

**CHAPTER: 500**

**Personnel/Human Resources**

**DEPARTMENT ORDER:**

**512 – Employee Pay, Work Hours,  
Compensation and Leave**

**OFFICE OF PRIMARY  
RESPONSIBILITY:**

**DD  
AS  
OPS**

# **Arizona Department of Corrections**

## **Department Order Manual**



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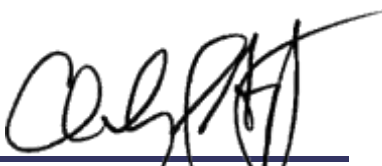
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## **PURPOSE**

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

The Arizona Department of Administration (ADOA), General Accounting Office (GAO) Technical Bulletins, the State of Arizona Accounting Manual (SAAM), and forms are available on the ADOA-GAO website available at (<http://www.gao.az.gov/rasl/>).

## **APPLICABILITY**

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

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

## **PROCEDURES**

**1.0 REPORTING ATTENDANCE AND ABSENCES** – Fair Labor Standards Act (FLSA) non-exempt employees shall report all actual hours worked, days off, and leave taken on the paper Positive Attendance Report (PAR) or Employee Time Entry (ETE) (attendance records). All worked hours are to be recorded to the nearest 15 minutes (0.25 hour). This information shall be verified every two weeks and used to calculate leave balances and the payroll. For additional information, refer to the ADOA-GAO Technical Bulletin 12-02, Personnel, Payroll and Recording of Time Worked by Employees.

### **1.1 Employee Responsibilities**

#### **1.1.1 All employees shall:**

**1.1.1.1** Accurately report daily attendance on their attendance records. Regular hours and leave taken, to include holidays, shall equal the total scheduled hours per week.

**1.1.1.1.1** Knowingly supplying false information, filing 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.

**1.1.1.1.2** Allegations of employee misconduct involving inaccurate reporting of attendance and/or falsification of the PAR, Human Resource Information Solution (HRIS) system or ETE shall be reported and investigated in accordance with Department Order #601, Administrative Investigations and Employee Discipline.

- 1.1.1.2 Project hours worked and leave taken as necessary to meet the attendance records deadlines.
- 1.1.1.3 Verify the past attendance records each pay period, making corrections as necessary. Corrections shall be made in red ink on the PAR or ETE screen print, and initialed by the employee and supervisor.
- 1.1.1.4 Verify the "added to base" and uniform allowance information on the past attendance records each pay period, and contact the appropriate Human Resources Liaison if there is a discrepancy, as outlined in section 3.0 of this Department Order.
- 1.1.1.5 Sign or acknowledge/accept the attendance records and submit them to their supervisor after all hours have been recorded and, if applicable, corrections have been made.
- 1.1.2 FLSA exempt employees shall:
  - 1.1.2.1 Only record leave taken for full day absences, unless they have been placed on a reduced work schedule for Family Medical Leave Act (FMLA) leave.
  - 1.1.2.2 Verify the "Past" attendance records each pay period.
  - 1.1.2.3 Report regular hours and leave taken, to include holidays, equal to the regularly scheduled work hours per week in full day increments (e.g., 8 hours).
  - 1.1.2.4 Notify timekeepers of any change in their approved work schedule.
- 1.2 Attendance Reported on PARs
  - 1.2.1 Supervisor Responsibilities – First-line supervisors or second-line supervisors, if first-line supervisors are unavailable, shall:
    - 1.2.1.1 Promptly report work schedule changes to their assigned timekeepers and Human Resources Office before the beginning of the pay period in which the schedule change takes place, whenever possible.
    - 1.2.1.2 Forward PAR sheets to employees who have transferred within the Department, such as to another unit, bureau or institution.
    - 1.2.1.3 Ensure each employee has completed the correct PAR for that pay period, and that a handwritten PAR is completed for new hires, reinstatements, transfers, and for employees who have lost or destroyed their PAR.
    - 1.2.1.4 Review and verify:
      - 1.2.1.4.1 The employee's reported current attendance, and ensure unscheduled hours are coded correctly, and initial any corrections.

- 1.2.1.4.2 Any corrections for prior pay periods, and initial them to show agreement.
- 1.2.1.4.3 The "added to base" and uniform allowance information, and ensure the employee contacts the appropriate Human Resources Liaison if a discrepancy is found.
- 1.2.1.4.4 The employee's signature is on the PAR.
- 1.2.1.4.5 The employee initials any change made to PAR in red ink.
- 1.2.1.5 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. PARs shall be sent to the timekeeper by Thursday of pay period end week.
- 1.2.2 Timekeepers shall:
  - 1.2.2.1 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.
  - 1.2.2.2 Enter the attendance reported on the PARs into the HRIS in compliance with deadlines for each pay period, note the batch number, and initial each PAR as it is entered. The deadline is 5:00 PM on Friday of pay period end week; however, holidays may cause the deadline to be moved up.
  - 1.2.2.3 Not enter their personal attendance records.
  - 1.2.2.4 Enter corrections from Error Reports and changes of attendance on Monday after the pay period end week. The deadline for entry into HRIS is Monday at 5:00 PM after the pay period end week. Holidays may cause this deadline to be moved up by one day.
  - 1.2.2.5 Return all unapproved PARs to the appropriate supervisor for approval.
  - 1.2.2.6 Ensure the employee and supervisor initial all changes to the PAR.
  - 1.2.2.7 Ensure 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.
  - 1.2.2.8 Ensure the correct cover sheet for the pay period for each unit has been signed by the authorized signer and is included with the PARs.
  - 1.2.2.9 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 Central Office Financial Services Bureau, Payroll Unit, in accordance with the established procedures for that institution, bureau or unit.
  - 1.2.2.10 Provide information requested by the Payroll Unit, as soon as possible, but no later than Tuesday morning after pay period end week.

- 1.2.2.11 Call the Payroll Unit to record any changes in attendance prior to noon on Tuesday after pay period end week.
- 1.2.3 Authorized Signers - Managers authorized to sign the certification sheet shall:
  - 1.2.3.1 Ensure all employees and supervisors are recording and verifying attendance.
  - 1.2.3.2 Ensure all PARs are received, completed, entered and sent to the Payroll Unit on time.
  - 1.2.3.3 Certify the attendance reported is true and correct as stated by signing the Certification sheet provided with the PARs and submit it with the PARs.
- 1.2.4 Wardens and Administrators or designee shall:
  - 1.2.4.1 Approve all paid overtime hours on the PARs prior to the timekeepers entering them into HRIS.
  - 1.2.4.2 Ensure proper documents support each entry on the PAR and HRIS.
    - 1.2.4.2.1 Documentation as outlined in 1.2.2.8 and 1.2.2.9 of this section is forwarded to the Payroll Unit with the PARs.
    - 1.2.4.2.2 All other supporting documentation shall be retained with the copies of the PARs.
  - 1.2.4.3 Ensure the supporting documents and the duplicate copy of the PARs are stored in a secure location for 18 months and then destroyed.
  - 1.2.4.4 Ensure the Payroll Unit receives original signed PARs or copies of unsigned PARs by the deadline.
  - 1.2.4.5 Ensure PARs, which must be entered into HRIS by the Payroll Unit, are received by the Payroll Unit on Monday, at least one full workday before the entry deadline. The entry deadline for the Payroll Unit is noon on Tuesday after pay period end week.
    - 1.2.4.5.1 PARs that have been entered by the timekeepers shall be received by the Payroll Unit by noon on the Monday after pay period end week.
- 1.2.5 Payroll Unit staff shall:
  - 1.2.5.1 Audit submitted PARs for required approvals and for missing pages.
  - 1.2.5.2 Review error reports and contact timekeepers when there is an error in the HRIS entries.
  - 1.2.5.3 When asked by the timekeepers, correct attendance entries in HRIS.
  - 1.2.5.4 Enter approved changes indicated on the "Past" section of the PAR in HRIS.

- 1.2.5.5 File and maintain PARs three fiscal years after the fiscal year prepared.
- 1.2.6 The Human Resources Liaison or designee shall forward the signed PARs to the Payroll Unit.
- 1.3 Attendance Reported on the Employee Time Entry (ETE) – Employees who use ETE shall enter their attendance records by 3:00 PM Friday, to allow supervisors time to approve or reject them. This will allow two hours prior to the deadline of 5:00 PM on Friday of pay period end week for re-entry and approval of attendance records. If attendance records are not entered and approved by the deadline the ETE system will delete them. Attendance records that were missing or deleted will need to be entered by the timekeeper into HRIS on Monday after the pay period end week. These deadlines may be different if there is a holiday during the pay period.
  - 1.3.1 If an employee has attendance corrections for ETE, a screen print of the week will need to be printed. Corrections shall be made in red ink and initialed by the employee and supervisor, and submitted to the Payroll Unit.
  - 1.3.2 The employee shall complete the ADOA-GAO Employee Time Entry Manual Entry, Form GAO-32, if any of the following apply. The employee’s supervisor shall approve and submit the completed Employee Time Entry Manual Entry form to the timekeeper to enter.
    - 1.3.2.1 The first pay period in which an employee is hired, even if employee has completed ETE training. The employee and supervisors shall NOT enter attendance records until the following pay period.
    - 1.3.2.2 The ETE training has not been completed.
    - 1.3.2.3 Time was not approved by the 5:00 PM Friday ETE deadline.
    - 1.3.2.4 The employee is transferring to another agency mid pay period. The employee shall complete a separate Employee Time Entry Manual Entry form for each agency worked.
    - 1.3.2.5 The employee is involuntarily separating.
- 1.4 Supervisor Responsibilities – Supervisors shall:
  - 1.4.1 Complete the attendance record for an employee who is unable to submit their attendance record before the deadline. The supervisor shall indicate the reason for the employee’s failure to submit his/her time on the signature line of the PAR or as a comment on ETE.
  - 1.4.2 Forward all reported paid overtime and supporting documents to the Warden, Administrator or designee for approval.
  - 1.4.3 Approve the completed attendance record.
  - 1.4.4 Report last minute changes involving employee attendance, through the timekeeper, to the Payroll Unit by noon, on the Tuesday after pay period end week. Holidays may cause this deadline to be moved up by one day.

