

 <p>ARIZONA DEPARTMENT OF CORRECTIONS</p> <p>DEPARTMENT ORDER MANUAL</p>	<p>CHAPTER: 500</p> <p>ADMINISTRATIVE/HUMAN SERVICES</p>	<p>OPR:</p> <p>SS AS OPS</p>
	<p>DEPARTMENT ORDER: 512</p> <p><i>EMPLOYEE PAY, WORK HOURS, COMPENSATION AND LEAVE</i></p>	<p>SUPERSEDES: SEE ATTACHMENT I</p>
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PURPOSE

This Department Order establishes the requirements and procedures for authorizing leave, tracking and reporting employee work hours, overtime compensation and pay.

APPLICABILITY

This Department Order applies to Department employees, as well as those Department employees assigned to Contract Beds. The tracking of employee work hours and leave time in Contract Bed facilities are governed by corporate policy, and when appropriate, Departmental contract. For information relating to Inmate Fire Crews see Department Order #918, Wildland Fire Crews/Disaster Aid.

PROCEDURES

512.01 REPORTING ATTENDANCE AND ABSENCES - Exempt and nonexempt employees shall report all actual hours worked, days off, and leave taken on the Positive Attendance Report (PAR). This information shall be verified every two weeks and used to calculate leave balances and the payroll.

1.1 Employee Responsibilities

1.1.1 Exempt and non-exempt employees shall accurately report daily attendance on the PAR and forward the signed PAR to their supervisors.

1.1.1.1 Knowingly supplying false information, filing a document containing false information or tampering with a public record are all felony offenses and may result in criminal charges and/or disciplinary action in accordance with Department Order #601, Administrative Investigations and Employee Discipline.

1.1.1.2 Allegations of employee misconduct involving inaccurate reporting of attendance and/or falsification of the PAR shall be reported and investigated in accordance with Department Order #601, Administrative Investigations and Employee Discipline.

1.1.2 Fair Labor Standards Act (FLSA) exempt and non-exempt employees shall:

1.1.2.1 Report daily attendance on the PAR for the pay period. Regular hours and leave taken, to include holidays, shall equal a total of 40 hours per week.

1.1.2.2 Project hours worked and leave taken as necessary to meet the PAR deadlines.

1.1.2.3 Verify the past attendance printed on the PAR, making corrections as necessary. Corrections shall be made in red ink and initialed by the employee and supervisor.

1.1.2.4 Verify the "added to base" and uniform allowance information on the PAR and contact the appropriate Personnel Liaison if there is a discrepancy, as outlined in section 512.05 of this Department Order.

- 1.1.2.5 Sign the PAR and submit it to their supervisor after all hours have been recorded and corrections have been made.
- 1.1.2.6 Complete and submit the signed PAR to their supervisor prior to taking any planned or extended leave.
- 1.1.3 FLSA excluded employees shall:
 - 1.1.3.1 Only record leave taken on the PAR for full day absences.
 - 1.1.3.2 Verify the "Past" section of the PAR, which reflects scheduled work hours and full days of leave.
 - 1.1.3.3 Sign the PAR. The employee's signature is a certification of the full day leave hours taken, not actual hours worked. A supervisor's signature is required on the PAR.
 - 1.1.3.4 Notify timekeepers of any change in their approved work schedule.
- 1.2 Supervisor Responsibilities - First-line supervisors, or the supervisor who is next in line, if the first-line supervisor is unavailable, shall:
 - 1.2.1 Report work schedule changes to Personnel before the beginning of the pay period in which the schedule change takes place, whenever possible.
 - 1.2.2 Forward PAR sheets to employees who have transferred within the Department, such as to another unit, bureau or institution.
 - 1.2.3 Ensure that each employee has completed the correct PAR for that pay period, and that a handwritten PAR is completed for new hires, reinstatements and for employees who have lost or destroyed their PAR.
 - 1.2.4 Review and verify:
 - 1.2.4.1 The employee's reported current attendance, and ensure that unscheduled hours are coded correctly, and initial any corrections.
 - 1.2.4.2 Any corrections for prior pay periods, and initial them to show agreement.
 - 1.2.4.3 The "added to base" and uniform allowance information on the PAR and ensure that the employee contacts the appropriate Personnel Liaison if a discrepancy is found.
 - 1.2.4.4 That the employee's signature is on the PAR.
 - 1.2.4.5 That the employee initials any change made to PAR in red ink.
 - 1.2.5 Not make **any** corrections after the attendance has been verified, unless the Warden or Administrator approves the correction and writes a memo to the Payroll Manager that documents the reason the correction was not made at the appropriate time.

- 1.2.6 Forward all PARs with reported paid overtime and supporting documents to the Warden, Administrator or designee for approval and signature.
- 1.2.7 Complete a PAR for any employee who is unable to do so. If the employee is:
 - 1.2.7.1 Not expected to return until payday or later, the supervisor shall indicate the reason for the employee's failure to sign the PAR on the employee signature line and submit the PAR. The use of "Unavailable for Signature" for this purpose is not acceptable.
 - 1.2.7.2 Expected to return before payday, the supervisor shall leave the employee signature line blank and submit a copy of the PAR, while retaining the original for the employee's signature before releasing the employee's paycheck.
- 1.2.8 Sign the PAR.
- 1.2.9 Forward all PARs, to include those for employees who have been terminated or are on leave without pay and the supporting documents, to the timekeeper to ensure the entry deadlines are met. PAR's shall be sent to the timekeeper by Thursday of pay period end week. The entry deadline is Monday at 6:00 P.M. after the pay period end week.
- 1.2.10 Report changes involving employee attendance, through the Timekeeper, to Payroll by 1:00 P.M., on the Tuesday after pay period end week.
- 1.3 Timekeepers shall:
 - 1.3.1 Collect all PARs for their area, record all new hires and transfers on the cover sheet and put the PARs in order by page number.
 - 1.3.2 Enter the attendance reported on the PARs into the Human Resource Information System (HRIS) in compliance with deadlines for each pay period, note the batch number, and initial each PAR as it is entered. Timekeepers shall not enter their own time records.
 - 1.3.3 Return all unsigned PARs to the appropriate supervisor for signature.
 - 1.3.4 Ensure that the employee and supervisor initial all changes to the PAR.
 - 1.3.5 Ensure that there is an overtime approval signature or initials prior to entry of the OT code into HRIS. PARs without approval signatures shall be returned to the employee's supervisor for signature.
 - 1.3.6 Ensure that the correct cover sheet for the pay period for each unit has been signed by the authorized signer and is included with the PARs.
 - 1.3.7 Submit the signed original copy of PARs and copies of all unsigned PARs, along with supporting documentation for military leave, jury duty, suspensions and administrative leave, with or without pay, to the Payroll Unit in accordance with the established procedures for that institution, bureau or unit.

- 1.3.8 Provide information requested by the Payroll Unit, as soon as possible, on or before the Tuesday morning of the pay period end week.
- 1.3.9 Call the Payroll Unit to record any changes in attendance prior to 1:00 P.M. on Tuesday after pay period end week.
- 1.4 Authorized Signers - Managers authorized to sign the certification sheet shall:
 - 1.4.1 Ensure that all employees and supervisors are recording and verifying attendance.
 - 1.4.2 Ensure that all PARs are received, completed, entered and sent to the Payroll Unit on time.
 - 1.4.3 Certify that the attendance reported is true and correct as stated by signing the Certification sheet provided with the PARs and submit it with the PARs.
- 1.5 Wardens and Administrators or designee shall:
 - 1.5.1 Approve all paid overtime hours on the PARs prior to the timekeepers entering them into HRIS.
 - 1.5.2 Ensure that proper documents support each entry on the PAR and HRIS.
 - 1.5.2.1 Documentation as outlined in 1.3.6 and 1.3.7 of this section is forwarded to the Payroll Unit with the PARs.
 - 1.5.2.2 All other supporting documentation shall be retained with the copies of the PARs.
 - 1.5.3 Ensure that the supporting documents and the duplicate copy of the PARs are stored in a secure location for 18 months and then destroyed.
 - 1.5.4 Ensure that the Payroll Unit receives original signed PARs or copies of unsigned PARs by the deadline.
 - 1.5.4.1 PARs, which must be entered into HRIS by the Payroll Unit, shall be received by the Payroll Unit at least one full work day before the entry deadline. The entry deadline is 2:00 P.M. on Tuesday after pay period end week.
 - 1.5.4.2 PARs for all other locations shall be received by the Payroll Unit by noon on the Monday after pay period end week.
- 1.6 Payroll Unit staff shall:
 - 1.6.1 Audit returned PARs for required signatures, approvals and for missing pages.
 - 1.6.2 Review error reports and contact timekeepers when there is an error in the HRIS entries.

- 1.6.3 Pull payroll warrants for employees who did not submit a PAR or whose PARs lacking the required signatures or approvals, and forward them to Personnel Liaisons or designated persons to be held until the PARs are submitted with all of the required signatures and approvals.
- 1.6.4 When asked by the timekeepers, correct attendance entries in HRIS.
- 1.6.5 Enter approved changes indicated on the "Past" section of the PAR in HRIS.
- 1.6.6 File and maintain PARs three fiscal years after the fiscal year prepared.
- 1.7 The Personnel Liaison or designee shall:
 - 1.7.1 Not release paychecks to an employee until all signed PARs for that employee have been submitted.
 - 1.7.2 Return signed PARs to the Payroll Unit.

512.02 OVERTIME COMPENSATION

- 1.1 Eligibility for Overtime and Extra Hours Compensation - The FLSA provisions and the Department of Administration (ADOA) Personnel Rules (Arizona Administrative Codes) regarding compensation for extra hours and overtime are outlined on Attachment B. Please see the definitions for further clarification of the terms used in this section.
 - 1.1.1 Employees may determine their FLSA status or that of someone they supervise by checking the FLSA status code on the past section of the PAR, or by contacting the timekeeper, appropriate Personnel Liaison, or the Payroll Unit.
 - 1.1.2 Employees may determine whether they or someone they supervise is covered or uncovered by contacting the appropriate Personnel Liaison.
 - 1.1.3 The position number may not be an accurate indication of FLSA status or covered/uncovered status.
- 1.2 Non-exempt and exempt employees shall receive hour-for-hour pay for extra hours worked. Pre-planned cash or compensatory overtime shall only be authorized to bring institution staffing levels into compliance with the operational levels outlined in Department Order #524, Employee Assignments and Staffing, and defined by the officer's Overtime Compensation Election, Form 512-6.
- 1.3 Extra Hours - Attachment A includes examples of situations involving payment of extra hours.
- 1.4 Overtime Compensation Election by Non-Exempt Employees - Institution Personnel or Central Office Personnel staff shall ensure that during employee orientation, all new employees in FLSA-nonexempt positions, either covered or uncovered, complete an Overtime Compensation Election form to choose the method of overtime compensation the employee wishes to receive.

