

**ARIZONA STATE PERSONNEL SYSTEM
STATEWIDE POLICIES AND PROCEDURES**

Policy Number: ASPS/HRD-PA8.01	Issued: October 18, 2012
Subject: Review of Suspensions Greater than 80 Working Hours, Involuntary Demotions, and Dismissals for Covered and Uncovered Employees	Effective: October 18, 2012
Policy Section:	Revised: N/A
Policy Owner: ADOA Human Resources Division	Review Date:

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 in the State Personnel System.

Authority:

A.R.S. § 41-743, Powers and duties of the Director
A.R.S. § 41-773, Causes for dismissal or discipline for employees in covered service
R2-5A-402, Salary Administration
R2-5A-801, General
R2-5A-802, Procedures for Review by the Director
R2-5B-303, Suspension
R2-5B-304, Involuntary Demotion
R2-5B-305, Dismissal

Definitions:

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

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

"Covered employee" means an employee who:

- Before September 29, 2012, is in the state service, is not uncovered pursuant to section 41-742, subsection A and has remained in covered status without a break in service since that date.
- Before September 29, 2012, is in the state service, is employed as a correctional officer I, correctional officer II, correctional officer III or community corrections officer and has remained in covered status without a break in service since that date.
- Before September 29, 2012, is in the state service, is a full authority peace officer as certified by the Arizona peace officer standards and training board and has remained in that status without a break in service since that date.
- On or after September 29, 2012, is a correctional officer I, correctional officer II, correctional officer III or community corrections officer and is appointed to a position in the covered service, but does not include a position in any other class in the

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correctional officer class series or the community correctional officer class series or in any other correctional class series.

- On or after September 29, 2012, is a full authority peace officer as certified by the Arizona peace officer standards and training board and is appointed to a position that requires such a certification in the covered service.

"*Covered service*" is defined in A.R.S. § 41-741 and means that employment status conferring rights of appeal as prescribed in A.R.S. §§ 41-782 and 41-783 or A.R.S. § 41-1830.16, as applicable.

"*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.

"*Demotion*" means a change in assignment of an employee from a position in one class to a position in another class that has a lower grade.

"*Uncovered employee*" means an employee in uncovered service.

"*Uncovered service*" means employment at will and includes all state employees except those in covered service.

Policy:

An agency head has the primary authority and responsibility for managing the conduct of all employees within an agency. A covered employee may be disciplined only for cause. An agency head shall discipline a covered employee in accordance with State Personnel Rules R2-5A-801 through R2-5A-803 and R2-5B-301 through R2-5B-305. An uncovered employee serves at the pleasure of the appointing authority and may be dismissed at will.

Except for an uncovered employee who is in a position listed in A.R.S. § 41-742(F), any action comprised of a suspension greater than 80 working hours, an involuntary demotion or a dismissal of either a covered or an uncovered employee shall be reviewed by the Director prior to such action being administered by an agency head. The procedures set forth in this policy are in accordance with A.R.S. § 41-743 and State Personnel Rule R2-5A-802.

Procedure:

Procedure for submitting suspensions of more than 80 working hours, involuntary demotions or dismissals of covered and uncovered employees for review:

Prior to administering a suspension of more than 80 working hours, an involuntary demotion, or a dismissal, to a covered or uncovered employee, an agency shall submit the draft letter and a completed ADOA HR Review Worksheet to the ADOA Human Resources Division for review. Documents may be emailed, scanned, mailed via interdepartmental mail, or hand delivered.

Review procedure:

The ADOA Human Resources Division shall conduct review of the requested action. Once the review is completed, the ADOA Human Resources Division shall notify the Agency Head or their designee.

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Related Forms/Templates/Letters:

ASPS/HRD FA8.01, ADOA HR Review Worksheet
ASPS-HRD-TA8.01, Covered Original Probation Employee - Dismissal
ASPS-HRD-TA8.02, Covered Employee, Full Authority Peace Officer (FAPO) – Suspension 40 Hours or Less
ASPS-HRD-TA8.03, Covered Permanent Status (PS) Employee, FAPO – Notice of Charges
ASPS-HRD-TA8.04, Covered PS Employee, FAPO - Suspension Greater than 40 Hours
ASPS-HRD-TA8.05, Covered PS Employee, FAPO - Involuntary Demotion
ASPS-HRD-TA8.06, Covered PS Employee, FAPO - Dismissal
ASPS-HRD-TA8.07, Covered Employee, Non-FAPO - Suspension 80 Hours or Less
ASPS-HRD-TA8.08, Covered PS Employee, Non-FAPO - Notice of Charges
ASPS-HRD-TA8.09, Covered PS Employee, Non-FAPO – Suspension Greater than 80 Hours
ASPS-HRD-TA8.10, Covered PS Employee, Non-FAPO - Involuntary Demotion
ASPS-HRD-TA8.11, Covered PS Employee, Non-FAPO - Dismissal
ASPS-HRD-TA8.12, Uncovered Employee - Suspension
ASPS-HRD-TA8.13, Uncovered Employee - Involuntary Demotion
ASPS-HRD-TA8.14, Uncovered Employee - Dismissal

Corresponding Policies:

None

Contact:

If you have any questions related to this policy, please contact your agency's Human Resources Office/representative.

Policy History (supersedes):

Not applicable