

RULE 2 – Declaration of Personnel Policy

2.1 Statement of Intent and Authorities:

- A. These Rules, as well as all other expressions of County policy, are not intended to create any contractual rights or obligations and do not promise or imply any fixed term or continuation of employment.**
- B. No oral agreements or understandings or promises exist, and if such are or have been made, they are not authorized unless in writing by the Board of Supervisors. No oral or written statements by any Gila County manager or supervisor that conflict with anything in these Rules is binding upon the Gila County Board of Supervisors.**
- C. These Rules are intended to provide guidance and direction and are not to be construed as creating enforceable legal rights.**

2.2 Modification by the Board of Supervisors: The policies, practices and procedures contained herein or elsewhere may be modified or terminated at any time by the Gila County Board of Supervisors for any reason.

2.3 Principles and Policies: The following personnel principles, policies and procedures are established by the Gila County Board of Supervisors.

- A. No hiring authority other than the Board of Supervisors has any authority to enter into any agreement for employees for any specified period of time, or to make any employment agreement contrary to these Rules except as ratified by the Board of Supervisors.
- B. Employment in the County workforce shall be based on qualifications and free of personal and political considerations.
- C. Employment shall comply with the Equal Opportunity Employment Act of 1972, the Fair Labor Standards Act of 1985 as amended, the Immigration Reform and Control Act of 1986, the Americans With Disabilities Act of 1990, the Civil Rights Act of 1991, as well as other Federal and State laws, rules, regulations and orders, which prohibit discrimination on the basis of race, sex, color, age, religion, disability, Vietnam or disabled veteran status, national origin and applicable state statutes.

- D. Positions having similar duties and responsibilities shall be classified and compensated for on an equitable basis.
 - E. Every effort shall be made to stimulate high morale by fair administration of this article and by every consideration of the rights and interests of employees, consistent with the best interests of the public and the County.
- 2.4 Replacement of Prior Rules: These Rules supersede all previous rules, policies and procedures, which have applied to employees. All rules, policies and procedures adopted on a departmental basis will remain in full force and effect, except to the extent that the same are in conflict with these Rules.
- 2.5 Severability: If any provision of these Rules or their application to any persons or circumstances is held invalid, the remainder of the Rules or the application of such provisions to other persons or circumstances, shall not be affected.
- 2.6 Conflict with Federal and State Laws, Regulations, Statutes, or Standards: Any provisions of these Rules which conflict or are inconsistent with Federal and State laws, regulations, statutes or standards shall be deemed null and void.
- 2.7 Exemptions: These Rules shall apply to all classified positions in the County service. Unclassified positions are not covered by these Rules unless otherwise specified. Unclassified positions include but are not limited to:
- A. County Administrator;
 - B. Clerk of the Board of Supervisors;
 - C. Elected Officials;
 - D. Department Directors;
 - E. Chief Deputy to Elected Officials;
 - F. Administrative Assistants to Directors/Elected Officials;
 - G. Executive secretaries;
 - H. Undersheriff;
 - I. Deputy County Attorney;
 - J. Probationary and temporary employees;

Should any position covered by these Rules become an exempt position under these Rules, either by operation of law or amendment done pursuant to these Rules, any employee occupying such position at the time of the change may elect to remain covered by the Rules. Such election must be made in writing and submitted to the Personnel Director within thirty (30) days of notification of the change in status of the position.

- 2.8 Delegation of Authority: Unless otherwise stated by law or in these Rules, an Appointing Authority may delegate any authority granted to the Appointing Authority in the Rules.

- 2.9 Service of Notice: Unless otherwise provided by law or these Rules, whenever any notice, paper or document is to be served upon any person, party or agency by the Director, such service may be accomplished by any of the following methods:
- A. Personal service;
 - B. Service by certified or registered mail;
 - C. Service by first class mail;
 - D. Service by any other method designated by the Director which will provide reasonable notice of the matter.