- 1.4.1 Selection - The employee shall complete an Overtime Compensation Election form, which shall indicate agreement between the employee and the Department, and shall select one of the following:
 - 1.4.1.1 Compensatory leave only.
 - 1.4.1.2 Either compensatory leave or cash payment (subject to the Department's authorization and availability of funds).
 - 1.4.1.3 Cash payment only.
- 1.4.2 Revised elections - Employees may change their election at any time after the initial implementation by submitting a new Overtime Compensation Election form to their Personnel Liaison.
- 1.4.3 Failure to Elect Form of Compensation - If an employee fails or refuses to complete an Overtime Compensation Election form, the employee shall receive the default election of "either", as described in 1.4.1.2 of this section.
- 1.4.4 Processing the elections - Within five work days after receiving an employee's new/revised Overtime Compensation Election form, the Personnel Liaison shall:
 - 1.4.4.1 Acknowledge the employee's choice by also signing and dating the form.
 - 1.4.4.2 Return a copy of the signed form to the employee and send a copy to the employee's supervisor.
 - 1.4.4.3 Retain a copy of the signed form for the employee's personnel file.
 - 1.4.4.4 Forward the original to Central Office Human Services Bureau.
- 1.4.5 Updating the Personnel and Payroll Databases - The Human Services Bureau shall:
 - 1.4.5.1 Upon receiving the Overtime Compensation Election forms, update the HRIS database in order for them to become effective on the first day of the first pay period following a five day processing period from the date the employee makes the election.
 - 1.4.5.2 Update the HRIS database each time that:
 - 1.4.5.2.1 A new non-exempt employee completes an Overtime Compensation Election form.
 - 1.4.5.2.2 Non-exempt employees change their overtime compensation election.
 - 1.4.5.2.3 A change in an employee's employment status results in a different FLSA status.

- 1.4.6 An Overtime Compensation Election Report shall be issued by the Financial Services Bureau on the payday nearest the first of the month (during the pay period in which it is effective) to Division Directors, Regional Operations Directors, Wardens, Deputy Wardens and Administrators, who shall ensure that the report is available to supervisors. Recent changes may not appear on the first report issued after the change.
- 1.4.7 Management and supervisors shall not, in any manner:
 - 1.4.7.1 Influence an employee's overtime compensation election.
 - 1.4.7.2 Assign an employee to work in a status other than what the employee has selected. When funds are available, the Department may pay cash compensation to employees who have elected compensatory time only.
 - 1.4.7.3 Attempt to discipline or take any action whatsoever against an employee as a result of the employee's overtime compensation election, or for failing or refusing to complete an Overtime Compensation Election form.
- 1.5 Approval of Compensatory Leave - Employees shall use compensatory leave in accordance with Department Order #524, Employee Assignments and Staffing. Supervisors shall take one of the following actions:
 - 1.5.1 Approve an employee's request for compensatory leave within a reasonable period of time based on normal and anticipated work loads, potential requirements for emergency staff and the availability of replacements for the employee taking compensatory leave.
 - 1.5.2 Deny an employee's request for compensatory leave when they anticipate, in good faith, that the employee's absence during the time requested would unreasonably interfere with the ability to maintain acceptable levels of operations, as outlined in Department Order #524, Employee Assignments and Staffing. A simple inconvenience to operations shall not be a sufficient reason to deny compensatory leave.
 - 1.5.3 Report all approved requests for compensatory leave to the timekeeper on the Employee Request for Leave, Form 512-3.
- 1.6 Accumulation of Compensatory Leave
 - 1.6.1 FLSA excluded employees are not eligible to earn compensatory leave. However, they may retain a balance of compensatory leave that was earned while employed in a previous position that was not excluded.
 - 1.6.2 Uncovered, FLSA excluded employees who are not covered under the state merit rules and excluded from receiving either overtime pay or compensation leave, who is required to work on an observed state holiday shall receive only their regular salary and shall not receive any additional compensation for hours worked on the holiday.

- 1.6.2.1 An uncovered, FLSA excluded employee who is on a flex schedule and whose regular day off (RDO) falls on the same day on which a holiday is observed, may request approval to:
 - 1.6.2.1.1 Alter their alternate schedules to 8-hour days for the other four days of the work week.
 - 1.6.2.1.2 **SECTION DELETED**
 - 1.6.2.1.3 Receive a day off with pay on an alternate work day during the employee's same work week in which the holiday falls.
- 1.6.3 Supervisors shall ensure that:
 - 1.6.3.1 FLSA exempt and non-exempt security staff do not accumulate more than 480 hours of compensatory leave under any circumstances.
 - 1.6.3.1.1 FLSA non-exempt security staff and Lieutenants shall be automatically paid by Payroll for compensatory hours in excess of 480 hours.
 - 1.6.3.1.2 FLSA exempt security staff, excluding Lieutenants, shall not be permitted to work for compensatory time if their compensatory leave balance has reached 480 hours.
 - 1.6.3.2 FLSA exempt and non-exempt non-security staff do not accumulate more than 240 hours of compensatory leave under any circumstances.
 - 1.6.3.2.1 FLSA non-exempt non-security staff and Correctional Registered Nursing Supervisors shall be automatically paid by Payroll for compensatory hours in excess of 240 hours.
 - 1.6.3.2.2 FLSA exempt non-security staff, excluding Correctional Registered Nursing Supervisors, shall not be permitted to work for compensatory time if their compensatory leave balance has reached 240 hours.
- 1.7 Prior Approval and Control of Overtime/Extra Hours - Close control of overtime activity by supervisors is essential. Excluded employees are ineligible for overtime or extra hours compensation.
 - 1.7.1 Whenever possible, eligible employees shall obtain approval from their Division Director, Regional Operations Director, Warden, Deputy Warden or Administrator before working unscheduled hours.

- 1.7.2 The Deputy Director, Regional Operations Directors and Division Directors shall ensure that funds are available prior to authorizing cash payment for overtime. Prior approval of unscheduled hours shall be obtained on the Request for Approval of Unscheduled Work Hours, Form 512-8.
- 1.7.3 Supervisors shall ensure that employees remain at work only during designated work hours.
 - 1.7.3.1 The employee shall leave the work area at the end of the assigned work hours, unless overtime is justified and authorized by the approving authority.
 - 1.7.3.2 If the employee has a designated, unpaid lunch period, the employee may remain at the workstation, but shall not be permitted to work.
 - 1.7.3.3 Employees may not waive overtime compensation in order to remain at work over 40 hours in a work week.
- 1.8 Overtime Justification and Reporting - Supervisors at all levels shall:
 - 1.8.1 Carefully monitor unscheduled work and keep overtime to a minimum.
 - 1.8.2 Adjust schedules during the work period, when practical, to avoid unnecessary overtime and extra hours in accordance with Department Order #524, Employee Assignments and Staffing.
 - 1.8.3 Appropriately code all extra hours, paid overtime and compensatory leave earned on the PAR.
 - 1.8.3.1 Non-exempt employees, Lieutenants and Correctional Registered Nursing Supervisors shall record overtime on their PAR using the OT code for cash payment when an exception is authorized.
 - 1.8.3.2 All other exempt employees shall receive one hour of compensatory time for each hour of overtime worked unless cash overtime is approved as outlined in 1.8.5.1 of this section.
 - 1.8.4 Obtain an overtime approval signature on the PAR for paid overtime from the Warden or Administrator or designee before it is entered into HRIS.
 - 1.8.5 Submit a Paid Overtime Claim, Form 512-2, and justification for unscheduled hours worked through the chain-of-command to the appropriate Division Director or Operations Director, for the situations listed below.
 - 1.8.5.1 Paid overtime for exempt employees (other than Lieutenants and Correctional Registered Nursing Supervisors). The signed Paid Overtime Claim form shall be forwarded to the Director for approval.
 - 1.8.5.1.1 The Director may approve overtime for an escape or disturbance for exempt employees.

- 1.8.5.1.2 Except for reasons listed in section 1.8.5.1.1, the Arizona Department of Administration (ADOA) Director or designee shall approve any overtime paid to exempt employees, other than Lieutenants and Correctional nursing Supervisors.
 - 1.8.5.2 Non-exempt employees, Lieutenants and Correctional Registered Nursing Supervisors who report compensatory time on the PAR, but later wish to receive paid overtime.
 - 1.8.5.3 Employees who did not report overtime hours on the PAR. The employee shall correct the attendance on the appropriate PAR, obtain the supervisor's initials for approval of the correction, and submit the corrected PAR to Central Office Payroll.
 - 1.8.6 Ensure that employees report unscheduled work hours and overtime activity.
 - 1.8.7 Report all approved requests to take compensatory leave to the timekeeper on the Employee Request for Leave.
- 1.9 Payout of Unused Compensatory Leave
 - 1.9.1 Prior to the end of each fiscal year, when funds are immediately available:
 - 1.9.1.1 The Division Directors and Regional Operations Directors shall authorize cash payment for compensatory leave that exceeds 240 hours to non-exempt employees at their base rate of pay.
 - 1.9.1.2 The Director shall authorize cash payment of all or a portion of compensatory leave balances to all employees at their base rate of pay.
 - 1.9.2 Any employee who has unused compensatory leave at the time of separation from State employment, or at the time of transfer to a State agency that is not part of the State Merit System, shall receive cash payment for the balance of compensatory leave at one of the following rates:
 - 1.9.2.1 The average rate received by the employee during the last three years of employment.
 - 1.9.2.2 The final rate received by the employee.
 - 1.9.3 Any employee who transfers to another State Merit System agency shall transfer all accumulated leave to the employee's leave account in the new agency, provided the new agency will accept compensatory leave balances. If the new agency will not accept compensatory leave balance transfers, the employee shall be paid for the balances as outlined in 1.9.2 of this section.
- 1.10 Employee Grievances - An employee may file a grievance if a conflict involving leave or overtime pay arises, in accordance with Department Order #517, Employee Grievances. If the dispute concerns an interpretation of the ADOA Personnel Rules or FLSA, the matter is not grievable but may be reviewed by the ADOA Director.

- 1.11 Audits - The Chief Financial Officer or designee shall provide the Extra Hours Paid, Cash Only Overtime and Paid Overtime Report at the end of each pay period to the Division Directors, Regional Operations Directors, Wardens and Administrators.

512.03 SHIFT DIFFERENTIAL

- 1.1 Based upon available funds, the Director may authorize a shift differential to be paid to the Health Services Bureau medical and mental health nurses working on shifts other than day shift. Eligible employees shall meet the following ADOA criteria:
 - 1.1.1 A 5% shift differential for shifts beginning at 0100 hours to 1600 hours (swing shift).
 - 1.1.2 A 10% shift differential for shifts beginning at 2200 hours to 0100 hours (night shift) and is added to the base pay.
 - 1.1.3 Payment is made for shifts in which 50% or more of the scheduled work hours fall between 1700 hours to 0600 hours. For example, if an employee:
 - 1.1.3.1 Works 50% or more of the scheduled work hours after 1700 hours the employee will receive a 5% shift differential payment.
 - 1.1.3.2 Works 50% of scheduled work hours after 2200 hours the employee will receive a 10% shift differential payment.
- 1.2 Eligible shift differentials are added to the employee's base pay.
- 1.3 Supervisors are to ensure compliance with ADOA shift differential criteria.