## 2.0 OVERTIME COMPENSATION

- 2.1 Eligibility for Overtime and Extra Hours Compensation – The FLSA provisions and the ADOA Personnel Rules (Arizona Administrative Codes) regarding compensation for extra hours and overtime are outlined on Attachment A, Fair Labor Standards Act (FLSA). Please see the Glossary of Terms for further clarification of the terms used in this section.
  - 2.1.1 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 Human Resources Liaison or the Payroll Unit.
  - 2.1.2 Employees may determine whether they or someone they supervise is covered or uncovered by contacting the appropriate Human Resources Liaison or access the information at Your Employee Services (YES) Program.
- 2.2 FLSA non-exempt employees shall receive hour-for-hour pay for extra hours worked, up to 40 hours physically worked in the work week. 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 (FLSA Non-Exempt Employees Only), Form 512-6.
- 2.3 Due to the fiscal impact of paying employees for extra hours, caution shall be used by supervisors when scheduling employee work time and leave. A supervisor shall adjust schedules during the work period, when practical, to avoid unnecessary overtime and extra hours. Supervisors, timekeepers or Payroll Unit staff can, without approval from the employee, schedule adjust any leave (i.e., sick leave and sick family) if compensation earned or overtime is in the same week to avoid paying out extra time.
- 2.4 Overtime Compensation Election by FLSA Non-Exempt Employees – Institution Human Resources or Central Office Human Resources staff shall ensure during employee orientation, all new employees in FLSA non-exempt positions, either covered or uncovered, complete an Overtime Compensation Election (FLSA Non-Exempt Employees Only) form to choose the method of overtime compensation the employee wishes to receive.
  - 2.4.1 Selection - The employee shall complete an Overtime Compensation Election (FLSA Non-Exempt Employees Only) form, which shall indicate agreement between the employee and the Department, and shall select one of the following:
    - 2.4.1.1 Compensatory leave only
    - 2.4.1.2 Either compensatory leave or cash payment (subject to the Department’s authorization and availability of funds)
    - 2.4.1.3 Cash payment only
  - 2.4.2 Revised Elections - Employees may change their election at any time after the initial implementation by submitting a new Overtime Compensation Election (FLSA Non-Exempt Employees Only) form to their Human Resources Liaison.



- 2.4.3 Failure to Elect Form of Compensation – If an employee fails or refuses to complete an Overtime Compensation Election (FLSA Non-Exempt Employees Only) form, the employee shall receive the default election of “either”, as described in 2.4.1.2 of this section.
- 2.4.4 Processing the Elections - Within five workdays after receiving an employee's new/revised Overtime Compensation Election (FLSA Non-Exempt Employees Only) form, the Human Resources Liaison shall sign and date the form and make distribution.
- 2.4.5 Updating the Personnel and Payroll Databases – The Human Resources Operations Unit shall:
  - 2.4.5.1 Upon receiving the Overtime Compensation Election (FLSA Non-Exempt Employees Only) forms, update the HRIS database 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.
  - 2.4.5.2 Update the HRIS database each time:
    - 2.4.5.2.1 A new FLSA non-exempt employee completes an Overtime Compensation Election (FLSA Non-Exempt Employees Only) form.
    - 2.4.5.2.2 FLSA non-exempt employees change their overtime compensation election.
    - 2.4.5.2.3 A change in an employee's employment status results in a different FLSA status.
- 2.4.6 Management and supervisors shall not, in any manner:
  - 2.4.6.1 Influence an employee's overtime compensation election.
  - 2.4.6.2 Assign an employee to work in a status other than what the employee has selected.
  - 2.4.6.3 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 (FLSA Non-Exempt Employees Only) form.
- 2.5 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:
  - 2.5.1 Approve an employee's request for compensatory leave within a reasonable period of time based on normal and anticipated workloads, potential requirements for emergency staff and the availability of replacements for the employee taking compensatory leave.

- 2.5.2 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.
- 2.5.3 Submit the approved Employee Request for Leave, Form 512-3, to the timekeeper.

## 2.6 Accumulation of Compensatory Leave

- 2.6.1 FLSA exempt 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 exempt. The Department may either pay off compensatory leave balances or allow employees to use their compensatory leave until exhausted. Employees shall not be required to exhaust their compensatory leave prior to the use of the annual leave.
- 2.6.2 FLSA exempt employees who are exempt from receiving either overtime pay or compensation leave and are 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.

- 2.6.2.1 During any week that contains a holiday, exempt Department employees scheduled for a 4/10 work week (four days, ten hours each day) shall switch to a 5/8 (five days, eight hours each day) schedule.

- 2.6.2.1.1 Exempt Department employees shall record eight hours of holiday leave on state recognized holidays when they are not scheduled to work. The remaining four days of the week shall be treated as eight hour days of either actual work, or eight hour increments of leave charged (e.g., annual leave).

- 2.6.3 Supervisors shall ensure:

- 2.6.3.1 FLSA non-exempt security staff does not accumulate more than 480 hours of compensatory leave under any circumstances.

- 2.6.3.1.1 FLSA non-exempt security staff may be paid compensatory hours in excess of 480 hours.

- 2.6.3.2 FLSA non-exempt non-security staff does not accumulate more than 240 hours of compensatory leave under any circumstances.

- 2.6.3.2.1 FLSA non-exempt non-security staff may be paid for compensatory hours in excess of 240 hours.

- 2.7 Prior Approval and Control of Overtime/Extra Hours – Close control of overtime activity by supervisors is essential. FLSA exempt employees are ineligible for overtime or extra hours of compensation.

- 2.7.1 Whenever possible, eligible employees shall obtain approval from their Division Director, Assistant Director, Regional Operations Director, Warden, Deputy Warden, Administrator or Unit Administrator before working unscheduled hours.
- 2.7.2 The Deputy Director, Regional Operations Directors, Division Directors, and Assistant Director shall ensure 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.
- 2.7.3 Supervisors shall ensure employees remain at work only during designated work hours.
  - 2.7.3.1 Employees shall leave the work area at the end of the assigned work hours, unless overtime is justified and authorized by the approving authority.
  - 2.7.3.2 If an FLSA non-exempt employee has a designated, unpaid lunch period, the employee may remain at the workstation, but shall not be permitted to work.
  - 2.7.3.3 Employees may not waive overtime compensation in order to remain at work over 40 hours in a work week.
- 2.8 Overtime Justification and Reporting – Supervisors at all levels shall:
  - 2.8.1 Carefully monitor unscheduled work and keep overtime to a minimum.
    - 2.8.1.1 FLSA non-exempt employees shall not be permitted to work more than 24 extra hours in one work week and shall have at least one 24-hour regular day off per work week. This limitation does not apply to Wildland Fire Crews.
  - 2.8.2 Adjust schedules during the work period, if possible, to avoid unnecessary overtime and extra hours in accordance with Department Order #524, Employee Assignments and Staffing.
  - 2.8.3 Appropriately code all extra hours, paid overtime and compensatory leave earned on the attendance records.
    - 2.8.3.1 FLSA non-exempt employees shall record overtime on their attendance record using the OT code for cash payment when an exception is authorized.
  - 2.8.4 Obtain an overtime approval on the attendance record for paid overtime from the Warden or Administrator or designee before it is entered into HRIS.
  - 2.8.5 Submit a Paid Overtime Claim, Form 512-2, and justification for unscheduled hours worked through the chain of command to the Deputy Director or Division/Assistant Director for:
    - 2.8.5.1 FLSA non-exempt employees who report compensatory time on the attendance record, but later wish to receive paid overtime.

2.8.5.2 Employees who did not report overtime hours on the attendance record. The employee shall correct the attendance on the appropriate attendance record, obtain the supervisor's initials for approval of the correction, and submit the corrected attendance record to the Payroll Unit.

2.8.6 Ensure employees report unscheduled work hours and overtime activity.

### 3.0 OVER AND UNDER PAYMENTS OF SALARY

3.1 Employees are responsible for reporting their attendance accurately and regularly reviewing their pay, taxes and benefit deductions on the YES Program, and attendance records to ensure they have been paid the correct amount. Employees shall:

3.1.1 Review their pay before the next pay period end date and report errors immediately, in writing, to their supervisors.

3.1.2 Review and certify that the "Current," "Past" and "Added to Base" portions are correct.

3.1.2.1 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 and clearly delineated. Employees using ETE shall print the prior attendance record that needs to be corrected and clearly delineate the corrections in red ink.

3.1.2.2 Upon receipt of the attendance record, the Payroll Unit shall determine the amount of overpayment or underpayment resulting from the correction and adjust the employee's next paycheck for the entire amount.

3.1.3 Notify the Payroll Unit immediately of an overpayment 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.

3.2 The Human Resources Operations Unit and the Payroll Unit shall initiate the following procedures when an overpayment or underpayment is detected:

3.2.1 Overpayment or underpayment as a result of a personnel (salary) action.

3.2.1.1 The institution Human Resources Liaison or the Human Resources Operations Unit for Central Office shall, within ten workdays of detection of the error, whether by the employee's request for an audit or other means:

3.2.1.1.1 Audit the employee's salary and notify the employee of the results by memo. The notification shall include the reason for the over or under payment.

3.2.1.1.2 Forward documents to the Human Resources Operations Unit.

3.2.1.1.3 Correct the error in the HRIS.

- 3.2.1.2 The Human Resources Operations Unit shall verify and initial the documents, and forward a copy to the Payroll Unit, who shall:
  - 3.2.1.2.1 Within ten workdays of receipt of the document, calculate a Retro Wage Adjustment when necessary.
  - 3.2.1.2.2 Collect the overpayments in accordance with 3.4 of this section.
- 3.2.2 When overpayment or underpayment is a result of a payroll action, the Human Resources Liaison shall forward the employee's request for audit or other evidence of over or under payment to the Payroll Unit, who shall:
  - 3.2.2.1 Within ten workdays of Payroll's notification of the error or detection of the error by the Payroll Unit staff, research the employee's attendance records to determine the type of error and the type of corrective action to take, and calculate the amount of over or under payment.
  - 3.2.2.2 Contact the timekeeper or Human Resources Liaison when further documentation is necessary to correct the error.
  - 3.2.2.3 In the case of underpayment, make every effort to repay the employee in the next pay period or sooner if the error has caused the employee an extreme hardship.
  - 3.2.2.4 Collect the overpayments in accordance with 3.3 of this section.
- 3.3 Collection of Overpayments
  - 3.3.1 Prior to initiating collection, the Payroll Unit shall notify the employee using the Collection of Salary Overpayment memorandum.
  - 3.3.2 If the employee chooses to repay the total overpayment with a money order or cashier's check, the Payroll Unit shall calculate and notify the employee of the amount of net salary (gross salary less corresponding taxes, deductions, etc.) overpayment.
  - 3.3.3 If the overpayment is to be collected over a number of paychecks, the Payroll Unit shall calculate the amount to be collected per paycheck:
    - 3.3.3.1 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 pay periods left within the calendar year.
    - 3.3.3.2 The amount to be collected shall not be less than \$50 per paycheck.
  - 3.3.4 If full reimbursement is not received within the same calendar year, the employee will reimburse the Department in full and an amended W-2 will be issued.
  - 3.3.5 When the employee receives paid overtime, the Payroll Unit shall collect one-half of the overtime if this amount is higher.

