrual, processed bi-weekly, is dependent upon three HRIS fields: the position's "At-Will Status" code, the employee's hire date, and the employee's annual leave plan. If the information in any one of the fields is incorrect, the employee may receive the wrong leave accrual or a newly hired employee may not accrue any annual leave.*

Procedures:

When a permanent change is made to a position or a permanent supervisor change occurs, the agency's Human Resources Office shall take the following steps:

1. Ensure that the "At-Will Status" code of each affected position matches the current organizational structure of the agency.
 - For direct report positions, the "At-Will Status" code should coordinate with the "At-Will Status" code of the supervisor, as reflected in HRIS (for example, if a supervisor is coded as an AD, the direct report should be coded as an ADD).
 - New hires and changes in assignment into vacant political appointment positions generally will not require adjustments to the position's "At-Will Status" code, assuming the same reporting structure exists and the "At-Will Status" code is up to date.
2. When a change to a position's "At-Will Status" code is required, contact the agency's assigned ADOA HRD Classification/Compensation (Class/Comp) analyst to request the change and provide the ADOA HRD Class/Comp analyst with an updated organizational chart. The ADOA HRD Class/Comp analyst will review the request and, if appropriate, make any necessary changes in HRIS.

Statewide Human Resources Policies and Procedures

Subject: Political Appointment Positions

3. If the change to a position's "At-Will Status" will affect an employee's annual leave accrual rate (for example, if the position is filled with an uncovered employee who was hired after September 29, 2012 and the employee's position is changed to a political appointment position), after receiving confirmation from the ADOA HRD Class/Comp analyst that the position's "At-Will Status" code has been updated, the agency must change the employee's annual leave user field to the appropriate leave plan. (See Exhibit C, Personnel System Employee's Annual Leave Plan Flowchart, for detailed instructions.)

Related Attachments/Links:

[Compensation Guidelines](#)

[Exhibit A: "At-Will Status" Structure – Categories and Corresponding Codes](#)

[Exhibit B: Examples of Permanent and Temporary Changes to Reporting Relationships](#)

[Exhibit C: Personnel System Employee's Annual Leave Plan Flowchart](#)

Corresponding Policies:

ASPS/HRD-PA3.05 - Special Assignment

ASPS/HRD-PA8.01 - Review of Suspensions Greater than 80 Working Hours, Involuntary Demotions, and Dismissals for Covered and Uncovered Employees

Contact:

If you have any questions related to this policy, please contact the ADOA HRD Class/Comp analyst assigned to your agency.

Policy History (supersedes):

- ASPS/HRD-PA2.01, Political Appointment Positions (October 9, 2014)
Editor's Note: Under the authority provided by A.A.C. R2-5A-103(B), on April 28, 2015, the Director waived the rules in Article 7 pertaining to positions listed in A.R.S. § 41-742(F). The Director implemented temporary procedures to allow each agency head to determine whether or not to require MAP evaluations for its political appointments.