512.04 SALARY ADVANCE - In unusual circumstances that have caused an extreme hardship, or when an employee has not received a paycheck after working three weeks or more, the employee may be authorized a salary advance on earned salary.

- 1.1 A salary advance shall not exceed \$500. Permanent status employees shall not receive salary advances of more than 60%, and temporary status employees not more than 65%, of their gross earned income.
- 1.2 Employees who receive a salary advance shall repay the advance, in full, no later than the first payday immediately following the date the employee received the advance.
- 1.3 The employee shall submit a written request for a salary advance to the Budget Unit Supervisor or designee, with an explanation of the emergency that caused the hardship.
- 1.4 The affected Business Administrator shall:
 - 1.4.1 Determine whether the salary advance is justified and whether the requesting employee has sufficient earnings to cover the advance.
 - 1.4.2 If so, contact the Chief Financial Officer to request approval of the salary advance. Salary advances shall not be dispersed without prior approval of the Chief Financial Officer or designee.

- 1.5 The Chief Financial Officer or designee shall:
 - 1.5.1 Obtain approval of the request from the State Comptroller for ADOA.
 - 1.5.2 Forward written approval of the request to the appropriate Business Administrator at the institution/facility/unit. This written approval shall be kept as supporting documentation for the check written.

512.05 COLLECTION OF SALARY OVERPAYMENT

- 1.1 Employees are responsible for reporting their attendance accurately and reviewing their pay warrants and Positive Attendance Reports (PAR) to ensure that they have been paid the correct salaries. Employees shall:
 - 1.1.1 Review their paycheck or Automatic Payroll Deposit Receipt and report errors immediately, in writing, to their supervisors.
 - 1.1.2 Review and certify that the "Current", "Past" and "Added to Base" portions of the PAR are correct.
 - 1.1.2.1 Any attendance correction due to the employee reporting the wrong attendance or the Timekeeper entering the wrong attendance in HRIS shall be recorded on the PAR in red ink.
 - 1.1.2.2 Upon receipt of the PAR, the Central Office Payroll Unit (Payroll) shall determine the amount of overpayment resulting from the PAR correction and adjust the employee's next paycheck for the entire amount.
 - 1.1.3 Return the paycheck to Payroll or notify Payroll immediately to reverse the direct deposit and advise that they should not have received a paycheck due to being on leave without pay, having resigned, etc.
 - 1.1.4 Within 10 work days of receipt of the paycheck in question, request an audit through their Personnel Liaison using the Personnel Inquiry (PIF), Form 512-19, if:
 - 1.1.4.1 Their pay has not been corrected in the paycheck for the pay-period after submitting the PAR correction.
 - 1.1.4.2 The "added to base" information is incorrect.
 - 1.1.4.3 They believe that they have been overpaid for any other reason.
- 1.2 The Personnel Liaison shall reply within 30 calendar days of the date of the Personnel Inquiry Form request for audit. If the Personnel Liaison does not respond within 30 calendar days of the date of the request for audit, the employee shall pursue the matter by submitting a copy of the Personnel Inquiry Form with a cover memo to the Personnel Administrative Services Unit Administrator.
- 1.3 The Personnel Administrative Services Unit and the Payroll Unit shall initiate the following procedures when an overpayment is detected:

1.3.1 Overpayment as a result of a personnel (salary) action.

1.3.1.1 The institution Personnel Liaison or the Personnel Administrative Services Operations Unit for Central Office staff shall, within 10 working days of detection of the error, whether by the employee's request for an audit or other means:

1.3.1.1.1 Audit the employee's salary and notify the employee of the results by memo. The notification shall include the reason for the overpayment.

1.3.1.1.2 Forward documents to the Personnel Administrative Services Operations Unit.

1.3.1.1.3 Correct the error in the HRIS.

1.3.1.2 The Personnel Administrative Services Operations Unit shall verify and initial the documents, and forward a copy to Payroll, who shall:

1.3.1.2.1 Within 10 working days of receipt of the document, calculate a Retro Wage Adjustment when necessary.

1.3.1.2.2 Collect the overpayment in accordance with 1.4 of this section.

1.3.2 When overpayment is a result of a payroll action, the Personnel Liaison shall forward the employee's request for audit or other evidence of overpayment to Payroll, who shall:

1.3.2.1 Within 10 working days of Payroll's notification of the error or detection of the error by Payroll staff, research the employee's payroll records to determine the type of error and the type of corrective action to take, and calculate the amount of overpayment.

1.3.2.2 Contact the timekeeper or Personnel Liaison when further documentation is necessary to correct the error.

1.3.2.3 Collect the overpayment in accordance with 1.4 of this section.

1.4 Collection of Overpayments

1.4.1 Payroll shall notify the employee using the Collection of Salary Overpayment Memorandum, (Attachment F), prior to initiating the collection.

1.4.2 If the employee chooses to repay the total overpayment with a money order or cashier's check, Payroll shall calculate and notify the employee of the amount of net salary (gross salary less corresponding taxes, deductions, etc.) overpayment.

1.4.3 If the overpayment is to be collected over several paychecks, Payroll shall calculate the amount to be collected per paycheck.

- 1.4.3.1 The amount to be collected per paycheck is the overpayment divided by the lower of the number of pay-periods the overpayment was received or 26 pay-periods.
 - 1.4.3.2 The amount to be collected shall not be less than \$50 per paycheck.
 - 1.4.4 When the employee receives paid overtime, the Payroll Unit shall collect one-half of the overtime if this amount is higher.
 - 1.4.5 When the employee is eligible to receive a Department pay-off for holiday and/or compensatory leave balances at or near fiscal year-end, one-half of the amount shall be applied against the overpayment, in addition to the amount collected in 1.4.3 of this section.
 - 1.4.6 When the employee terminates employment or begins long-term leave without pay, the Payroll Unit shall collect any remaining overpayment from the final regular pay, to include any annual, compensatory and/or holiday leave pay-off up to 100% of the employee's final regular pay or leave pay-off.
 - 1.4.7 Except as outlined in section 1.4.6, the Payroll Unit shall ensure that the amount of the employee's gross pay does not fall below the minimum wage as established by federal law.
- 1.5 If the employee is not due another paycheck, for example, the employee has left Department employment, or is on long-term leave without pay, etc., the employee shall be notified in writing by the Payroll Unit regarding the amount of the net salary overpayment.
 - 1.5.1 The employee or former employee has 30 days from the date of written notification to submit payment to the Payroll Unit.
 - 1.5.2 If repayment, in full, is not received from the employee or former employee, the Payroll Unit shall notify the Financial Services Bureau Administrator.
 - 1.5.3 The Financial Services Bureau shall forward the case to the Attorney General's Office for action.

512.06 PAYROLL DIRECT DEPOSIT - Department employees may have their paychecks directly deposited into their bank accounts.

- 1.1 Start Direct Deposit
 - 1.1.1 The employee shall complete and forward the Authorization for a Direct Deposit of Net Pay or Payroll Deduction, Form GAO-65, (Attachment E), and supporting documents to the Payroll Unit. Forms are available from the Personnel Liaisons at each facility, Central Office Personnel Administrative Services and the Financial Services Bureau, Payroll Unit.
 - 1.1.2 To start a direct deposit into a checking account, the employee shall complete the Authorization for a Direct Deposit of Net Pay or Payroll Deduction form and attach a pre-printed, voided check. The employee's correct name and address must be printed on the check.

- 1.1.3 To start a direct deposit into a savings account, a letterhead document from the financial institution, verifying the routing number and account number, shall be submitted with the Authorization for a Direct Deposit of Net Pay or Payroll Deduction form.
 - 1.1.4 Direct deposit of a fixed amount into a savings account is not available for most financial institutions, but may be available through certain credit unions. If this option is available, a letterhead document from the credit union, verifying the routing and account number, shall be submitted with the Authorization for a Direct Deposit of Net Pay or Payroll Deduction form.
 - 1.1.5 The Payroll Unit shall verify the documents submitted by the employee for completeness and enter into HRIS. The process to start direct deposit may take two to three pay periods.
- 1.2 Stop Direct Deposit
- 1.2.1 The employee shall complete the Authorization for a Direct Deposit of Net Pay or Payroll Deduction, by placing a check in the box "CANCEL the authorization", sign, and submit it to the Payroll Unit. Generally, the direct deposit will be stopped the same pay period if the Authorization for a Direct Deposit of Net Pay or Payroll Deduction form is received in Payroll by Monday before payday.
 - 1.2.2 The employee **must** stop the automatic deposit prior to closing the account with the financial institution. If the employee fails to do so, the monies shall be wired to the financial institution. The employee will then have to wait for the financial institution to return the monies to the ADOA General Accounting Office (DOA-GAO), who shall then prepare a warrant for the employee's pay. This procedure may take up to four weeks.
 - 1.2.3 If the employee wishes to change the financial institution to which the deposits are directed, the employee shall first complete an Authorization for a Direct Deposit of Net Pay or Payroll Deduction form to stop direct deposit, as outlined in 1.2.1, and a new Authorization for a Direct Deposit of Net Pay or Payroll Deduction form to start the new transaction. These documents shall be stapled together, with the request to stop direct deposit on top. The new record shall be treated in the same manner as an initial entry. The deposit to the new account may take two to three pay periods.
 - 1.2.4 Employees who separate from state service shall, before leaving state service, complete an Authorization for a Direct Deposit of Net Pay or Payroll Deduction form to stop direct deposit, as outlined in 1.2.1 of this section, sign the form, and write "Separation" in the top right corner. Central Office payroll shall stop direct deposits for terminated employees.
 - 1.2.5 Employees who request approval for long term Leave Without Pay shall complete an Authorization for a Direct Deposit of Net Pay or Payroll Deduction form to stop direct deposit and sign the form before approval of the leave. Central Office Payroll shall stop direct deposits at their discretion for employees on long term leave without pay.
 - 1.2.6 The Payroll Unit shall verify the documents submitted by the employee for completeness and enter them into HRIS.

1.3 Resolution of Problems

1.3.1 Problems which may occur with direct deposits include:

1.3.1.1 Based upon information received from the banking system, financial institution acquisitions and mergers have resulted in bank routing numbers and account numbers automatically being changed by DOA-GAO. In such cases, the changes have resulted in direct deposits not being credited to the employee's bank account.

1.3.1.2 Occasionally, the employee has submitted an incorrect routing or account number, or DOA-GAO enters one of these numbers incorrectly in the system.

1.3.1.3 An employee does not stop the direct deposit **before** closing the bank account.

1.3.2 DOA-GAO controls the direct deposit process. The Department's Payroll Unit is limited in resolving problems only if the employee's bank account is not credited. DOA-GAO is required to wait for the monies to be returned from the financial institution before issuing a warrant for the employee's pay. This may take up to four weeks. As a temporary measure, the Payroll Unit may request authorization to issue a revolving fund check as outlined in this Department Order.