- 3.3.6 When the employee is eligible to receive a Department pay-off for holiday and/or compensatory leave balances at or near fiscal year-end, all of the amount shall be applied against the overpayment, in addition to the amount collected in 3.3.3 of this section.
- 3.3.7 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.
- 3.3.8 Except as outlined in 3.3.6 of this section, the Payroll Unit shall ensure the amount of the employee's gross pay does not fall below the minimum wage as established by federal law.

3.4 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.

- 3.4.1 The employee or former employee has 30 calendar days from the date of written notification to submit payment to the Payroll Unit.
- 3.4.2 If repayment, in full, is not received from the employee or former employee, the Payroll Unit shall notify the Financial Services Bureau Administrator.
- 3.4.3 The Financial Services Bureau shall forward the case to the Attorney General's Office for action.

**4.0 PAYROLL DIRECT DEPOSIT** – All state employees shall participate in the direct deposit or payroll card program pursuant to Arizona Revised Statutes (A.R.S.) §23-351.D.5, and in accordance with the SAAM.

4.1 Start Direct Deposit

- 4.1.1 Employees shall complete and forward the ADOA-GAO Authorization for Direct Deposit form and supporting documents to the Payroll Unit. Forms are available from the Human Resources Liaisons at each facility, Central Office Human Resources Operations and the Payroll Unit.
- 4.1.2 To start a direct deposit into a checking or savings account, an employee shall complete the ADOA-GAO Authorization for Direct Deposit form and attach a pre-printed, voided check. The employee's correct name and address must be printed on the check.
  - 4.1.2.1 If a voided check is not available, a letterhead document from the financial institution verifying the routing number and account number and signed by a representative of the financial institution shall be submitted with the ADOA-GAO Authorization for Direct Deposit form.

- 4.1.3 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 ADOA-GAO Authorization for Direct Deposit form.
- 4.1.4 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.

#### 4.2 Stop Direct Deposit

- 4.2.1 The employee shall complete the ADOA-GAO Authorization for Direct Deposit form, by placing first letter of the action in the "Action" box, sign, and submit it to the Payroll Unit. Generally, the direct deposit will be stopped the same pay period if the ADOA-GAO Authorization for Direct Deposit form is received in the Payroll Unit by Monday before payday.
- 4.2.2 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-GAO, who shall then prepare a warrant for the employee's pay. This procedure may take up to four weeks.
- 4.2.3 If the employee wishes to change the financial institution to which the deposits are directed, the employee shall complete an ADOA-GAO Authorization for Direct Deposit form to stop direct deposit, as outlined in 4.1.1 of this section, and place the first letter of the action in the "Action" box. 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.
- 4.2.4 The Payroll Unit shall stop direct deposits for terminated employees.
- 4.2.5 Employees who request approval for long term leave without pay shall complete an ADOA-GAO Authorization for Direct Deposit form to stop direct deposit and sign the form before approval of the leave. The Payroll Unit shall stop direct deposits at their discretion for employees on long term leave without pay.
- 4.2.6 The Payroll Unit shall verify the documents submitted by the employee for completeness and enter them into HRIS.

#### 4.3 Resolution of Problems

- 4.3.1 Problems which may occur with direct deposits include:
  - 4.3.1.1 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 ADOA-GAO. In such cases, the changes have resulted in direct deposits not being credited to the employee's bank account.

- 4.3.1.2 Occasionally, the employee has submitted an incorrect routing or account number, or ADOA-GAO/Payroll Unit enters one of these numbers incorrectly in the system.
- 4.3.1.3 An employee does not stop the direct deposit before closing the bank account.
- 4.3.2 If there is a direct deposit problem, ADOA-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.
  - 4.3.2.1 An employee who wishes to request a revolving fund check shall contact the Business Manager or designated Human Resources Liaison, who shall contact the Payroll Unit Manager to request authorization for the revolving fund. The authorization must be processed as a payroll advance and approved by the Financial Services Bureau Administrator and the State Comptroller.
  - 4.3.2.2 The employee shall sign a Revolving Fund Payroll Advance Request, which authorizes the State of Arizona to deduct the amount of the revolving fund check from the replacement warrant. The funds will be transferred to the agency at the AFIS function indicated on the form.
- 4.4 Legal Payday – Thursday is the legal payday for Department employees. Financial institutions are requested to post direct deposits to accounts by Thursday; however, the Department has no control over posting times.
  - 4.4.1 Employees should check with their financial institution to be sure that funds are available prior to withdrawing funds. This could cause a direct deposit problem that cannot be resolved by the state.

## 5.0 LEAVE ACCRUAL AND USE

- 5.1 Use of Leave – Requests for leave shall be submitted and approved in advance except under emergency situations precluding advanced notice.
  - 5.1.1 Supervisory approval shall be required for employees to use:
    - 5.1.1.1 Annual leave, holiday leave and/or compensatory leave to ensure that the leave is consistent with the needs of the Department.
    - 5.1.1.2 Other types of leave/absences (i.e., sick, bereavement, jury duty, civic duty, partial day absences and military), to ensure that the reasons for the leave/absences are consistent with the ADOA Personnel Rules.
  - 5.1.2 An employee shall have requested leave accumulated prior to placing a leave request. Leave shall not be requested or approved based only on future projected leave accrual.



- 5.1.2.1 Supervisors shall check an employee’s leave balance to ensure the leave is already accumulated before approving a request.
- 5.1.2.2 Should an employee’s leave balance fall below what is required to take off a previously approved date; that leave shall be cancelled. An approved Yearly Vacation Request (January 1 – December 31), Form 512-17, or the Employee Request for Leave form shall not be authorization to take leave without pay.
- 5.1.3 Approved Leave
  - 5.1.3.1 Once leave is approved, the leave shall not be:
    - 5.1.3.1.1 Rescinded because another employee with more seniority requests annual leave during the same period.
    - 5.1.3.1.2 Cancelled due to staffing changes or rotation outside the employee’s control except under significant staffing necessity and review by the unit Chief of Security and/or Administrator.
  - 5.1.3.2 Should an employee promote, transfer or accept a new assignment at their own request, the leave request shall be resubmitted and is subject to reconsideration under the circumstances of the new assignment.
    - 5.1.3.2.1 Supervisors of transferred or promoted staff shall accommodate previously approved leave if possible.
    - 5.1.3.2.2 Approved leave may be denied at the new work location if current staffing levels would not allow additional leave on the dates in question.
- 5.2 FLSA Provisions for Use of Leave – FLSA provisions for leave for the various categories of positions are shown on Attachment A.
- 5.3 Annual Leave Approval (Yearly Vacation Requests) For Correctional Series Staff – Yearly vacation requests shall be approved in accordance with the seniority guidelines. (See the Glossary of Terms.)
  - 5.3.1 Staff in a correctional job classification, or a job classification deemed necessary by management, shall submit a Yearly Vacation Request form, November 15 through November 30 each year.
    - 5.3.1.1 Staff in a correctional job classification, or a job classification deemed necessary by management, who are not requesting any leave shall complete the “Not Requesting Leave” section of the Yearly Vacation Request form.
    - 5.3.1.2 All staff shall be responsible to schedule annual leave to ensure leave balances are at or below the maximum carryover limits by the end of the current calendar year.

- 5.3.2 Supervisors shall:
  - 5.3.2.1 Meet with those employees who have accumulated excess balances and develop a written plan to reduce leave liability by scheduling leave.
    - 5.3.2.1.1 Leave shall be scheduled not later than one-hundred (100) days prior to the leave use deadline and shall be scheduled as availability permits. Prior approved leave of other employees shall not be cancelled.
  - 5.3.2.2 Monitor employee leave balances.
  - 5.3.2.3 Ensure all Yearly Vacation Request forms are reviewed, copied and returned to employees no later than December 15.
  - 5.3.2.4 Maintain a copy of each of their employees Yearly Vacation Request form. The original shall be provided to the Chief of Security. Should an employee move to a new shift or work location, the Chief of Security shall ensure the original Yearly Vacation Request form is provided to the new Chief of Security.
- 5.3.3 Leave shall be approved up to the maximum number of employees allowed off each day as permitted for that unit and shift. Once the approved number off is reached, that day is considered filled.
- 5.3.4 Employees may request between 8 and 80 hours per request line on the Yearly Vacation Request form.
- 5.3.5 Supervisors shall rank the Yearly Vacation Requests forms in seniority order. Seniority dates shall be verified in coordination with the Human Resources Liaison or designee to ensure accuracy.
  - 5.3.5.1 The supervisor shall begin a “first pass” starting with the most senior employee. Example – “Employee A’s” first request is granted since they have the most seniority on shift. For example, “Employee A” requests Christmas and it is approved. The supervisor moves to the next most senior employee.
  - 5.3.5.2 The next most senior employee (“Employee B”) is granted their first request. Example - Again it is Christmas, since the unit can only have two employees off on annual leave per shift, Christmas is now filled. The supervisor moves to the next most senior employee.
  - 5.3.5.3 The third most senior employee’s (“Employee C”) first request is Christmas. Since Christmas has been filled the first request will be denied, and the supervisor will move to the second request, which for example is Thanksgiving, and it is approved.
  - 5.3.5.4 This continues until all employees on the shift have been reviewed once. Then a “second pass” is started. The supervisor shall return to the beginning with “Employee A.”

5.3.5.4.1 Example – By this time Christmas, Thanksgiving and New Year's all have two employees off and are filled. "Employee A's" first request was approved. The second request is Thanksgiving, which is denied because it is filled. The third request is a week in September, which is approved since it is not already filled with two employees off.

5.3.5.4.2 The supervisor shall continue until all requests are approved or denied, always moving through the requests in order of seniority.

5.4 Annual Leave Requests (other than correctional series staff) – Employee Request for Leave forms may be submitted up to 120 calendar days in advance. Approval shall be based on unit staffing requirements.

5.4.1 Leave is reviewed for approval on a first come, first served basis.

5.4.2 Leave submitted on the same day by two or more employees shall be approved in accordance with seniority guidelines.

