

REFERENCE TITLE: **employee merit system; dismissal; appeal**

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HB 2681

Introduced by
Representatives Hernandez A: Hernandez L, Luna-Nájera, Volk; Senator
Gonzales

AN ACT

**AMENDING SECTION 11-356, 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 11-356, Arizona Revised Statutes, is amended to
3 read:

4 11-356. Dismissal, suspension or reduction in rank of
5 employees; appeals; hearings; applicability

6 A. Any officer or employee in the classified civil service may be
7 dismissed, suspended or reduced in rank or compensation by the appointing
8 authority after appointment or promotion is complete only by written
9 order, stating specifically the reasons for the action. The order shall
10 be filed in the officer's or employee's official county personnel record
11 and a copy shall be furnished to the person to be dismissed, suspended or
12 reduced.

13 B. Within ten ~~calendar~~ BUSINESS days after the order is presented
14 to the officer or employee, the officer or employee may appeal the order
15 through the clerk of the commission. On the filing of the appeal, the
16 clerk of the commission shall immediately transmit the order and appeal to
17 the commission for a hearing.

18 C. Within twenty calendar days after receiving the order and
19 appeal, the commission shall set a date for a hearing of the appeal. The
20 appellant may appear personally, produce evidence and have counsel.

21 D. The commission may appoint a hearing officer to conduct the
22 hearing and take evidence on behalf of the commission. If a hearing
23 officer is appointed to conduct the hearing, on conclusion of the hearing
24 the hearing officer shall submit proposed findings of fact, conclusions of
25 law and a recommendation to the commission.

26 E. Any appeal of a dismissal, suspension or reduction in rank in
27 which a single hearing officer has been appointed by the commission to
28 conduct the appeal hearing shall be open to the public unless the hearing
29 officer determines that good cause exists to close the hearing.

30 F. In any appeal of a dismissal, suspension or reduction in rank in
31 which a single hearing officer has been appointed to conduct the appeal
32 hearing, the officer or employee or the employer may request a change of
33 hearing officer. On the first request of a party, the commission shall
34 grant the request. The commission may grant all other requests only on a
35 showing that a fair and impartial hearing cannot be obtained due to the
36 prejudice of the assigned hearing officer. The chairperson of the
37 commission shall decide whether a sufficient showing of prejudice has been
38 made.

39 G. Following the hearing, or if a hearing officer has been
40 appointed, following receipt of the hearing officer's proposed findings of
41 fact, conclusions of law and recommendation, the commission shall either
42 affirm, modify or revoke the order.

1 H. The findings and decision of the commission shall be final and
2 shall be subject to administrative review as provided in title 12, chapter
3 7, article 6.

4 I. This section does not apply to furloughs of classified employees
5 if the furloughs are undertaken to address budget shortfalls or structural
6 imbalance.