1.3.2.1 An employee who wishes to request a revolving fund check shall contact the Business Administrator or their Personnel Liaison. The Business Administrator or Personnel Liaison shall contact the Payroll Manager to request authorization for the revolving fund.

1.3.2.2 The employee shall sign a Revolving Fund Reimbursement Authorization, Form 512-12, which authorizes the Department to deduct the amount of the revolving fund check from the replacement warrant.

1.3.2.3 The Payroll Unit shall send the replacement warrant to the appropriate Business Administrator.

1.3.2.4 The Business Administrator shall deposit the replacement warrant into the revolving fund account and issue another revolving fund check to the employee for the remainder of wages due.

1.4 Legal Payday - Friday is the legal payday for Department employees. Financial institutions are requested to post direct deposits to accounts by Friday, however, the Department has no control over posting times. Employees should check with their financial institution to be sure that funds are available prior to withdrawing funds.

1.5 Failure to Submit or Sign the PAR - Except in cases of long term leave (3 weeks or more), the following procedure shall be followed for employees who have direct deposit and do not submit a PAR, or do not sign the PAR for the pay period.

- 1.5.1 Each payday, the Payroll Unit shall send a memo to Wardens or Administrators and Personnel Liaisons with a listing of employees who have direct deposit and have not submitted a PAR, or have not signed the PAR for that pay period. This memo shall include a deadline for the submission of the PAR.
- 1.5.2 Each employee on the list shall be required to sign and submit a completed PAR to the Personnel Liaison or the Payroll Unit by Friday of the following week.
- 1.5.3 The Personnel Liaison shall immediately notify the Payroll Unit when a signed PAR has been received to prevent disruption of the employee's pay.
- 1.5.4 If a signed PAR is not submitted by the deadline:
 - 1.5.4.1 The Payroll Unit shall cancel the employee's regular paycheck deposit and request handwritten pay warrant from DOA-GAO. Handwritten pay warrants can not be direct deposited.
 - 1.5.4.2 The Personnel Liaisons or other designated staff members shall hold the pay warrant until the signed PAR is submitted.
- 1.5.5 All subsequent paychecks shall be canceled and handwritten warrants issued and held until the signed PAR has been submitted.
- 1.6 Employee Grievances - A dispute concerning interpretation of the ADOA Personnel Rules or FLSA is not grievable, but may be reviewed by the ADOA Director.

512.07 LEAVE ACCRUAL AND USE

- 1.1 Use of Leave – Requests for leave shall be submitted and approved in advance except under situations precluding advanced notice, by submitting the Employee Request for Leave form. Employees and their supervisors shall mutually agree upon the most appropriate use of leave, considering the employee's regular work schedule, wishes for use of leave and the impact of schedule adjustments on the work unit.
- 1.2 Approval of Leave
 - 1.2.1 Supervisory approval shall be required for employees to use:
 - 1.2.1.1 Annual leave, holiday leave and compensatory leave to ensure that the leave is consistent with the needs of the Department.
 - 1.2.1.1.1 Annual leave requests shall be approved based on seniority, beginning with the employee with the longest uninterrupted service in the Department when more than one employee requests the same date(s).

- 1.2.1.1.2 Employees with the most seniority are granted their first choice for annual leave. If the first choice is granted, the supervisor will go onto the next request. If the first choice is not available the second shall be granted. If the second is not available the third shall be granted. The supervisor shall then continue through all leave requests in the same manner until the requests are either approved or denied.
- 1.2.1.1.3 After all employee annual leave is scheduled, further requests shall be approved by the date the request was received. In the event that two leave requests are submitted on the same day, seniority as outlined in this section shall be used to determine which employee will be granted leave.
- 1.2.1.1.4 Once an employee's annual leave is approved, the leave shall not be rescinded because another employee with more seniority requests annual leave during that same period.
- 1.2.1.2 Other types of leave (sick, bereavement, jury duty, civic duty and military), to ensure that the reasons for the leave are consistent with the ADOA Personnel Rules.
- 1.2.2 Supervisors, shall:
 - 1.2.2.1 To the extent possible, accommodate approved leave requests for employees who are transferred at their own request. An employee with more seniority that transfers to a new unit does not override an employee who already has been approved for leave. The leave request must be resubmitted and is subject to reconsideration under the circumstances of the new assignment.
 - 1.2.2.2 Honor the employee's approved leave when the institution or unit initiates the transfer.
- 1.2.3 Approval for annual leave shall be limited to no more than 12 months in advance.
- 1.3 FLSA Provisions for Use of Leave - FLSA provisions for leave for the various categories of positions are shown on Attachment B.
- 1.4 Leave Balance Control and Monitoring
 - 1.4.1 The Division Director for Administrative Services shall report annual, sick, sick family, compensatory, holiday and military leave data for all employees on PAR printouts. This information shall be used to monitor and schedule leave for all employees to avoid the accumulation of excessive leave balances or forfeiture of leave time at the end of the year, consistent with Department needs and with the ADOA Personnel Rules.

- 1.4.2 Department managers shall consider a supervisor's ability to control excessive leave balances when evaluating performance.
- 1.4.3 Excluded employees shall not be required to report leave taken or to have leave balances reduced when less than one full work day has been taken.
- 1.4.4 Covered FLSA-Exempt employees, and all FLSA-Nonexempt employees shall have leave balances reduced for leave of less than one full day.
- 1.5 Employees Who Do Not Accrue Leave - Employees in the following types of positions shall not accrue sick leave, annual leave or other types of leave.
 - 1.5.1 Temporary, seasonal, emergency, intern, and clerical pool positions. These types of positions are eligible only for:
 - 1.5.1.1 Administrative leave.
 - 1.5.1.2 Military leave.
 - 1.5.1.3 Civic duty leave for the purpose of voting.
 - 1.5.2 Part-time positions in which employees work less than one-quarter time.
- 1.6 Eligible employees working less than full time accrue leave based on the percentage of time worked as follows:
 - 1.6.1 Less than 25% - No time accrued.
 - 1.6.2 At least 25% but less than 50% - 25% of full time accrual rate.
 - 1.6.3 At least 50% but less than 75% - 50% of full time accrual rate.
 - 1.6.4 At least 75% but less than 100% - 75% of full time accrual rate.
 - 1.6.5 At 100% - Full time accrual rate.
- 1.7 Sick Leave Accrual, Accumulation and Use
 - 1.7.1 All eligible full-time employees shall accrue 3.7 hours of sick leave biweekly. Accrued sick leave is available for use on the first day of the pay period following the pay period in which it was earned.
 - 1.7.2 Sick leave benefits shall accrue without limit.
 - 1.7.3 Supervisors may require the submission of evidence substantiating the need for sick leave, however not every employee shall be required to submit documentation for every sick leave hour used. The requirement to produce documentation shall be determined on a case-by-case basis when chronic and/or extended periods of sick leave are taken and/or a pattern indicates a possible abuse of sick leave. (See Department Order #525, Chronic Absence Classification (CAC)).

- 1.7.4 Each employee may use up to 40 hours of his/her own sick leave per calendar year for family illnesses. This leave may be included in approved Family Medical Leave Act (FMLA) leave in accordance with Department Order #519, Employee Health – FMLA, ADA, Industrial Injury, FFD and Alternate Assignment.
- 1.7.5 Employees who separated from state service shall:
 - 1.7.5.1 Upon retirement and timely application, receive cash payment for the unused balance of sick leave in excess of 500 hours in accordance with A.R.S. 38-615. The amount of payment shall be based on the number of accumulated sick leave hours and paid at a percentage of the employee's hourly rate as outlined on Attachment C.
 - 1.7.5.1.1 The retiree shall be paid the amount due in annual installments over a three-year period.
 - 1.7.5.1.2 The retiree or their beneficiary is totally responsible for completing and filing the Retiree Accumulated Sick Leave Program Certification Form GAO-SL-50. This form may be obtained from Your Employees Services (YES) Program, or your Personnel Liaison.
 - 1.7.5.1.3 The form must be filed with the DOA-GAO within 180 calendar days from their effective retirement date. Failure to file the completed form within time frames shall result in forfeiture of the retiree's right to the Program benefit.
 - 1.7.5.1.4 Retirees may obtain a copy of the Arizona Accounting Manual Section II-R from the Business Office or Personnel Liaison for Program details.
 - 1.7.5.2 Upon re-entering state service within two years after separation, be credited with all unused sick leave at the time of separation, provided the separation was not the result of a disciplinary action and the employee was not paid for accumulated sick leave upon retirement.
- 1.7.6 In all other instances, all unused sick leave shall be forfeited.
- 1.8 Annual Leave Accrual and Accumulation
 - 1.8.1 Eligible full time covered employees shall accrue annual leave in accordance with the following schedule:
 - 1.8.1.1 Fewer than three years - 3.70 hours biweekly.
 - 1.8.1.2 3 years but fewer than 7 years - 4.62 hours biweekly.
 - 1.8.1.3 7 years but fewer than 15 years - 5.54 hours biweekly.
 - 1.8.1.4 15 years or more - 6.47 hours biweekly.

- 1.8.2 Eligible full time uncovered employees shall accrue annual leave at the rate of 6.47 hours biweekly.
- 1.8.3 As of the last day of the last pay-period starting in any calendar year:
 - 1.8.3.1 For covered employees, any annual leave in excess of 240 hours shall be forfeited.
 - 1.8.3.2 For non-covered employees, any annual leave in excess of 320 hours shall be forfeited.
 - 1.8.3.3 An employee who accrues additional annual leave for working on a state holiday may exceed the 240 hour limitation by up to 24 hours.
- 1.8.4 Employees who accumulate annual leave in excess of the limits because of extenuating circumstances that precluded taking time off by the forfeiture date may submit a request to carry over leave. Approval to carry over leave requires the approval of the Director and final approval is by the ADOA Director. In the last quarter of each calendar year, a notice about the leave carry over process is distributed along with the Application to Carry Forward Excess Leave, Form 512-7.
 - 1.8.4.1 The employees are required to state specifically the number of hours to be carried over, the reason the leave could not be used during the calendar year and a plan to use excess leave within the first quarter of the new year. In some limited circumstances, approval to be paid for excess leave may be granted if funding is available for a combination of both.
 - 1.8.4.2 If the extension is granted, the employee and the supervisor shall then follow the plan to the maximum extent possible. The original of all approved forms shall be forwarded to the Payroll Manager for processing.
- 1.8.5 Upon separation from state service:
 - 1.8.5.1 Employees in covered positions shall be compensated at their current rate of pay for unused annual leave, unless an overpayment or tuition reimbursement is outstanding. Leave payoff at the time of separation shall be subject to collection of signing bonuses, tuition reimbursement, travel advances, and salary overpayment or tuition reimbursement, in accordance with section 512.05 of this Department Order.
 - 1.8.5.2 All payments to uncovered and excluded employees shall be pre-approved by the Division Director for Administrative Services or designee.
- 1.9 Military Leave - Military leave (a temporary leave of absence for active duty, training duty or to attend camps, maneuvers, formations or armory drills) shall be authorized for up to 240 hours in any two consecutive federal fiscal years, which run from October 1 through September 30.