5.4.3 If an employee is unavailable, leave requests may be submitted on their behalf.

5.4.4 Supervisors shall return reviewed Employee Request for Leave forms to the employee within seven calendar days.

5.5 Leave Balance Control and Monitoring

5.5.1 Employee leave balances are available on the YES Program. This information shall be used to monitor and schedule leave for all employees to avoid the accumulation of excessive leave usage, excessive leave balances or forfeiture of leave time at the end of the year, consistent with Department needs and with the ADOA Personnel Rules.

5.5.2 Department managers shall consider a supervisor's ability to control excessive leave balances or usage when evaluating performance.

5.5.3 FLSA exempt employees shall not be required to report leave taken or to have leave balances reduced when less than one full workday has been taken, unless the time off is for scheduled FMLA absences.

5.5.4 FLSA non-exempt employees shall have leave balances reduced on an hour per hour basis.

5.6 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.

5.6.1 Temporary, emergency and intern positions - These types of positions are eligible only for:

5.6.1.1 Administrative leave

5.6.1.2 Military leave

- 5.6.1.3 Civic duty leave for the purpose of voting
- 5.6.2 Part-time positions in which employees work less than one-quarter time
- 5.7 Eligible employees working less than full-time accrue leave based on the percentage of time worked as follows:
  - 5.7.1 Less than 25% - No time accrued
  - 5.7.2 At least 25% but less than 50% - 25% of full-time accrual rate
  - 5.7.3 At least 50% but less than 75% - 50% of full-time accrual rate
  - 5.7.4 At least 75% but less than 100% - 75% of full-time accrual rate
  - 5.7.5 At 100% - Full-time accrual rate
- 5.8 Sick Leave Accrual, Accumulation and Use
  - 5.8.1 All eligible full-time employees shall accrue 3.7 hours of sick leave bi-weekly. Accrued sick leave is available for use on the first day of the following pay period.
  - 5.8.2 Sick leave benefits shall accrue without limit.
  - 5.8.3 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, Employee Attendance and Department Order #601, Administrative Investigations and Employee Discipline.)
  - 5.8.4 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 FMLA in accordance with Department Order #519, Employee Health – State/Federal Programs and Assignment.
  - 5.8.5 Employees who separated from state service may:
    - 5.8.5.1 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 most recent information can be assessed at the ADOA-GAO website.
    - 5.8.5.2 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.
  - 5.8.6 In all other instances, all unused sick leave shall be forfeited.

## 5.9 Annual Leave Accrual and Accumulation

5.9.1 Eligible full-time covered employees shall accrue annual leave in accordance with the following schedule:

Credited Service	Hours Bi-weekly
Fewer than 3 years	3.70
3 years but fewer than 7 years	4.62
7 years but fewer than 15 years	5.54
15 years or more	6.47

5.9.2 An uncovered employee shall accrue annual leave at the rate of 6.47 hours bi-weekly, if:

5.9.2.1 The employee's hire date is prior to September 29, 2012 and the employee has remained employed without a break in service since that date.

5.9.2.2 The employee was either uncovered prior to September 29, 2012 or became uncovered, pursuant to A.R.S Title 41, Chapter 4, Article 4.

5.9.2.3 The employee is in a political appointment position, pursuant to A.R.S. §41-742(F).

5.9.3 Eligible full-time uncovered employees hired after September 29, 2012, or current employees who became uncovered after September 29, 2012, shall accrue annual leave in accordance with the following schedule:

Credited Service	Hours Bi-weekly
Fewer than 3 years	4.00
3 years but fewer than 9 years	5.54
9 years or more	6.47

5.9.4 As of the last day of the last pay period of any calendar year (typically in early January):

5.9.4.1 For covered employees, any annual leave in excess of 240 hours shall be forfeited.

5.9.4.2 For non-covered employees, any annual leave in excess of 320 hours shall be forfeited.

5.9.5 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.

- 5.9.5.1 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.
- 5.9.5.2 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 Unit Manager for processing.
- 5.9.6 Upon Separation from State Service - An employee who separates from state employment shall be paid all unused and un-forfeited annual leave at the employee's current rate of pay.
  - 5.9.6.1 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 3.0 of this Department Order.
- 5.10 Military Leave – Employees are required to provide advance notice of military service. This notice may be given in writing or verbally. The only exceptions to this would be if military necessity prevents the giving of notice or, the giving of notice is impossible or unreasonable.
  - 5.10.1 Paid military leave is a benefit given to employees who have a temporary leave of absence for active military duty, training duty or to attend camps, maneuvers, formations or armory drills. Paid military leave shall be authorized for up to 240 hours in any two consecutive federal fiscal years, which run from October 1 through September 30.
    - 5.10.1.1 Paid military leave shall be applied to the employee's normally scheduled workday up to 240 hours every two consecutive federal fiscal years.
      - 5.10.1.1.1 An employee may take annual, compensatory time, holiday leave or military leave without pay (pay code 640) to complete the period of military leave.
      - 5.10.1.1.2 Prior to taking paid military leave, the employee shall submit the written military orders to the Payroll Unit. Written military orders may be on the letterhead of the military branch and may contain the employee's social security number. Military orders shall contain the employee's name, the specific date the military order was written, and a start and end date for required military obligation. The military orders shall also be signed by the Military Unit Supervisor (Military Rank E-7 and above) and have point of contact information for the Military Unit Supervisor. Refer to Attachment C, Military Order Samples. For additional samples and military rank information, go to [www.military.com](http://www.military.com). *[Revision – May 30, 2018]*

5.10.1.1.3 Paid military leave may be used for normally scheduled workday hours, to include, if needed, sufficient time for travel and rest, as required by The Uniformed Services Employment and Re-employment Rights Act of 1994 (USERRA), before and/or after the military obligation until all available paid military leave hours are exhausted. At such time, the employee shall be placed on Military Leave Without Pay code 640 unless the employee authorizes the use of annual, compensatory time or holiday leave (Military Duty Activation, Form 512-14) to cover the remainder of the military absence. If authorized, the appropriate leave balances will be utilized until the employee returns to work. ***[Revision – May 30, 2018]***

5.10.1.1.4 If the employee does not have paid military leave or appropriate leave balances to utilize, the employee will be paid on a military leave without pay status.

5.10.1.1.5 **SECTION DELETED *[Revision – May 30, 2018]***

5.10.2 Employees shall not be required or permitted to work on a day when military leave is taken or in conjunction with a military leave of absence.

5.10.3 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 attendance record as absent without approval.

5.10.4 The Verification of Military Drill Attendance form shall be completed and signed by the employee and the employee's supervisor. The Military Unit Supervisor (Military Rank E-7 and above) or authorized military representative shall complete and sign the form validating the claim prior to submission to the Payroll Unit, and prior to paid military leave being utilized. ***[Revision – May 30, 2018: Section 5.10.4 and 5.10.4.1]***

5.10.4.1 If the Verification of Military Drill Attendance form and/or copy of the military orders are not provided timely, and the employee is claiming military leave, available leave balances shall be charged only if the employee has authorized the use of the appropriate leave balances by completing the Military Duty Activation form or other written correspondence. Upon receipt of the Verification of Military Drill Attendance form and/or military orders, the appropriate leave balances shall be adjusted accordingly.

5.10.5 An employee may participate in an annual, two-week summer encampment by submitting a written request for military leave to their immediate supervisor at least 30 calendar days in advance when possible. The employee's military orders shall be attached to the request, if the military orders are available.

- 5.10.6 Employees who do not receive their military orders or letter before mobilizing may fax, mail or email a copy to their immediate supervisor once they receive their orders after being mobilized, or submit a copy within five workdays after returning to work. Verification of military duty shall be documented as outlined in 5.10.1.1.2, 5.10.4 and 5.10.4.1 of this section. Supervisors shall forward the military orders to their Human Resources Liaison who shall forward a copy to the Central Office Human Resources Operations and the Payroll Unit.
- 5.10.7 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.
- 5.10.8 Supervisors and timekeepers shall ensure all military leave is documented and any orders, letters and/or verifications are forwarded to the Human Resources Office and the Payroll Unit as soon as possible.
- 5.10.9 **SECTION DELETED [Revision – May 30, 2018]**

#### 5.11 Military Deployment Transition Plan

- 5.11.1 Pre-deployment – Department employees with military obligations shall notify their chain of command, if possible, prior to leaving for military service. Notification may be given orally or in writing. 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 calendar days, command staff, upon receipt of oral or written notice, shall refer the military member to the appropriate Human Resources Liaison for pre-deployment processing.
  - 5.11.1.1 At the service member's discretion the appropriate Human Resources Liaison shall, in coordination with the military member:
    - 5.11.1.1.1 Complete the Military Duty Activation form.
    - 5.11.1.1.2 Advise the appropriate Department Critical Incident Response Team (CIRT) Program Coordinator of the deployment.
    - 5.11.1.1.3 Coordinate with Department CIRT leaders to ensure ongoing contact is made regularly with specified family members.
    - 5.11.1.1.4 Ensure ongoing communication via email or regular mail.
- 5.11.2 Post Deployment – Prior to returning to their work assignment, employees away on military leave in excess of 180 calendar days shall contact their Human Resources Liaison or designated staff to coordinate their return and to discuss post deployment transition processing.



- 5.11.2.1 Upon completion of military leave, a copy of the military orders or United States Department of Defense, Certificate of Release or Discharge from Active Duty, Form DD-214 or Verification of Military Drill Attendance, Form 512-4, for the purpose of Military Pay, shall be submitted to the Payroll Unit within five workdays upon return to work. The Payroll Unit shall determine whether or not the military service is a Presidential Call-Out, which would then authorize the Payroll Unit to make the retirement contribution. The retirement contribution shall not be authorized for any other military obligation. **[Revision – May 30, 2018: Sections 5.11.2.1 thru 5.11.2.5]**
- 5.11.2.2 The Human Resources Office shall coordinate the employee’s reinstatement by contacting the Staffing Unit, On-Site Training Officer and CIRT.
- 5.11.2.3 The appropriate CIRT member shall ensure the military member has an opportunity to express any concerns. The CIRT member shall initiate three, six, and nine month “welfare checks” with the military member following this initial meeting.
- 5.11.2.4 The On-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.
  - 5.11.2.4.1 Security Series – Refresher training topics for security series staff shall include core competencies, weapons qualifications, Arizona Peace Officer Standards and Training Board (AZPOST) standards updates, Department Order updates, strategic plan updates, or other topics pertinent to the staff member’s job position.
  - 5.11.2.4.2 Non-security series staff shall receive an Individual Refresher Training Plan focusing on refresher training in accordance with their specific job duties.
- 5.11.2.5 For security staff, upon return to their home unit assignment, command staff shall ensure military members complete the 40 hours On the Job Training (OJT) with a Field Training Officer (FTO). The 40 hour OJT should be completed prior to the military members’ being assigned to their own post.
- 5.11.3 The Human Resources Operations Administrator and the Human Resources Liaisons shall remain knowledgeable and current on USERRA regulations. If a report of a potential USERRA related violation or complaint is received, they shall immediately notify the military member’s chain of command, the Employee Assistance Program Coordinator, and the Employee Assistance Program Administrator, who will contact the military member in attempt to resolve the issue informally. **[Revision – May 30, 2018]**

5.12 State Employees Charitable Campaign (SECC) Leave – Department employees shall be permitted sufficient time during the workday to allow them to reasonably participate in and solicit for the SECC and related charitable activities, such as the Law Enforcement Torch Run to benefit the Special Olympics. SECC related activities shall be:

5.12.1 Entirely voluntary.

5.12.2 During times scheduled by the Agency Campaign Coordinator and designees.

5.12.3 Scheduled with advance notice and supervisor authorization.

5.12.4 Coordinated to minimize interruptions in the workplace by limiting the authorized campaign activities to those authorized by the Director and designees.

