

Conference Engrossed

State of Arizona  
House of Representatives  
Fiftieth Legislature  
First Regular Session  
2011

# HOUSE BILL 2650

AN ACT

AMENDING SECTION 11-352, ARIZONA REVISED STATUTES; RELATING TO THE COUNTY  
EMPLOYEE MERIT SYSTEM.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 11-352, Arizona Revised Statutes, is amended to  
3 read:

4 11-352. Adoption of limited county employee merit system by  
5 resolution: removal of certain administrative  
6 positions by resolution: at will uncovered employees

7 A. Any county may by resolution of the board adopt a limited county  
8 employee merit system for all county appointive officers and employees.  
9 Elected officers shall not be included in such a merit system.

10 B. Any county may by resolution of the board remove certain  
11 administrative positions from the county employee merit system. IF REQUESTED  
12 BY AN ELECTED OFFICER OF A COUNTY WITH A POPULATION OF LESS THAN TWO MILLION  
13 PERSONS, THE BOARD, BY RESOLUTION, MAY ALLOW THE ELECTED OFFICER OF THE  
14 COUNTY TO REMOVE CERTAIN ADMINISTRATIVE POSITIONS FROM THE COUNTY EMPLOYEE  
15 MERIT SYSTEM. The positions that may be removed from the county employee  
16 merit system are:

- 17 1. County manager.
- 18 2. Deputy county manager.
- 19 3. Assistant county manager.
- 20 4. Chief deputies to elected officials.
- 21 5. Department directors.
- 22 6. Deputy directors, not to exceed three in each department.
- 23 7. One position in each department that reports directly to the  
24 director or deputy director as designated by the director and deputy  
25 director.

26 8. An administrative position declared exempt after August 8, 1985.  
27 ~~The number of positions declared exempt under this paragraph shall not exceed~~  
28 ~~ten per cent of the total number of county appointive officers and employees.~~

29 C. EXCEPT AS PROVIDED IN SUBSECTION D, any employee who was included  
30 as a covered employee in the county employee merit system at the time the  
31 employee assumed the employee's present position and whose position becomes  
32 exempt under subsection B may elect to remain included under the merit  
33 system, but if terminated the employee must be afforded the opportunity to  
34 accept another vacant position within the merit system for which the employee  
35 is qualified.

36 D. AFTER THE EFFECTIVE DATE OF THIS AMENDMENT TO THIS SECTION, IN A  
37 COUNTY WITH A POPULATION OF LESS THAN TWO MILLION PERSONS:

- 38 1. ALL NEW HIRES ARE AT WILL UNCOVERED EMPLOYEES.
- 39 2. ANY COVERED EMPLOYEE WHO VOLUNTARILY ACCEPTS A CHANGE IN  
40 ASSIGNMENT, REGARDLESS OF WHETHER THE VOLUNTARY CHANGE IN ASSIGNMENT IS A  
41 PROMOTION, DEMOTION OR LATERAL TRANSFER, IS AN AT WILL UNCOVERED EMPLOYEE ON  
42 THE START DATE OF THE VOLUNTARY CHANGE IN ASSIGNMENT.
- 43 3. ANY COVERED EMPLOYEE WHO RECEIVES AND ACCEPTS A SALARY INCREASE IS  
44 AN AT WILL UNCOVERED EMPLOYEE ON THE START DATE OF THE SALARY INCREASE.