- 1.9.1 Military leave shall be applied to the employee's normally scheduled work day up to 240 hours every two consecutive federal fiscal years.
 - 1.9.1.1 An employee may take annual, compensatory time, holiday leave or leave without pay (pay code 640) to complete the period of military leave.
 - 1.9.1.2 Prior to taking military leave, the employee shall submit the military orders to the Payroll Unit at Central Office.
 - 1.9.1.3 Leave time shall be used in normally scheduled work day hours until all available time is exhausted; at that time, the employee shall be placed on pay code 640 until able to return to work.
 - 1.9.1.4 If the employee does not want leave balances taken as outlined on the Verification of Military Drill Attendance, Form 512-4, the employee shall submit with their military orders a written plan to reflect the use of their available leave balances to take leave without pay. This written plan shall be submitted to the Payroll Unit prior to the end of the pay period in which the leave is taken.
- 1.9.2 Employees shall not be required or permitted to work on a day when military leave is taken.
- 1.9.3 Employees who are absent from work for military leave and, without a valid exemption, fail to attend the military drill and/or training shall have the time scheduled for military leave noted on their PAR as absent without approval.
- 1.9.4 An employee who is scheduled to participate in military training or weekend drills on a normally scheduled work day shall submit a written request for military leave to their immediate supervisor at least ten work days in advance, or as soon as they are notified of the training.
 - 1.9.4.1 Within five days after returning to work, the employee shall submit a completed Verification of Military Drill Attendance form and military orders as outlined in section 1.9.1.2 of this section.
 - 1.9.4.2 The Verification of Military Drill Attendance form shall be signed by the employee, the supervisor and the Military Unit Commander, or authorized representative.
 - 1.9.4.3 Leave balances shall be charged when orders are not provided. The Leave balances shall be adjusted after the orders and Verification of Military Drill Attendance forms are provided to the Payroll Unit.
- 1.9.5 An employee may request to participate in an annual, two-week summer encampment by submitting a written request for military leave to their immediate supervisor at least 30 days in advance, if possible. The employee's military orders shall be attached to the request, if available.

- 1.9.6 Employees who do not receive their military orders or letter before mobilizing may fax, mail or e-mail a copy to their immediate supervisor once they receive their orders after being mobilized, or submit a copy within five work days after returning to work. Verification of military duty shall be documented as outlined in 1.9.1.2, 1.9.4 and 1.9.4.1 of this section.
- 1.9.7 Supervisors and staff shall not directly or indirectly use or threaten to use any official authority to influence, discipline or discourage staff from the use of military leave.
- 1.9.8 Supervisors and timekeepers shall ensure that all military leave is documented and any orders, letters and/or verifications are forwarded to Payroll as soon as possible.
- 1.9.9 Timekeepers shall note in HRIS the receipt or non-receipt of orders when military leave is used.

1.10 Military Deployment Transition Plan

- 1.10.1 Pre-deployment – Department employees with military obligations must notify their chain of command prior to leaving for military service. Notification may be given orally or in writing, at the discretion of the military member. In cases where immediate deployment precludes the military member’s ability to make the notification themselves, notification may be made by a family member or other appointed designee. If the expected length of deployment exceeds 30 days, command staff, upon receipt of oral or written notice, shall refer the military member to the Military Support Liaison for pre-deployment processing. At the service member’s discretion, the Military Support Liaison will coordinate with the military member to address the following:
 - 1.10.1.1 The Personnel Office should be contacted immediately so that the military member may complete the appropriate paperwork and select their benefits preferences.
 - 1.10.1.2 The Military Support Liaison will coordinate a meeting with a Department Critical Incident Response Team (CIRT) member to complete the Deployed Military Member’s Preferences Checklist, Form 512-21.
- 1.10.2 During Deployment – The Military Support Liaison will honor the military member’s request per the checklist they completed during pre-deployment processing. If indicated on the checklist, the Military Support Liaison shall:
 - 1.10.2.1 Coordinate with departmental and community based organizations to send care packages, copies of ADC newsletters, and departmental/site updates during deployment.
 - 1.10.2.2 Coordinate with CIRT leaders to ensure ongoing contact with specified family members.
 - 1.10.2.3 Ensure ongoing communication via email or regular mail.

- 1.10.3 Post Deployment – Prior to returning to their work assignment, persons who were away on military leave in excess of 180 days shall report to their Military Support Liaison for post deployment transition processing.
 - 1.10.3.1 The Personnel Office shall be contacted immediately so the military member may complete the appropriate paperwork and make the appropriate benefits selections.
 - 1.10.3.2 The Military Support Liaison shall provide the returning department member with a post deployment informational packet along with referrals and direct contact information for local resources for the military member and their family.
 - 1.10.3.3 The Military Support Liaison will coordinate a meeting with an ADC CIRT member to ensure the military member has an opportunity to express any concerns. CIRT member shall initiate 3, 6, and 9 month “welfare checks” with the military member following this initial meeting.
 - 1.10.3.4 The site Training Officer shall ensure an Individual 80-hour Refresher Training Plan is developed and implemented prior to the military member’s return to their work assignment.
 - 1.10.3.4.1 Security Series – Refresher training topics for security series staff shall include core competencies, weapons qualifications, AZPOST standards updates, Department Order updates, strategic plan updates, or other topics pertinent to the staff member’s job position.
 - 1.10.3.4.2 Non-security series staff shall receive an Individual Refresher Training Plan focusing on refresher training in accordance with their specific job duties.
 - 1.10.3.5 For security staff, upon return to their home unit assignment, command staff shall ensure the military member shall complete 40 hours On the Job Training (OJT) with a Field Training Officer (FTO). 40 hour OJT should be completed prior to the military members being assigned to a post on their own.
- 1.10.4 Community Collaborations – The Military Support Liaison in tandem with the site Training Officer shall coordinate on-site training opportunities or fairs on a quarterly basis. Representatives from the Department of Veteran Affairs (VA), the Vet Center, Vets 4 Vets, and Employer Support of Guard and Reserve (ESGR), as well as any other governmental or community agency that provide services to military veterans, members, or their families should be invited to above stated quarterly events to provide access and information to ADC personnel who may benefit from the services the agencies provide. Military Support Liaisons should communicate with their chain of command to determine whether it would best benefit their site to host a fair, or a formal training session.

1.10.5 The Uniformed Services Employment and Re-employment Rights Act of 1994 (USERRA) – Military Support Liaisons are encouraged to pursue ongoing training on USERRA. If a Military Support Liaison receives a report of a potential USERRA related violation or complaint, they shall immediately notify the military member’s chain of command, the Employee Assistance Program Coordinator, and the Employee Assistance Program Administrator, who will assist the Military Support Liaison and the military member in attempting to resolve the issue informally.

1.11 Victim’s Leave - An employee who is the victim of a crime shall be permitted to leave work to be present at the following proceedings that specifically relate to the victim’s case:

1.11.1 Any juvenile court proceedings, to include:

1.11.1.1 Any court proceeding in which the juvenile has a right to be present.

1.11.1.2 A detention hearing or post-arrest detention hearing.

1.11.1.3 A plea negotiation.

1.11.1.4 A predisposition or disposition proceeding.

1.11.1.5 A probation modification, disposition, revocation or termination proceeding.

1.11.1.6 A post-adjudication release proceeding or a re-examination proceeding.

1.11.2 Proceedings covered by:

1.11.2.1 A.R.S. 8 - 395, Notice of post adjudication release; right to be heard; hearing; final decision.

1.11.2.2 A.R.S. 8 - 400, Proceedings; right to be present.

1.11.2.3 A.R.S. 8 - 401, Detention hearing.

1.11.2.4 A.R.S. 8 - 402, Post arrest detention decisions.

1.11.2.5 A.R.S. 8 - 403, Plea negotiation.

1.11.2.6 A.R.S. 8 - 404, Impact statement; predisposition report.

1.11.2.7 A.R.S. 8 - 405, Disposition.

1.11.2.8 A.R.S. 8 - 406, Probation modification, revocation disposition or termination proceedings.

1.11.2.9 A.R.S. 8 - 415, Effect of failure to comply.

- 1.11.3 Any adult court proceeding, to include:
 - 1.11.3.1 All criminal proceedings in which the defendant has a right to be present.
 - 1.11.3.2 An initial appearance.
 - 1.11.3.3 A post-arrest custody hearing.
 - 1.11.3.4 A plea negotiation.
 - 1.11.3.5 Sentencing.
 - 1.11.3.6 A probation modification, disposition, revocation or termination proceedings.
 - 1.11.3.7 A post-conviction release proceeding or a re-examination proceeding.
- 1.11.4 Proceedings covered by:
 - 1.11.4.1 A.R.S. 13 - 4414, Notice of post-conviction release; right to be heard; hearing; final decision.
 - 1.11.4.2 A.R.S. 13 - 4420, Criminal proceedings; right to be present.
 - 1.11.4.3 A.R.S. 13 - 4421, Initial appearance.
 - 1.11.4.4 A.R.S. 13 - 4422, Post-arrest custody decisions.
 - 1.11.4.5 A.R.S. 13 - 4423, Plea negotiation proceedings.
 - 1.11.4.6 A.R.S. 13 - 4426, Sentencing.
 - 1.11.4.7 A.R.S. 13 - 4427, Probation modification, revocation disposition or termination proceedings.
 - 1.11.4.8 A.R.S. 13 - 4436, Effect of failure to comply.
- 1.11.5 The Department shall not compensate an employee who attends a court-related proceeding. The employee may use:
 - 1.11.5.1 Accrued annual leave, compensatory leave or "leave without pay" to attend the court related proceedings.
 - 1.11.5.2 Eighty hours or less of "leave without pay" without exhausting accrued leave balances to attend the proceedings. An employee shall first exhaust all annual and sick leave balances before requesting "leave without pay" in excess of 80 hours; however, the employee is not required to exhaust compensatory leave balances before exceeding 80 hours.