5.12.5 Compliant with Governor’s Executive Order 2005-20, ADOA Rules and Arizona State Policy.

5.13 National Disaster Medical System (NDMS) Leave - Any employee who has enrolled with the NDMS as a civilian medical specialist may be engaged in training duty during which time they would be on paid leave, or be on deployment during which time they would be on leave without pay and may qualify for differential pay. Time spent by an employee on NDMS training duty or NDMS employment is considered continuous state employment.

5.13.1 NDMS Training Duty

5.13.1.1 An employee who is required to attend NDMS training shall notify their supervisor of the need for the leave with as much advance notice as possible.

5.13.1.1.1 All leave for NDMS training duty is charged to pay code 355, attendance code ND.

5.13.1.1.2 At the conclusion of the NDMS training duty, the employee is returned to the same position as that occupied at the start of the leave.

5.13.1.2 An employee who is on NDMS training duty:

5.13.1.2.1 Is entitled to be absent with pay for the number of hours regularly scheduled to work on all days the employee is on training duty.

5.13.1.2.2 If in a position and status that are leave and benefits-eligible, continues to accrue annual and sick leave if in pay status for at least one-half the employee's scheduled work hours each pay period and remains benefits-eligible if in pay status for at least 20 hours per work week.

5.13.2 NDMS Employment by the United States (U.S.) Department of Health and Human Services

5.13.2.1 An employee who is activated for NDMS employment shall notify their supervisor of the activation with as much advance notice as possible and contact the agency's benefits liaison to determine if their health insurance benefits will be impacted by the NDMS employment.

5.13.2.1.1 If the employee is eligible for differential pay, all leave for NDMS employment is charged to pay code 385, attendance code ND.

5.13.2.1.2 At the conclusion of the NDMS employment, the employee's reemployment rights are governed by USERRA.

5.13.2.2 An employee who is called into NDMS employment is entitled to an additional leave of absence until released from NDMS employment. During the period of deployment, the employee shall be deemed to be on authorized leave without pay.

5.13.2.2.1 An employee who is a civilian medical specialist and is activated may be qualified to receive (for the period of deployment) the equivalent of their state salary or compensation, computed with reference to their adjusted state hourly rate, less the sum of all NDMS pay and allowances received during the period of deployment. Documentation of all NDMS pay and allowances received during the period of deployment shall be submitted to the Payroll Unit.

5.13.2.2.2 If drawing NDMS differential pay, the employee does not accrue annual or sick leave during the period of active duty. The employee is required to provide, within 60 calendar days of receiving differential pay, proof of honorable service while on active duty during which the employee received the differential pay. The Department may recover any differential pay from an employee who cannot provide proof of honorable service.

5.13.2.2.3 An employee who is activated has employment and reemployment rights under the USERRA.

5.14 Victim's Leave – An employee who is the victim of a crime shall be permitted to be absent from work to be present at the following proceedings that specifically relate to the victim's case:

5.14.1 Any juvenile court proceedings, to include:

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

5.14.1.2 Detention hearing or post-arrest detention hearing

- 5.14.1.3 Plea negotiation
- 5.14.1.4 Predisposition or disposition proceeding
- 5.14.1.5 Probation modification, disposition, revocation or termination proceeding
- 5.14.1.6 Post-adjudication release proceeding or a re-examination proceeding
- 5.14.2 Proceedings covered by:
  - 5.14.2.1 Notice of post adjudication release; right to be heard; hearing; final decision (A.R.S. §8-395)
  - 5.14.2.2 Proceedings; right to be present (A.R.S. §8-400)
  - 5.14.2.3 Detention hearing (A.R.S. §8-401)
  - 5.14.2.4 Post arrest detention decisions (A.R.S. §8-402)
  - 5.14.2.5 Plea negotiation (A.R.S. §8-403)
  - 5.14.2.6 Impact statement; predisposition report (A.R.S. §8-404)
  - 5.14.2.7 Disposition (A.R.S. §8-405)
  - 5.14.2.8 Probation modification, revocation disposition or termination proceedings (A.R.S. §8-406)
  - 5.14.2.9 Effect of failure to comply (A.R.S. §8-415)
- 5.14.3 Any adult court proceeding, to include:
  - 5.14.3.1 All criminal proceedings in which the defendant has a right to be present
  - 5.14.3.2 Initial appearance
  - 5.14.3.3 Post-arrest custody hearing
  - 5.14.3.4 Plea negotiation
  - 5.14.3.5 Sentencing
  - 5.14.3.6 Probation modification, disposition, revocation or termination proceedings
  - 5.14.3.7 A post-conviction release proceeding or a re-examination proceeding.
- 5.14.4 Proceedings covered by:
  - 5.14.4.1 Notice of post-conviction release; right to be heard; hearing; final decision (A.R.S. §13-4414)
  - 5.14.4.2 Criminal proceedings; right to be present (A.R.S. §13-4420)
  - 5.14.4.3 Initial appearance (A.R.S. §13-4421)

- 5.14.4.4 Post-arrest custody decisions (A.R.S. §13-4422)
- 5.14.4.5 Plea negotiation proceedings (A.R.S. §13-4423)
- 5.14.4.6 Sentencing (A.R.S. §13-4426)
- 5.14.4.7 Probation modification, revocation disposition or termination proceedings (A.R.S. §13-4427)
- 5.14.4.8 Effect of failure to comply (A.R.S. §13-4436)
- 5.14.5 The Department shall not compensate an employee who attends a court-related proceeding with regular hours. The employee may use accrued annual leave, compensatory leave or leave without pay to attend the court related proceedings.
  - 5.14.5.1 In accordance with Personnel Rules R2-5A-D604, Victim Leave, an employee shall use their available sick leave, compensatory leave or annual leave for such absence. If an employee exhausts all sick leave, compensatory leave and annual leave, he/she shall be placed on leave without pay.
- 5.14.6 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.
- 5.14.7 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.
- 5.14.8 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 and/or the Department's Office of Victim Services for information regarding victim's rights.
- 5.14.9 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.
- 5.14.10 All information involving victim's leave, including record keeping is confidential. All records shall be processed as outlined in Department Order #507, Employee Records.
- 5.14.11 Supervisors shall contact 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.

- 5.15 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:
- 5.15.1 Verify that the contributor's annual leave balance is sufficient for the requested contribution.
  - 5.15.2 Convert contributor hours to recipient hours.
  - 5.15.3 Transfer converted leave to the recipient's balance.
  - 5.15.4 Record the transfer on the contributor's attendance screen.
  - 5.15.5 File and retain the original of approved requests for four years from the date of receipt.
  - 5.15.6 Return rejected requests to the requesting employee.
  - 5.15.7 Return unused contributed leave, if any, to the contributor.
- 5.16 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 ADOA-GAO Employee Interagency Annual Leave Contribution and Restoration, Form GAO-209, directly to their agency's Payroll Unit.
- 5.16.1 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.
  - 5.16.2 The donating employee shall provide the necessary information about themselves, the number of hours to be donated and their relationship to the recipient.
  - 5.16.3 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.
  - 5.16.4 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.
  - 5.16.5 Unused donated leave shall be returned to donors in proportion to their contributions.
- 5.17 Living Donor Leave – Absence from work for the purpose of living donor leave pursuant to A.R.S. §41-706.
- 5.17.1 Employees may be absent with pay for up to five workdays to serve as a bone marrow donor and up to 30 workdays to serve as an organ donor.
  - 5.17.2 Employees must provide his/her supervisor with written verification that the employee is to serve as a donor.

5.17.3 Living Donor Leave will be paid by the Department and will not be deducted from the employee's leave balances.

5.17.4 Living Donor Leave will not be counted as FMLA leave, unless the employee develops a serious health condition or otherwise becomes qualified under FMLA.

5.18 Voting – Absence from work for the purpose of voting pursuant to A.R.S. §16-402 and ADOA Personnel Rule R2-5A-B606.

5.18.1 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:

5.18.1.1 There are less than three consecutive hours, between the opening of the polls and the beginning of the employees regular work hours; or

5.18.1.2 There are less than three consecutive hours between the end of the employee's regular work shift and the closing of the polls.

5.18.1.3 The employee has submitted a leave request to his/her supervisor prior to the day of the election.

5.18.1.4 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.

5.18.2 These provisions for voting do not apply to employees who have already voted by mail.

**6.0 TRANSFER OF ANNUAL LEAVE** – Employees may transfer accumulated annual 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.

6.1 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 Resources Operations Unit through the appropriate Human Resources Liaison. The following verification documents shall be attached:

6.1.1 The attending health care practitioner's statement, on an appropriate form or letterhead, verifying:

6.1.1.1 The dates the illness or injury commenced and date employee became unable to work, if different.

6.1.1.2 Full diagnosis of the illness and/or extent of injury.

- 6.1.1.3 That the illness and/or injury are seriously incapacitating.
- 6.1.1.4 The prognosis to include the anticipated date the employee may return to work.
  - 6.1.1.4.1 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.
  - 6.1.1.4.2 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.
  - 6.1.1.4.3 The supervisor shall forward the medical documentation to the Human Resources Liaison who shall review and forward the document to the Human Resources Operations Unit. If approved, the recipient may continue to receive partial annual leave transfer payments while released to work part time.
  - 6.1.1.4.4 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.
- 6.1.2 A certification by the employee or the employee's representative, if an immediate family member has a seriously incapacitating illness or injury, that:
  - 6.1.2.1 The immediate family member is the employee's child, either natural, adopted, foster or step, or the employee's spouse or parent.
  - 6.1.2.2 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.
- 6.2 Agreement Approval/Disapproval – Upon receipt of an Agreement to Receive Annual Leave Contributions, the Human Resources Operations Unit Administrator or designee under authority delegated by the ADOA shall:
  - 6.2.1 Review the Agreement to Receive Annual Leave Contributions form for completeness and supporting documents attached.
  - 6.2.2 Approve or disapprove the request and complete the section of the agreement that is marked "Human Resources Operations Use Only."
    - 6.2.2.1 Annual leave contributions are effective the first day of the pay period in which the completed request is received in the Human Resources Operations Unit but not earlier than the date of application.