- 1.11.6 The Department shall place an employee who has no accrued annual leave or sick leave on "leave without pay" when the employee chooses to attend a court proceeding. The Department may limit leave taken to attend proceedings if such leave creates an "undue hardship" on Department operations, which would create significant difficulty in conducting operations or additional expense to the Department.
 - 1.11.7 The Department shall not take action related to conditions of employment, including decisions related to compensation, seniority, scheduling or other issues because the employee chooses to attend a proceeding.
 - 1.11.8 In accordance with A.R.S. 13-4405, a law enforcement agency shall provide a victim with a form outlining the victim's rights. When an employee desires to leave work to attend a court proceeding, he or she shall provide the immediate supervisor with a copy of this form. An employee may contact the Attorney General's Office of Victim Services for information regarding victim's rights.
 - 1.11.9 If applicable, the employee shall provide a copy of the notice for each scheduled proceeding. Normally, a specific agency will be identified as responsible for providing notification and shall make notifications as outlined in relevant statutes.
 - 1.11.10 All information involving victim's leave, including record keeping is confidential. All records shall be processed as outlined in Department Order #507, Employee Records.
 - 1.11.11 Supervisors shall contact the Personnel Administrative Services Unit and/or the Employee Relations Unit for consultation involving issues relating to victim's leave, especially any decision related to whether or not an employee's absence may create an "undue hardship" or for any decision regarding conditions of employment.
 - 1.11.12 Staff who believe that the Department has not complied with the applicable statutes may file a grievance as outlined in Department Order #517, Employee Grievances.
- 1.12 Donations of Annual Leave Within the Department - An employee who wishes to contribute annual leave to an eligible recipient within the same agency shall complete and submit the confidential Contributor's Voluntary Request to Contribute Annual Leave, Form 512-1, directly to the Payroll Unit. Upon receipt of a request and verification that the recipient's leave is exhausted, designated staff in the Payroll Unit shall:
- 1.12.1 Verify that the contributor's annual leave balance is sufficient for the requested contribution.
 - 1.12.2 Convert contributor hours to recipient hours.
 - 1.12.3 Transfer converted leave to the recipient's balance.
 - 1.12.4 Record the transfer on the contributor's attendance screen.
 - 1.12.5 File and retain the original of approved requests for four years from the date of receipt.

- 1.12.6 Return rejected requests to the requesting employee.
- 1.12.7 Return unused contributed leave, if any, to the contributor.
- 1.13 Donations to Another State Agency - An employee who wishes to contribute annual leave to an eligible family member within a different agency shall complete and submit the confidential Employee Interagency Annual Leave Contribution and Restoration, (Attachment H), directly to their agency's Payroll Unit.
 - 1.13.1 Eligible family members include any of the following: spouse, child (natural, adoptive, step or foster), parent (natural, adopted, step or foster), brother, sister, grandchild, grandparent, brother-in-law, sister-in-law, son-in-law, daughter-in-law, father-in-law, mother-in-law, aunt, uncle, nephew, or niece.
 - 1.13.2 The donating employee shall provide the necessary information about themselves, the number of hours to be donated and their relationship to the recipient.
 - 1.13.3 The Payroll Unit of the donor's agency shall compute the dollar value of the donation and forwards the information to the Payroll Unit of the recipient.
 - 1.13.4 The Payroll Unit of the recipient shall compute the hours to be credited to the recipient's sick leave account based upon the dollar value of the contribution.
 - 1.13.5 Unused donated leave shall be returned to donors in proportion to their contributions.
- 1.14 Living Donor Leave – Absence from work for the purpose of living donor leave pursuant to A.R.S. 41-705.
 - 1.14.1 Employees may be absent with pay for up to 5 work days to serve as a bone marrow donor and up to 30 work days to serve as an organ donor.
 - 1.14.2 Employees must provide his/her supervisor with written verification that the employee is to serve as a donor.
 - 1.14.3 Living Donor Leave will be paid by the Department and will not be deducted from the employee's leave balances.
 - 1.14.4 Living Donor Leave will not be counted as FMLA leave, unless the employee develops a serious health condition or otherwise becomes qualified under FMLA.
- 1.15 Voting – Absence from work for the purpose of voting pursuant to A.R.S. 16-402 and A.A.C. R2-5-406.
 - 1.15.1 Employees entitled to vote at a primary or general election held within the state may receive paid leave to exercise their voting privileges providing the following conditions apply:
 - 1.15.1.1 There are less than three consecutive hours, between the opening of the polls and the beginning of the employees regular work hours; or

- 1.15.1.2 There are less than three consecutive hours between the end of the employee's regular work shift and the closing of the polls.
- 1.15.1.3 The employee has submitted a leave request to their supervisor prior to the day of the election.
- 1.15.1.4 Employees may be absent to vote for the length of time to satisfy the three-hour time provision; however, supervisors may specify the hours during which the employee may be absent.

1.15.2 These provisions for voting do not apply to staff who have already voted by mail.

512.08

TRANSFER OF ANNUAL LEAVE - Employees may transfer accumulated annual leave and/or holiday leave hours to other Department employees or to their immediate family members who work for another State agency, whose leave balances are insufficient for an extended leave (three or more weeks) resulting from a seriously incapacitating and extended illness or injury or a seriously incapacitating and extended disability that is caused by pregnancy or childbirth or to employee or employee's immediate family member. Transferred annual leave shall be increased or reduced proportionally by the difference in the salaries of the employees as outlined in ADOA Personnel Rules.

1.1 Employees who request annual leave contributions shall complete an Agreement to Receive Annual Leave Contributions, Form 512-5. If the employee is unable to sign the form, a spouse, parent, or supervisor may sign on the employee's behalf. The Agreement to Receive Annual Leave Contributions form shall then be submitted to the Human Resource Operations Unit through the appropriate Personnel Liaison. The following verification documents shall be attached:

- 1.1.1 The attending health care practitioner's statement, on an appropriate form or letterhead, verifying:
 - 1.1.1.1 The dates the illness or injury commenced and date employee became unable to work, if different.
 - 1.1.1.2 Full diagnosis of the illness and/or extent of injury.
 - 1.1.1.3 That the illness and/or injury are seriously incapacitating.
 - 1.1.1.4 The prognosis to include the anticipated date the employee may return to work.
 - 1.1.1.4.1 A recipient released to return to work less than full-time may continue to receive and use transferred annual leave until released for full-time work.

- 1.1.1.4.2 The recipient shall submit a copy of the medical documentation substantiating the partial medical release to his/her supervisor. The medical release must also indicate the recipient is still recovering from the same illness. The supervisor shall forward the medical documentation to the Personnel Liaison who shall review and forward the document to the Human Resource Operations Unit. If approved, the recipient may continue to receive partial annual leave transfer payments while released to work part time.
 - 1.1.1.4.3 An employee released to return to work full-time, who may require leave on an intermittent basis is no longer eligible for transfer of annual leave.
 - 1.1.2 A certification by the employee or the employee's representative, if an immediate family member has a seriously incapacitating illness or injury, that:
 - 1.1.2.1 The immediate family member is the employee's child, either natural, adopted, foster or step, or the employee's spouse or parent.
 - 1.1.2.2 The employee has taken 40 hours of sick leave, if available, for this purpose during the calendar year in which the extended leave occurs and compensatory and annual leave balances are insufficient for an extended leave.
 - 1.2 Agreement Approval/Disapproval - Upon receipt of an Agreement to Receive Annual Leave Contributions, the Human Resource Operations Unit Administrator or designee, under authority delegated by the ADOA, shall:
 - 1.2.1 Review the Agreement to Receive Annual Leave Contributions form for completeness and supporting documents attached.
 - 1.2.2 Approve or disapprove the request and complete the section of the agreement that is marked "For Personnel Administrative Services use."
 - 1.2.2.1 Annual leave contributions are effective the first day of the pay period in which the completed request is received in the Human Resource Operations Unit but not earlier than the date of application.
 - 1.2.2.2 If approved, donations may be applied starting with the pay period in which the Contributor's Voluntary Request to Contribute Annual Leave form is received in Payroll or the effective date of the annual leave contribution approval as determined in 1.2.2.1 of this section, whichever is later.
 - 1.2.2.3 Copies of the approved agreement shall be distributed to the recipient, the Personnel Liaison, Human Resource Operations Unit and the Payroll Unit.

- 1.2.2.4 The employee requesting donations or their representative may contact the supervisor, timekeeper and other potential contributors in the workplace to advise of the need for annual leave contributions and to request the assistance and/or contributions of annual leave.
 - 1.2.2.5 Concerned employees and supervisors may assist the recipient by advising other employees of the recipient's needs, by distributing or posting information and by individually requesting to contribute annual leave. For appropriate sample language see Attachment G, Need for Donation of Annual Leave Information Notice.
 - 1.2.2.6 Donor information is confidential and shall not be released to the employee requesting donations.
 - 1.2.3 File and retain the original of approved/disapproved agreements, along with documentation for four years from the date of receipt.
 - 1.2.4 Return rejected agreements with reasons for the rejection, to the submitting employee or their representative, and provide a copy to the employee's Personnel Liaison.
- 1.3 Ineligible For Annual Leave Donations - The recipient shall be ineligible for donations if they separate from state service, are determined eligible for Long-Term Disability benefits, or if they recover.
 - 1.3.1 The recipient shall notify their supervisor of changes that will affect their eligibility to receive annual leave donations. The supervisor shall notify the Personnel Liaison of the changes.
 - 1.3.2 The personnel liaison shall notify the Human Resource Operations Unit and Payroll that the need for leave donations is no longer necessary. Personnel Liaisons shall receive a copy of the Long-Term Disability notice from the Human Resource Operations Unit.
 - 1.3.3 Employees approved for annual leave contributions shall be limited to accepting and using no more than six consecutive months of contributed leave per occurrence. If an employee applies for Long-Term Disability (LTD) by the end of the fifth month they may continue to use donated annual leave until the LTD determination is made.
- 1.4 Disagreements - Employees who disagree with the reasons for a rejected agreement may revise and resubmit the previously rejected agreements to the Personnel Administrative Services Bureau Administrator and include any additional documentation that is pertinent for reconsideration of the request.
- 1.5 Medical Release - A recipient who is released to return to work less than full-time may continue to receive and use transferred annual leave until released for full-time work.
 - 1.5.1 The recipient shall submit a copy of the medical documentation substantiating the partial medical release to the appropriate supervisor.
 - 1.5.1.1 The medical release shall also indicate that the recipient is still recovering from the same illness.

- 1.5.1.2 The supervisor shall forward the medical documentation to the Personnel Administrative Services Unit.
- 1.5.2 If approved, the recipient may continue to receive partial annual leave transfer payments while released to work part time.
- 1.5.3 Employees released to return to work full-time, who may require leave on an intermittent basis are no longer eligible for transfer of annual leave.
- 1.5.4 Once an employee returns to work from an extended sick leave, in terms of donated annual leave, the case shall be closed immediately, and the remaining balance be returned to those who donated annual leave. In the event in which an eventual return to the status of "Extended Sick Leave", that ability would have changed, and a new process, independently from the previous process will begin upon the receipt of a new request for donated annual leave. A period of at least three weeks from the last day worked shall exist.
- 1.5.5 Employee requesting Extended Sick Leave for a second time, and for the same illness/injury within six months, a new process independently from the previous process will begin. A new request for donated annual leave and updated medical documents shall be submitted.

512.09 RECOGNITION LEAVE - The Department recognizes exemplary service and extraordinary contributions to the Department's goals by providing paid recognition leave.

- 1.1 Categories of Recognition Leave - Recognition leave may be granted in the following categories, as specified in Attachment D:
 - 1.1.1 Exemplary Employee Service - For each of the Department's employees of the year and any Department employee who is a recipient of an annual Arizona Administrators Association Recognition Award.
 - 1.1.2 Extraordinary Contribution to Accomplishing the Department's Goals - For employees who submit a suggestion that has a moderate or exceptional impact on the Department, in accordance with Department Order #506, Employee Recognition Program.
 - 1.1.3 Other - For employees approved by the Director for exemplary duty or acts of achievement not provided for elsewhere in this Department Order to include, but not be limited to, successful recruitment of Correctional Officers that is independent of RUSH hiring activities and resulted in a new recruit(s) attending the Correctional Officers Training Academy (COTA).
- 1.2 Nomination Process - The nomination processes are described in Department Order #506, Employee Recognition Program, and in Attachment D.
- 1.3 Distribution of Recognition Leave
 - 1.3.1 For Exemplary Employee Service - Award winners shall receive 16 hours of recognition leave.
 - 1.3.2 For Extraordinary Contribution to Accomplishing the Department's Goals - employees shall receive:

- 1.3.2.1 A maximum of 8 hours per employee for suggestions of a moderate impact.
 - 1.3.2.2 A maximum of 16 hours per employee for suggestions of exceptional impact.
 - 1.3.3 Employees approved for other recognition leave in accordance with this order shall receive the specific number of hours as determined by the Director.
 - 1.3.4 The Deputy Director shall:
 - 1.3.4.1 Keep a running total of recognition hours used.
 - 1.3.4.2 Ensure that necessary documents are prepared so that approved employees are notified.
 - 1.3.4.3 Provide the Department's Payroll Unit Manager with the number of hours to be credited to the employee's recognition leave account and the date the recognition leave expires.
 - 1.3.4.4 Ensure that recognition awards do not exceed the total rate of 384 hours per calendar year, which are allocated to the Department by ADOA.
 - 1.4 Use of Recognition Leave – The number of hours of recognition leave that may be awarded each year is dependent upon the number of department employees. Eight hours per 100 permanent positions.
 - 1.4.1 The employee shall take recognition leave during the calendar year in which it is received. The Director may grant a single, nonrenewable extension period of 60 calendar days.
 - 1.4.2 Unused leave not taken during the allocated time period shall be forfeited.
 - 1.4.3 An employee who transfers to another state agency shall transfer any unused recognition leave subject to the requirements of this Department Order.
 - 1.4.4 An employee who separates from state service shall be paid for all unused recognition leaves at the employee's current rate of pay.
 - 1.4.5 The employee shall enter pay code 370 on the PAR sheet when recognition leave is taken.
- 512.10 ACI - INDUSTRIAL SALES INCENTIVE PAYMENT PLAN** – Shall be approved by the Division Director for Support Services in accordance with the ACI Technical Manual.

IMPLEMENTATION

The Division Director for Administrative Services shall maintain a Technical Manual on the PAR, which addresses, at a minimum, the following requirements for Timekeepers and Payroll Unit staff:

- Entry of data into PAR and HRIS.
- Monitoring and verification requirements.
- Corrections to information recorded.
- Deadlines.

The Division Director for Support Services shall ensure that the ACI Technical Manual authorized by Department Order #115, Authority and Responsibility Delegated to ACI, includes ACI sales commissions and quotas, and other topics included in this Department Order.

SECTION DELETED

SECTION DELETED

SECTION DELETED

DEFINITIONS

COMPENSATORY TIME (COMP TIME) - Compensation for overtime worked in the form of leave hours rather than cash payment.

EXCLUDED EMPLOYEES - (PAR FLSA designation EE) - Employees who do not receive overtime or extra hours compensation, as outlined in ADOA Personnel Rules R2-5-305.E. This category is made up of:

- Employees who are Exempt from FLSA requirements, covered by ADOA Personnel Rules, and employed in one of the following capacities:
 - All elected positions.
 - All positions which are appointed pursuant to A.R.S. 38-211.
 - All professional positions. Professional positions are all physician and attorney positions compensated in accordance with a special salary plan.
 - Persons whose primary duty is to manage the state agency or state agency subdivisions, which include divisions or equivalent units, and:
 - Who use discretionary powers.
 - Who direct the work of at least two other employees.
 - Who have the authority to hire and fire.
- AND employees who are Exempt from FLSA requirements, and are NOT covered by ADOA Personnel Rules. (A.R.S. 41-771).

EXEMPT EMPLOYEES - (PAR FLSA designation EX) - Employees who receive compensation for overtime at the rate of one hour of compensatory time for each hour of overtime worked. Exempt employees receive payment for extra hours. Hour for hour cash payment for overtime usually requires prior approval. This category consists of employees who are exempt from FLSA requirements, are covered under the ADOA Personnel Rules, and are not employed in one of the capacities defined as excluded by the ADOA Personnel Rules.

EXTENDED LEAVE - A period of three or more weeks of absence from work due to a physician's determination that an illness and/or injury is seriously incapacitating and extended.

EXTRA HOURS - Extra hours occur when the total of leave hours taken and hours worked in one work week are more than 40, but the total hours worked are less than 40 hours. Extra hours are paid at the employee's regular rate of pay and are included in the regular wages. When more than 40 hours are worked, the hours worked in excess of 40 hours are overtime hours. (See Attachment A.)

IMMEDIATE FAMILY - For the purpose of the Victim's Leave immediate family refers to a victim's spouse, parent, child, sibling, grandparent or lawful guardian.

INTERRUPTED SERVICE - For the purpose of authorized HRAP, absence from the assigned duty post for any of the following reasons; Administrative Leave, suspension or demotion, Industrial Leave, Civic Duty Leave, Military Leave, Family Medical Act Leave, Sick Leave, Annual Leave or modified duty when such absence or duty assignment results in the employee working in the HRAP authorized position for less than 80 hours in a month.

NON- EXEMPT EMPLOYEES - (PAR FLSA designation NE) - Employees who receive compensation for overtime at the rate of one and one half hours of compensatory time for each hour of overtime worked, or one and one half hours of pay for each hour of overtime worked, depending on the employee's overtime compensation election. Non-exempt employees receive payment for extra hours. Employees in this category are covered by FLSA requirements, and may be covered or uncovered under the ADOA Personnel Rules.

OVERTIME - Hours worked in excess of 40 hours in a work week.

SALARY OVERPAYMENT - Occurs when an employee receives a salary in excess of what is provided by law. All Department employees shall receive the salary provided by law and shall not, under any pretext, receive any salary or emolument in excess of the salary so provided.

SENIORITY – Seniority is determined by the following criteria (listed in order of *priority*):

- Uninterrupted time in service in the current classification (rank)
- Uninterrupted time in service in the Department
- Uninterrupted time in Arizona State Service
- Alphabetically, by last name

SICK LEAVE - Any approved period of absence granted to an employee due to: disability caused by pregnancy, childbirth, miscarriage or abortion; examination or treatment by a licensed health care practitioner; or illness or injury which renders the employee unable to perform the duties of the position. Up to 40 hours per calendar year may be used for Sick Family for the illness, injury, examination or treatment of an employee's spouse, dependent child or parent by a licensed health care practitioner.

UNINTERRUPTED TIME IN SERVICE – Is time without a break in services. Armed forces activation, approved extended medical leave and FMLA are exempt.

UNSCHEDULED WORK HOURS - Work time that is in excess of daily scheduled hours. Depending upon the total hours worked and leave taken within a week, unscheduled work hours may become overtime or extra hours (or regular hours if scheduled work time is adjusted during the work week so that overtime or extra hours do not occur).

VICTIM - Is a person against whom a criminal offense has been committed, or if the person is killed or incapacitated, the person's immediate family or other lawful representative, except if the person is in custody for an offense or is the accused.

{Original Signature on File}

Charles L. Ryan
Director

ATTACHMENTS

Attachment A - Examples - Payment of Extra Hours
Attachment B - Fair Labor Standards Act (FLSA)
Attachment C - Retiree Accumulated Sick Leave Benefits
Attachment D - Eligible Employees and Nomination Processes for Recognition Leave
Attachment E - Authorization for a Direct Deposit of Net Pay or Payroll Deduction
Attachment F - Collection of Salary Overpayment Memorandum
Attachment G - Need for Donation of Annual Leave Information Notice
Attachment H - Employee Interagency Annual Leave Contribution and Restoration (GAO-209)
Attachment I - Supersedes

FORMS

512-1, Contributor's Voluntary Request to Contribute Annual Leave
512-2, Paid Overtime Claim
512-3, Employee Request for Leave
512-4, Verification of Military Drill Attendance
512-5, Agreement to Receive Annual Leave Contributions
512-6, Overtime Compensation Election (For Nonexempt Employees)
512-7, Application to Carry Forward Excess Leave
512-8, Request for Approval of Unscheduled Work Hours
512-12, Revolving Fund Reimbursement Authorization
512-19, Personnel Inquiry (PIF)
512-21, Deployed Military Member's Preference Checklist

AUTHORITY

A.R.S. 8-420, Right to leave work; scheduled proceedings; employment rights; nondiscrimination; confidentiality; definition

A.R.S. 13-2311, Fraudulent Schemes and Practices; Willful Concealment

A.R.S. 13-2407, Tampering with a Public Record

A.R.S. 13-4439, Right to leave work; scheduled proceedings; counseling; employment rights; nondiscrimination; confidentiality; definition

A.R.S. 23-391, Overtime Pay; Workweek

A.R.S. 26-168, Absence From Employment for Military Duty; Vacation and Seniority Rights

A.R.S. 26-171, National Guard Training; Inspection by Department of Defense, Camp or Field Duty Ordered by Governor

A.R.S. 35-193, Revolving Funds

A.R.S. 38-610, Leave of Absence for Military Training

A.R.S. 39-161, Presentment of False Instrument for Filing

A.R.S. 41-762, Definitions

A.R.S. 41-783, ADOA Personnel Rules

A.R.S. 41-1492 et seq, Arizonans With Disabilities Act of 1992

A.A.C. R2-5-305, Overtime Pay and Compensatory Leave

A.A.C. R2-5-401 et seq, Benefits

A.A.C. R2-5-403, Annual Leave

A.A.C. R2-5-404, Sick Leave

A.A.C. R2-5-407, Military Leave

A.A.C. R2-5-411, Parental Leave

A.A.C. R2-5-413, Medical Leave Without Pay

A.A.C. R2-5-414, Leave Without Pay

A.A.C. R2-5-423, Recognition Leave

29 U.S.C. Section 201, Fair Labor Standards Act

Americans With Disabilities Act of 1990, Titles I-V

Family and Medical Leave Act of 1993

U.S. Civil Rights Act of 1964

**ATTACHMENT A
DEPARTMENT ORDER 512**

**EXAMPLES
Payment of Extra Hours**

1. Employee, normally scheduled to work eight-hour shifts, Monday through Friday, works two unscheduled work hours and eight scheduled work hours on Monday, and takes two hours of annual leave on Wednesday.