- 6.2.2.2 If donated leave is to be used in a specific pay period, the donation of the leave shall be processed during or before the last day of the pay period. If the donation is not processed before the pay period ends, then the leave shall not be available to the recipient to use until the next pay period. In order for the donated annual leave contributions to be applied timely, contributions shall be in the Payroll Unit by noon on the Friday of the pay period end week.
- 6.2.2.3 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 the Payroll Unit or the effective date of the annual leave contribution approval as determined in 6.2.2.1 of this section, whichever is later.
  - 6.2.2.3.1 The approved Agreement to Receive Annual Leave Contributions form shall be distributed to the Human Resources Operations Unit, Human Resources Liaison, Payroll Unit, and the requestor.
- 6.2.2.4 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.
- 6.2.2.5 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.
- 6.2.2.6 Donor information is confidential and shall not be released to the employee requesting donations.
- 6.2.3 File and retain the original of approved/disapproved agreements, along with documentation for four years from the date of receipt.
- 6.2.4 Return rejected agreements with reasons for the rejection to the submitting employee or representative, and provide a copy to the employee's Human Resources Liaison.
- 6.3 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.
  - 6.3.1 The recipient shall notify their supervisor of changes that will affect their eligibility to receive annual leave donations. The supervisor shall notify the Human Resources Liaison of the changes.
  - 6.3.2 The Human Resources Liaison shall notify the Human Resources Operations Unit and the Payroll Unit that the need for leave donations is no longer necessary. Human Resources Liaisons shall receive a copy of the Long-Term Disability notice from the Human Resources Operations Unit.

- 6.3.3 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.
- 6.4 Disagreements – Employees who disagree with the reasons for a rejected agreement may revise and resubmit the previously rejected agreements to the Human Services Bureau Administrator and include any additional documentation that is pertinent for reconsideration of the request.
- 6.5 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.
  - 6.5.1 The recipient shall submit a copy of the medical documentation substantiating the partial medical release to the appropriate supervisor.
    - 6.5.1.1 The medical release shall also indicate that the recipient is still recovering from the same illness.
    - 6.5.1.2 The supervisor shall forward the medical documentation to the Human Resources Operations Unit.
  - 6.5.2 If approved, the recipient may continue to receive partial annual leave transfer payments while released to work part time.
  - 6.5.3 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.
  - 6.5.4 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.
  - 6.5.5 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.

## **7.0 PAYOUT FOR ACCRUED LEAVE**

- 7.1 Payout of Unused Compensatory Leave – Any employee who:
  - 7.1.1 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 Personnel System, shall receive cash payment for the balance of compensatory leave at the final pay rate received by the employee.

7.1.2 Transfers to another State Personnel 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 balance.

7.2 Accrued Compensatory or Holiday Leave Balances – The Director may authorize payment to an employee at any time for all or any portion of the employee's accrued compensatory or holiday leave balances, provided funding is available. The Department may pay holiday time rather than allowing an employee to accrue holiday leave.

7.3 Payment of Annual Leave to Non-Separating Employees – The Director may initiate the payment of annual leave to an employee at any time, subject to funding availability, with notice to the employee. Similarly situated employees shall be provided equal consideration. If the payment would result in reducing the employee's annual leave balance below 240 hours for covered employees and 320 hours for uncovered employees, the employee's consent is required.

7.3.1 Any annual leave hours approved for payment shall be paid at the employee's current rate. The payment, if approved, shall be paid on the next regular payroll cycle. Employer-initiated payments of annual leave are taxable as income, and are subject to retirement contributions in both the Arizona State Retirement System (ASRS) and the Corrections Officer Retirement Plan (CORP), which is a subsidiary of the Public Safety Personnel Retirement System (PSPRS).

7.3.2 An employee who receives payment for annual leave may not "buy back" the leave at a later date for the purpose of restoring the annual leave hours to the employee's leave balance.

7.3.3 Donated annual leave received from other employees shall not be paid out. Donated annual leave must be used or, if the recipient employee recovers before using all the leave, or the need for the leave is otherwise abated, the unused donated leave shall be returned to the donating employee(s).

**8.0 MERITORIOUS SERVICE LEAVE** – The Department recognizes exemplary or meritorious service and extraordinary contributions to employees or teams by providing paid meritorious leave.

8.1 Meritorious Service Leave Eligibility – Meritorious service leave is only available to uncovered employees, with the exception for employees in covered positions classified as Correctional Officers I, II, III or Community Corrections Officers. Employees shall receive a "Meets Expectations" rating or better on each rating factor on their most recent Employee Performance Evaluation.

8.2 Categories of Meritorious Service Leave – Meritorious service leave may be granted in the following categories, as specified in Attachment B, Eligible Employees and Nomination Processes for Meritorious Service Leave.

8.2.1 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.

- 8.2.2 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).
- 8.3 Nomination Process – The nomination processes are described in Department Order #506, Employee Recognition Program, and in Attachment B.
- 8.4 Distribution of Meritorious Service Leave
  - 8.4.1 No more than 5% of the agency’s employees may receive meritorious service leave per year unless an exception is granted by the ADOA Director.
  - 8.4.2 Meritorious service leave shall be limited to no more than 24 hours of leave per employee and be prorated for less than full-time employees.
    - 8.4.2.1 Exemplary Employee Service Award winners shall receive 24 hours of meritorious service leave.
    - 8.4.2.2 Extraordinary Contribution to Accomplishing the Department's Goals employees shall receive a maximum of:
      - 8.4.2.2.1 Eight hours per employee for suggestions of a moderate impact.
      - 8.4.2.2.2 Twenty-four hours per employee for suggestions of exceptional impact.
  - 8.4.3 Employees approved for other meritorious service leave in accordance with this Department Order shall receive the specific number of hours as determined by the Director.
  - 8.4.4 The Chief Human Resources Officer shall:
    - 8.4.4.1 Keep a running total of meritorious service leave hours used.
    - 8.4.4.2 Ensure necessary documents are prepared so that approved employees are notified.
    - 8.4.4.3 Provide the Department's Payroll Unit Manager with the number of hours to be credited to the employee's meritorious service leave account and the date the leave expires.
- 8.5 Use of Meritorious Service Leave
  - 8.5.1 The employee shall take meritorious service leave within 12 months of receipt.
  - 8.5.2 Unused leave not taken during the allocated time period shall be forfeited.
  - 8.5.3 Meritorious service leave shall not be transferred to another state agency if the employee changes agencies.

8.5.4 An employee who separates from state service shall not be paid for unused meritorious service leave.

8.5.5 The employee shall enter pay code 371 on the attendance record when meritorious service leave is taken.

**9.0 ARIZONA CORRECTIONAL INDUSTRIES (ACI) - INCENTIVE PAYMENT PLANS** – the Division Director for Inmate Programs and Reentry shall approve the Industrial Sales Incentive Payment Plan and the ACI Management Incentive Plan targets in accordance with ACI Technical Manuals.

**10.0 REASONABLE BREAK TIME FOR NURSING MOTHERS** – Employees intending to express breast milk during the workday shall submit a completed Reasonable Break Time for Nursing Mothers, Form 512-23, to their supervisor prior to returning to work. The Reasonable Break Time for Nursing Mothers form shall be available by contacting the appropriate Human Resources Liaison.

10.1 Employees shall be provided paid time for a minimum of two 15-minute intervals a workday to express breast milk for nursing children for the first year of the child’s life. Employees may use their private office or designated area to express breast milk and may store the milk in their own cooler packs.

10.2 The Warden/Bureau Administrator shall ensure an area, other than a bathroom, is designated at each location. The designated area shall be private and sanitary (free from intrusion and view from other employees and the public); contain an electrical outlet, a door with a lock, a comfortable chair, and have nearby access to running water.

## **IMPLEMENTATION**

The Division Director for Inmate Programs and Reentry shall ensure 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.

## **DEFINITIONS/GLOSSARY**

Refer to the Glossary of Terms

## **ATTACHMENTS** *[Revision – May 30, 2018]*

Attachment A - Fair Labor Standards Act (FLSA)

Attachment B - Eligible Employees and Nomination Processes for Meritorious Service Leave

Attachment C – Military Order Samples

## **FORMS LIST** *[Revision – May 30, 2018]*

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 (FLSA Non-Exempt Employees Only)

512-7, Application to Carry Forward Excess Leave

512-8, Request for Approval of Unscheduled Work Hours

512-14, Military Duty Activation  
512-17, Yearly Vacation Request (January 1 – December 31)  
512-23, Reasonable Break Time for Nursing Mothers

## **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; Classification  
A.R.S. §13-2407, Tampering with a Public Record; Classification  
A.R.S. §13-4439, Right to Leave Work; Scheduled Proceedings; Counseling; Employment Rights; Nondiscrimination; Confidentiality; Definition  
A.R.S. §23-391, Overtime Pay; Work Week  
A.R.S. §26-168, Absence from Employment for Military Duty; Vacation and Seniority Rights; Violation; Classification  
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 Certain Federal Training; Definition  
A.R.S. §38-610.01, Leave of Absence and Compensation for Officers and Employees During Active Military Service  
A.R.S. §38-610.02, Leave of Absence and Compensation for National Disaster Medical System Employment  
A.R.S. §39-161, Presentment of False Instrument for Filing; Classification  
A.R.S. Title 41, Chapter 4 - Department of Administration and Personnel Board, Articles 4, 5, and 6 - State Personnel System, Covered Service, and State Personnel Board  
A.R.S. §41-1492 et seq., Arizonans With Disabilities Act of 1992  
A.A.C. R2-5A-B602, Annual Leave  
A.A.C. R2-5A-B604, Administrative Leave  
A.A.C. R2-5A-B607, Compensatory Leave  
A.A.C. R2-5A-B603, Sick Leave  
A.A.C. R2-5A-B605, Bereavement Leave  
A.A.C. R2-5A-B606, Civic Duty Leave  
A.A.C. R2-5A-B609, Living Donor Leave  
A.A.C. R2-5A-B610, Leave for National Disaster Medical System (NDMS) Training  
A.A.C. R2-5A-D603, Military Leave  
A.A.C. R2-5A-D604, Victim Leave  
A.A.C. R2-5A-C602, Leave Without Pay  
A.A.C. R2-5A-B611, Meritorious Service Leave  
29 U.S.C. Section 201, Fair Labor Standards Act  
38 U.S.C. 4301 et seq., Uniformed Services Employment and Reemployment Rights Act (USERRA)  
Americans With Disabilities Act of 1990, Titles I-V  
Family and Medical Leave Act of 1993  
U.S. Civil Rights Act of 1964  
Section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C.207)