<u>SAT</u>	<u>SUN</u>	<u>MON</u>	<u>TUE</u>	<u>WED</u>	<u>THU</u>	<u>FRI</u>
		8	8	6	8	8
		2 EH		2 AL		

= 38 regular hours worked
 2 hours annual leave (extra hours)
2 extra hours worked
 42 paid hours
 (40 hours worked + 2 hours of leave taken)

2. Employee, normally scheduled to work eight-hour shifts, Monday through Friday, works ten hours of unscheduled work hours on Sunday and then takes 8 hours of sick leave on Tuesday.

<u>SAT</u>	<u>SUN</u>	<u>MON</u>	<u>TUE</u>	<u>WED</u>	<u>THU</u>	<u>FRI</u>
		8	8 SL	8	8	8
		8 EH				
		2 OT				
		(or CE)				

= 32 regular hours worked
 8 hours sick leave
 8 extra hours worked
2 overtime or compensatory hours worked
 42 hours worked + 8 hours of leave taken. 2 hours OT or CE,
 depending on method of compensation

3. Employee, normally scheduled to work eight-hour shifts, Monday through Friday, works two hours of unscheduled work hours on Tuesday, and then the supervisor adjusts the schedule so that the employee works only six hours on Wednesday, thereby avoiding the unnecessary accumulation of overtime.

<u>SAT</u>	<u>SUN</u>	<u>MON</u>	<u>TUE</u>	<u>WED</u>	<u>THU</u>	<u>FRI</u>
		8	10	6	8	8

= 40 hours worked and paid
 (no leave used)

FAIR LABOR STANDARDS ACT (FLSA)

OVERTIME AND EXTRA HOURS COMPENSATION

	UNCOVERED EMPLOYEES		COVERED EMPLOYEES		
TYPE OF COMPENSATION	EXCLUDED FLSA EXEMPT	FLSA NON-EXEMPT	EXCLUDED FLSA EXEMPT	FLSA EXEMPT	FLSA NON-EXEMPT
COMPENSATORY LEAVE	None	Time and 2	None	Hour for Hour	Time and 2
PAID OVERTIME	None	Time and 2	None	Hour for Hour with Approval of ADOA	Time and 2
EXTRA HOURS	None	Hour for Hour	None	Hour for Hour	Hour for Hour

LEAVE USAGE

	Uncovered Employees		Covered Employees		
<u>Leave Usage</u>	<u>Excluded FLSA Exempt</u>	<u>FLSA-Non-Exempt</u>	<u>Excluded FLSA Exempt</u>	<u>FLSA-Exempt</u>	<u>FLSA-Nonexempt</u>
Leaves deducted: Partial day Full day	No Yes	Yes Yes	No Yes	Yes Yes	Yes Yes
Pay reduced for absence without leave balances: Partial day Full day	No Yes	Yes Yes	No Yes	Yes Yes	Yes Yes

RETIREE ACCUMULATED SICK LEAVE BENEFITS

HOURS OF LEAVE	BENEFIT PERCENTAGE
0-499	0%
500-749	25%
750-999	33%
1000-1500	50%

ATTACHMENT D
DEPARTMENT ORDER 512

ELIGIBLE EMPLOYEES AND NOMINATION PROCESSES
FOR RECOGNITION LEAVE

AWARD CATEGORY	ELIGIBLE EMPLOYEES	NOMINATIONS
Exemplary Employee Service	Employees of the year: <ul style="list-style-type: none"> • Correctional Officer (Security) • Correctional Officer (Programs) • Supervisor • Support • Administrator* 	Employees may be nominated for the annual employee of the year award in accordance with Department Order #506, <u>Employee Recognition Program</u> .
	Recipients of the following Arizona Administrators Association Awards: <ul style="list-style-type: none"> • Employee of the Year • Professional of the Year • Supervisor of the Year • Administrator of the Year* 	Employees may be nominated for the Arizona Administrators Association awards based on criteria published by that association.
Extraordinary Contribution to Accomplishing the Department's Goals	Employees who submit a suggestion to the Employee Suggestion Program or Suggest Arizona Program, which is determined to have a moderate or exceptional impact, in accordance with Department Order #506, <u>Employee Recognition Program</u> .	The names of employees who are recommended to receive the leave and the amount of hours each employee should receive, shall be in accordance with Department Order #506, <u>Employee Recognition Program</u> .
Other - To include, but not be limited to, successful recruitment of Correctional Officers, independent of RUSH hiring activities, which result in a new recruit(s) attending COTA.	Employees recommended for this award to the Director for exemplary duty or acts of achievement not provided for elsewhere.	Recommendation by the Department's Award Committee or by a Division Director, Warden, Deputy Warden or Administrator

*Only if in a covered position

ARIZONA DEPARTMENT OF CORRECTIONS

MEMORANDUM

DATE: _____

TO: _____

FROM: _____, Payroll Technician, Financial Services Bureau

SUBJECT: Collection of Salary Overpayment

Attached is the calculation of \$_____ gross salary overpayment which you received from _____ to _____. Please refer to Department Order #512, Employee Pay, Work Hours, Compensation and Leave, section 512.05, Collection of Salary Overpayment.

If you choose to repay the total overpayment with a money order or cashier's check, please call me at (602) 255-2632 extension _____ before _____ so I can calculate the net amount owed (gross salary less corresponding taxes, deductions, etc.).

If you do not contact the Payroll Unit by the above date, the gross amount of the overpayment will be collected in accordance with Department Order #512, section 512.05.

The overpayment amount of \$_____ divided by _____ pay-periods (the number of pay periods the overpayment was received or 26 pay periods, whichever is lower) is equal to \$_____. This amount or \$50, whichever is greater, shall be deducted from your paycheck each pay period starting with paycheck dated _____. If you receive paid overtime, one-half of the overtime will be collected if this amount is greater.

(SAMPLE)

NEED FOR DONATION OF ANNUAL LEAVE
INFORMATION NOTICE

(Employee Name), an employee in the (division name), will be absent for approximately ____ weeks due to a serious illness or injury and does not have enough leave to cover this time. All accrued annual and sick leave has been or will be exhausted by _____.

If you are interested in donating, please see your area personnel liaison. Your donations are greatly appreciated. Thank you.



Employee Interagency Annual Leave Contribution and Restoration

THIS SECTION TO BE COMPLETED BY CONTRIBUTOR															
Contributor's Name		Contributor's Social Security Number													
Agency	Division	Section	Unit												
Contributor's Work Phone		Number of Hours to be Contributed													
Recipient's Name		Recipient's Agency/Division/Section/Unit													
<input type="checkbox"/> I am a member of the recipient's family; I am the recipient's.... <table style="width: 100%; margin-top: 5px;"> <tr> <td><input type="checkbox"/> Spouse</td> <td><input type="checkbox"/> Child (natural, adopted, step or foster)</td> <td><input type="checkbox"/> Parent (natural, adopted, step or foster)</td> </tr> <tr> <td><input type="checkbox"/> Brother/Sister</td> <td><input type="checkbox"/> Grandchild</td> <td><input type="checkbox"/> Grandparent</td> </tr> <tr> <td><input type="checkbox"/> Brother/Sister-in-law</td> <td><input type="checkbox"/> Son/Daughter-in-law</td> <td><input type="checkbox"/> Father/Mother-in-law</td> </tr> <tr> <td><input type="checkbox"/> Aunt/Uncle</td> <td><input type="checkbox"/> Niece/Nephew</td> <td></td> </tr> </table>				<input type="checkbox"/> Spouse	<input type="checkbox"/> Child (natural, adopted, step or foster)	<input type="checkbox"/> Parent (natural, adopted, step or foster)	<input type="checkbox"/> Brother/Sister	<input type="checkbox"/> Grandchild	<input type="checkbox"/> Grandparent	<input type="checkbox"/> Brother/Sister-in-law	<input type="checkbox"/> Son/Daughter-in-law	<input type="checkbox"/> Father/Mother-in-law	<input type="checkbox"/> Aunt/Uncle	<input type="checkbox"/> Niece/Nephew	
<input type="checkbox"/> Spouse	<input type="checkbox"/> Child (natural, adopted, step or foster)	<input type="checkbox"/> Parent (natural, adopted, step or foster)													
<input type="checkbox"/> Brother/Sister	<input type="checkbox"/> Grandchild	<input type="checkbox"/> Grandparent													
<input type="checkbox"/> Brother/Sister-in-law	<input type="checkbox"/> Son/Daughter-in-law	<input type="checkbox"/> Father/Mother-in-law													
<input type="checkbox"/> Aunt/Uncle	<input type="checkbox"/> Niece/Nephew														
Under the provisions of Personnel Rule R-2-403, I wish to contribute the number of hours of annual leave entered above to the recipient. I understand that all unused annual leave I have contributed to the recipient will be returned to me on a proportional basis as determined by my agency's payroll office. By my signature as contributor, I certify that my relationship to the recipient is as indicated above. Misstatement of my relationship to the recipient may subject me to disciplinary action in accordance with A.R.S. 41-770.															
Contributor's Signature		Date													
Disclosure of the employee's social security number is mandatory pursuant to ARS § 38-612(E) and 42 USC 405(c)(2)(C). The social security number shall be used for the administration of payroll deductions and for federal and state tax reporting purposes.															

TO BE COMPLETED BY THE CONTRIBUTOR'S PAYROLL OFFICE		TO BE COMPLETED BY THE RECIPIENT'S PAYROLL OFFICE	
The number of hours shown below has been removed from the contributor's accrued annual leave balance and is to be transferred to the sick leave balance of the recipient.		The number of hours shown below has been posted to recipient's sick leave balance.	
Number of Hours Contributed	Dollar Value of Hours Contributed	Number of Hours Posted to Recipient	
Processed by	Date	Processed by	Date

Restoration of Unused Previously Contributed Annual Leave

TO BE COMPLETED BY THE RECIPIENT'S PAYROLL OFFICE		TO BE COMPLETED BY THE CONTRIBUTOR'S PAYROLL OFFICE	
The number of previously contributed hours shown below was not used by recipient and is to be restored to contributor's annual leave balance.		The number of hours shown below has been posted to contributor's leave balance	
Number of Hours Unused	Dollar Value of Unused Hours	Number of Hours Restored to Contributor	
Processed by	Date	Processed by	Date

**ATTACHMENT I
DEPARTMENT ORDER 512**

SUPERSEDES

Department Order 512, Employee Pay, Work Hours, Compensation and Leave, supersedes the following:

Department Order 512, Employee Assignments, Work Hours, Compensation and Leave (09/01/96)

DI 154, Collection of Salary Overpayment (8/30/00)

DI 155, Donations of Annual Leave Between Related Employees Working in Different State Agencies (8/18/00).

DI 180, Recording of Attendance for Employees in Excluded Positions, (10/1/01), which supersedes DI 86, Recording of Attendance for Employees in Excluded Positions (9/21/98)

DI 183, Increase of Compensatory Leave Balance Carry-over (10/26/01)

DI 189, Overtime Authorization (4/4/02)

DI 196, Victim's Leave (6/26/02)

DI 200, Sick Leave Use (3/24/03)

DI 242, Compensation of Time off for legal holidays for Uncovered, FLSA – Excluded employees (5/22/06)

DI 250, Seniority (10/4/06)