**ATTACHMENT A**

**FAIR LABOR STANDARDS ACT (FLSA)**

**OVERTIME AND EXTRA HOURS COMPENSATION**

	UNCOVERED EMPLOYEES		COVERED EMPLOYEES	
TYPE OF COMPENSATION	EXEMPT FLSA EXEMPT	FLSA NON-EXEMPT	EXEMPT FLSA EXEMPT	FLSA NON-EXEMPT
COMPENSATORY LEAVE	None	Time and 1/2	None	Time and 1/2
PAID OVERTIME	None	Time and 1/2	None	Time and 1/2
EXTRA HOURS	None	Hour for Hour	None	Hour for Hour

**LEAVE USAGE**

	UNCOVERED EMPLOYEES		COVERED EMPLOYEES	
LEAVE USAGE	EXEMPT FLSA EXEMPT	FLSA NON-EXEMPT	EXEMPT FLSA EXEMPT	FLSA NON-EXEMPT
Leaves deducted: Partial day Full day	No Yes	Yes Yes	No Yes	Yes Yes
Pay reduced for absence without leave balances: Partial day Full day	No Yes	Yes Yes	No Yes	Yes Yes

**ATTACHMENT B**

**ELIGIBLE EMPLOYEES AND NOMINATION PROCESSES  
 FOR MERITORIOUS SERVICE LEAVE**

<b>AWARD CATEGORY</b>	<b>ELIGIBLE EMPLOYEES</b>	<b>NOMINATIONS</b>
Exemplary Employee Service	Employees of the year: <ul style="list-style-type: none"> <li>• Correctional Officer (Security)</li> <li>• Correctional Officer (Programs)</li> <li>• Supervisor</li> <li>• Support</li> <li>• Administrator</li> </ul>	Employees may be nominated for the annual employee of the year award in accordance with Department Order #506, <u>Employee Recognition Program</u> .
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> .	Nominations 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/Assistant Director, Warden, Deputy Warden or Administrator.

**NOTE:** Except for employees in covered positions classified as Correctional Officer I, II, III or Community Corrections Officers, meritorious service leave is only awarded to uncovered employees, pursuant to A.A.C. R2-5A-B611(B)



**ATTACHMENT C**  
***[Revision – May 30, 2018]***

**MILITARY ORDER SAMPLES - Sample 1**

DEPARTMENT OF THE ARMY \* DELTA COMPANY 1<sup>ST</sup> BATTALION 158<sup>TH</sup> INFANTRY  
552 MILLER ROAD  
BUCKEYE ARIZONA 85396

XXXX-XXX-XXX

18 July 2017

MEMORANDUM FOR Employer of John Q. Public  
SUBJECT: Letter Orders

1. The following named individual of the National Guard of Arizona is under the provisions of Title 32, United States Code, Section 503, ordered to report to the Armory at their home station on 21 July 2017 for the purpose of annual training with the National Guard of Arizona from 21 July 2017-07 August 2017.

2. <u>LAST NAME, FIRST NAME</u>	GRADE
Public John Q	E4

3. Point of Contact for this action is the undersigned at (602) 555-1212 or john.m.smith.mil.mail.mil.

[Signature]  
John M. Smith  
SFC, AZ ARNG

SECTION 26-168 TITLE 26 ARIZONA REVISED STATUTES: Absence from employment for military pay; vacation and seniority rights; violation; penalty

A. An employer shall not refuse to permit members of the National Guard or the United States armed forces reserves to take leaves of absence from employment for the purpose of complying with competent orders of the state or United States for active duty, or to attend camps, maneuvers, formations or armory drills. The leaves of absence shall not affect vacation rights that employees otherwise have, except that an employer need not consider the period of absence as a period of work in determining eligibility for vacation and the amount of vacation pay to which the employee is entitled.

B. A member of the national guard or the United States armed forces reserves shall not lose seniority or precedence while absent under competent military orders. On return to employment the employee shall be returned to the employee's previous position, or to a higher position commensurate with the employee's ability and experience as seniority or precedence would ordinarily entitle the employee.

C. An officer or employee of this state, or any department or political subdivision of this state, who is a member of the national guard or the United States armed forces reserves shall be entitled to leave of absence pursuant to section 38-610 from the individual's duties without loss of time or efficiency rating on all days during which the individual is engaged in field training as provided by this chapter, and for a period during leave of absence not to exceed thirty days in any two consecutive years the individual is entitled to pay. For purposes of this section, an officer or employee shall not be charged military leave for days on which the individual was not otherwise scheduled for work.

D. When ordered by the governor to perform training or duty under this section or section 26-171, subsection C. section 26-172 or section 26-175, members of the Arizona national guard shall have the protections afforded to persons on federal active duty by the soldiers and sailors civil relief act of 1940 (54 Stat. 1178:50 United States Code App. sections 501 through 548 and 560 through 591) and by the uniformed services employment and reemployment rights act of 1994 ( I 08 Stat. 3149: 38 United States Code sections 430 I through 4333).

E. A person violating any provision of subsection A or 8 of this section is guilty of a class 1 misdemeanor. The county attorney shall prosecute violations of this section in superior court.

PARAGRAPH 75 TITLE 32 UNITED STATES CODE: Government employees in the National Guard: leaves of absence for training periods. All officers and employees of the United States and of the District of Columbia who shall be members of the National Guard shall be entitled to leave of absence from their respective duties, without loss of pay, time, or efficiency rating of all days during which they shall be engaged in field or coast defense training ordered or authorized under the provisions of the title.

## Sample 2



DEPARTMENT OF THE ARMY  
99th REGIONAL READINESS COMMAND



99 Soldiers Lane  
Coraopolis, Pennsylvania 15108

ORDERS XXX-X

20 MARCH 2005

Doe, Jane, M. 000-00-0000 MAJ DET 1 CORPS ENG RES (W116Y1) ALEXANDRIA, VA 22310-3320

You are deployed as a Temporary Change of Station (TCS) as shown below and are to return to your permanent station upon completion of the duties in support of this operation. You will submit a reviewed travel voucher for this travel to the finance office within 5 working days after return to home station.

Assigned to: HHC 201 Engineer Battalion (Para /Line) (W175AQ), Camp Phoenix, Kabul, APO AE 09356

Purpose: Deployment in support of Operation Enduring Freedom

Temporary Duty: CRC, Ft Benning, GA

Report Date TDY Station: NLT 1500, 15 April 2005

Number of days: Not to Exceed 545 Days

Will proceed date: 14 April 2005

Security clearance: Secret, Type - NAC, Dtd 15 January 2001 (verified by Ms. A. Smith, Security Manager, Phone: 418-555 1234).

Accounting classification: (For both active and reserve component Soldiers, contact installation management command comptroller for fund cite)

Customer Identification Code (CIC): (See Chapter 4 of PPG for CIC information)

Movement designator code: PMO7 (officer), PME7 (enlisted)

Additional instructions: (This order is for Medical Processing prior to movement to CENTCOM or REFRAD).

a. WIAS Control Number –CT-OPEF-03020-01 (if applicable)

b. Dependents location - city state, zip code (if applicable)

c. This is Temporary Change of Station (TCS), soldiers will be attached to TCS duty stations. Normal PCS entitlements, allowances and relocation of family members are not authorized. Consolidated Personnel Policy Guidance (PPG) for Operations Iraqi Freedom, Enduring Freedom and Noble Eagle on the DCS, G-1 web site <http://www.armyg1.army.mil/militarypersonnel/policy.asp>

d. Soldiers must secure a reservation for the CONUS replacement center (CRC) in order to attend the mandatory training enroute to the CENTCOM AOR. MACOMs will call the Army Travelers Assistance Center (ATAC) at 1-800-582-5552 or send an e-mail to [atac@hoffman.army.mil](mailto:atac@hoffman.army.mil).

e. Temporary storage of HHG is authorized as provided by paragraph U4770–A, Joint Federal Travel Regulation, this may impact on the authorization for BAH. Contact the local transportation office for assistance.

f. Travel by POV is authorized if duty is in CONUS as not advantageous to the government; cost of transportation is limited to Official Directed Mode; reimbursement is limited to the government cost of transportation. POV Storage is authorized contact the local Installation Transportation (ITO) officer for assistance.

g. Temporary Duty (TDY) Household Goods (HHG) Weight allowance is authorized for CONUS and OCONUS based personnel that are on active duty for a period greater than 200-days, excluding those areas designated as Hostile Fire/Imminent Danger Pay areas.

h. Soldiers are authorized the shipment of 3 checked bags – one personal bag and two issued bags of OCIE (not to exceed 70 lbs/bag) and 1 standard carry-on bag on AMC/contracted flights. When AMC or contracted transportation is not available reimbursement for 3 checked bags weighing more than 50lbs to a max of 70lbs per bag authorized as excess baggage. Upon redeployment from theater, Soldiers issued additional OCIE under the rapid fielding initiative (RFI) are authorized shipment of one additional bag (not to exceed 70 lbs).

ORDERS XXX-XX DET 1 CORPS ENG RES (W116Y1) Alexandria, VA 22310

20 March 2005

- i. You will bring only those items specified in chapter 6 of the PPG or other appropriate authority. You will be provided a list of those items from your servicing personnel service center/company.
- j. Soldier readiness processing will be accomplished prior to departure from losing installation/home station per chapter 4, AR 600–8–101. Losing installation commander will determine the extent of out-processing. Soldier will hand carry out-processing packet; field Military Personnel Records Jacket (MPRJ) along with associated transfer documents, records, and deployment packet to the gaining PSC or replacement activity.
- k. Government quarters and dining facilities will be used at the replacement activity and during deployment. Essential Unit Mess (EUM) has been declared by Assistance Secretary of the Army (Manpower and Reserve Affairs) ASA(M&RA) for the mobilization and demobilization sites not to exceed (10) days. MOSQ location will provide quarters and mess. The Installation Commander will make separate determinations as the availability of mess and quarters and as a last resort will issue statement/certificate of non-availability. Per diem payable is \$3.00 per day for CONUS and \$3.50 per day for OCONUS. Per Diem will normally be paid for the travel to gaining station, or replacement activity unless prohibited by travel circumstances.
- l. During period of deployment, gaining/deployed unit commander has responsibility for personnel service support to include awards and decorations, UCMJ, and all other forms of personnel and legal administration support.
- m. Basic Allowance for Housing (BAH) for Regular active duty soldiers is based upon their permanent duty station. RC soldiers and retired soldiers called or ordered to active duty BAH is based on their principal place of residence when called or ordered to the tour of active duty.
- n. Soldier may submit interim travel voucher if otherwise entitled to per diem and/or travel for the monthly payment of accrual travel payment. Care should be taken to keep all required documents to support payments/request for payments. All documents will be required upon final settlement voucher.
- o. Use of leave during this deployment is recommended for all soldiers. A copy of the leave record will be submitted upon completion of this operation with the final settlement voucher. If unable to take leave taken during this period a payment of unused leave is authorized with no impact to career leave sell back of 60 days.
- p. Additional movement requirements will be completed using amendment orders, format 700, movement to return to CONUS will also be completed using a format 700.
- q. Soldiers will logon to the AKO web site at [https://www.us.army.mil/portal/portal\\_home.jhtml](https://www.us.army.mil/portal/portal_home.jhtml) and establish an AKO email account.

Format: 401

FOR THE COMMANDER

[Signature]  
Arnold A. Anyman LTC, GS  
Director, Military Personnel

DISTRIBUTION: Indiv Con (10)  
Field MPRJ (1)  
IPERMS DEP/MOB Folders (1)

### Sample 3

DEPARTMENT OF THE ARMY  
U.S. ARMY HUMAN RESOURCES COMMAND  
1 RESERVE WAY  
ST. LOUIS, MISSOURI 63132-5200

AHRC-OPD-RD  
ORDERS A-05-590945

18 MAY 2005

[JOE SNUFFY, 123 HOOOOAH LN., COLUMBUS, OH 43214, 123-45-6789, CPT VC](#)

U.S. ARMY RECRUITING COMMAND ATTN: RCHS-OPS  
1307 THIRD AVENUE FT.  
KNOW, KY 40121

[YOU ARE ORDERED TO PROCEED TO TEMPORARY DUTY](#) FOR THE PERIOD AS SHOWN BELOW, UPON COMPLETION OF TEMPORARY DUTY YOU WILL PROCEED TO YOUR FIRST PERMANENT DUTY STATION AS INDICATED IN ADDITIONAL INSTRUCTIONS.

[TEMPORARY DUTY AT:](#) CO A, 187<sup>TH</sup> MEDICAL BN (W3VZ7C), AMEDD CENTER & SCHOOL, FT. SAM HOUSTON, TX 78234

[PURPOSE OF TEMPORARY DUTY:](#) TO ATTEND THE AMEDD OFFICER BASIC COURSE #6-8-C20 (VC), CLASS #401, SCHOOL CODE 081

[PERIOD:](#) NLT 1300 HOURS 26 JUN 05 TO 20 OCT 05 FOR 17 WEEKS.

[WILL PROCEED DATE:](#) 22 JUN 05

SECURITY CLEARANCE: N/A

ACCOUNT CLAS: 2152020 0000 22-2010 435212.0000 21T2 \$3,600.00 TTDY00 SNU6789AJ50626N1DARA S23185  
2162020 0000 0 22-2010 435212.0000 21T2 \$2,400.00 TTDY00 SNU6789AA51001N1DARA S23185. SUBJECT TO AVAILABILITY OF FUNDS.

ADDITIONAL INSTRUCTIONS: EARLY [REPORTING TO OBC IS NOT AUTHORIZED. PERMANENT STATION IS MID ATLANTIC DVC, FT. EUSTIS, VA 23604. REPORT PER ORDERS A-XX-XXXX](#) THIS CENTER DATED 18 MAY 05. QUOTA SOURCE: 32A. TDY IN/AROUND CURRENT RESIDENCE OR NEXT PERMANENT DUTY STATION (PDS) IS NOT AUTHORIZED. EARLY REPORTING TO OBC IS NOT AUTHORIZED AND [EXCESS TRAVEL TIME IS CHARGEABLE AS LEAVE. USE OF GOVERNMENT QUARTERS, MESS AND TRANSPORTATION IS DIRECTED.](#) YOU MUST ATTEMPT TO RESERVE GOVERNMENT QUARTERS IN ADVANCE. IF QUARTERS AND/OR MESS ARE UNAVAILABLE, A STATEMENT OF NON-AVAILABILITY IS REQUIRED, AND YOU MUST REQUEST THE GOVERNMENT DISCOUNT RATE FOR COMMERCIAL LODGING. [IF GOVERNMENT/SHUTTLE BUS TRANSPORTATION IS UNAVAILABLE, YOU ARE AUTHORIZED TAXI TO/FROM AIRPORT/LODGING/TRAINING OR IN/AROUND MILEAGE](#) NOT TO EXCEED DAILY ON/OFF-POST LIMITATION, WHICHEVER IS APPROPRIATE. A DAILY ITEMIZED LIST OF MISCELLANEOUS EXPENSES IS REQUIRED. MTSA WILL NOT FUND TRANSPORTATION TO/FROM TDY SITE(S). [RENTAL CAR IS NOT AUTHORIZED.](#) FOR ADDITIONAL ADMINISTRATIVE AND WELCOME INFORMATION, SEE THE FOLLOWING WEBSITE: [HTTP://WWW.CS.AMEDD.ARMY.MIL/OBCHOME](http://WWW.CS.AMEDD.ARMY.MIL/OBCHOME) PRIOR TO REPORTING TO OBC. IF UNABLE TO ACCESS THIS SITE, CALL 210-555-5555/8363, DSN 221. FOR STUDENTS BEING TRAINED ON POST, GOVERNMENT QUARTERS ARE DIRECTED AT NO COST TO STUDENT. [STUDENTS WILL REPORT TO BLDG 592. FORT SAM HOUSTON LODGING FOR ROOM ASSIGNMENT.](#) FOR STUDENTS BEING TRAINED OFF-POST AT TRINITY UNIVERSITY, GOVERNMENT QUARTERS ARE DIRECTED AT NO COST TO STUDENT. [GOVERNMENT DEDUCTIBLE MEALS ARE DIRECTED AT NO COST TO STUDENT, 7 DAYS PER WEEK.](#)

REPORTING INSTRUCTIONS FOR ALL COURSES TAUGHT OFF-SITE WILL BE POSTED ON THE AMEDD CENTER AND SCHOOL WEB SITE WITHIN 30 DAYS OF CLASS REPORT DATES. FOR STUDENTS TRAINED OFF-POST AT LOCAL CONTRACTED HOTELS, GOVERNMENT QUARTERS ARE DIRECTED AT NO COST TO STUDENT. GOVERNMENT DEDUCTIBLE MEALS ARE DIRECTED AT NO COST TO STUDENT WEEKDAYS WITH FULL PER DIEM FOR MEALS ON WEEKENDS AND FEDERAL HOLIDAYS. REPORTING INSTRUCTIONS FOR ALL COURSES TAUGHT OFF-SITE WILL BE POSTED ON THE AMEDD CENTER AND SCHOOL WEB SITE WITHIN 30 DAYS OF CLASS REPORT DATES.

SHUTTLE BUS SERVICE IS AVAILABLE, WEEKDAYS AT FORT SAM HOUSTON. TAXI SERVICE IS AVAILABLE AT FORT SAM HOUSTON. IF YOU ARE DIRECTED TO TRAVEL BY AIR, YOU ARE AUTHORIZED TAXI FARE NTE \$30 A WEEK. IF THE TAXI AUTHORIZATION APPLIES TO YOUR TRAVEL SITUATION, MAKE SURE YOUR ORDERS AUTHORIZES. YOU WILL NEED TO KEEP A DAILY LOG OF TAXI EXPENSES. AUTHORIZATION UPFRONT MAKES SEEKING REIMBURSEMENT FOR INCURRED EXPENSES EASIER. IN AND AROUND MILEAGE, IF APPROVED BY THE ORDER-ISSUING OFFICIAL, IS LIMITED AS FOLLOWS: 10 MILES, PER DAY, IF ASSIGNED ON-POST LODGING. 25 MILES, PER DAY IF ASSIGNED OFF-POST LODGING AND TRAINED AT FORT SAM HOUSTON. STUDENTS ARE DISCOURAGED FROM BRINGING THEIR DEPENDENTS/FAMILY MEMBERS TO THE TRAINING SITE. FACILITIES ARE NOT AVAILABLE

TO PROVIDE ADEQUATE SUPPORT. EARLY REPORT TO THE TRAINING SITE IS NOT AUTHORIZED EXCEPT FOR SELECTED OFFICER ACCESSIONS THAT ARE CALLED TO IMMEDIATE ACTIVE DUTY TO AWAIT OFFICER BASIC TRAINING. ANY FURTHER INFORMATION NEEDED SHOULD BE DIRECTED TO YOUR UNIT TRAINING MANAGER LISTED BELOW. INCLUDES ALL ARMY MILITARY COMPONENTS AND RANKS. DOES NOT ALTER OR STOP YOUR BASIC ALLOWANCE FOR SUBSISTENCE. STUDENTS ARE NO LONGER REQUIRED TO CALL AND MAKE LODGING RESERVATIONS. STUDENTS WITHOUT A POV REPORTING TO COURSES TRAINED ON-POST ARE ENCOURAGED TO CONTACT FOR SAM HOUSTON LODGING AT (210) 555-1212, EXTENSIONS 5140 OR 5141 BEFORE LEAVING THEIR HOME STATION SO ON-POST LODGING IS ASSURED.

AUTHORITY: 10 USC 12301 (d) AND 12320  
FORMAT: 400

FOR THE COMMANDER:

[Signature]  
NAME

\*\*\*\*\*

CHIEF, APPOINTMENTS

\* AHRC \*

\* OFFICIAL \*

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DISTRIBUTION: A1

PLUS

HQDA, AHPC-RMB, 200 STOVALL ST., ALEXANDRIA, VA 22332-0400 (1)

CDR, CO 1, 1<sup>ST</sup> BN, AMEDD CTR & SCHOOL, FT. SAM HOUSTON, TX 78234 (1) CDR,

USAREC, 1307 3<sup>RD</sup> AVE, ATTN: RCHS-MS, FT KNOX, KY 40121 (1)

CDR, AHRC-CIS-PV (1)