

**RESOLUTION 2001-18**

**A RESOLUTION AMENDING TOOELE COUNTY PERSONNEL POLICIES AND PROCEDURES SECTION 6.D, REGARDING CLASSIFYING CERTAIN POSITIONS IN THE SHERIFF'S DEPARTMENT AND MAKING TECHNICAL CORRECTIONS**

WHEREAS, the Tooele County Commission finds it necessary to amend the county's personnel policies and procedures to re-classify certain employee positions in the Sheriff's Department and to make technical corrections;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF TOOELE COUNTY AS FOLLOWS:

**SECTION 1 - SECTION AMENDED:** Section 6.D. of the Tooele County Personnel Policies and Procedures is hereby amended to read as follows:

**D. APPOINTED EMPLOYEES:**

1. The following employees are designated as appointed employees:
  - a. chief deputies and members of elected officials' personal staff;
  - b. members of policy, advisory, review, and appeal boards or similar bodies who do not perform administrative duties as individuals;
  - c. time-limited or contract positions established for the purpose of conducting special projects and programs;
  - d. the directors or managers of aging, airport, building maintenance, emergency management, engineering, health, information technology, parks and recreation, personnel management, and solid waste management;
  - e. the operations lieutenant, jail lieutenant, investigation lieutenant, court services sergeant, assistant to the jail lieutenant, and corrections sergeant in the sheriff's department; and
  - f. temporary, seasonal, on-call and emergency employees.

*Resolution 2001-18*  
*Amendment to PPP Section D*

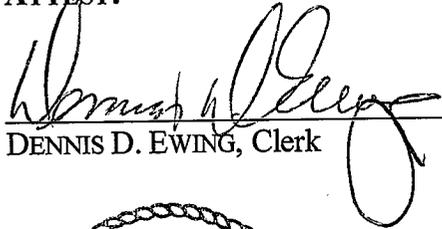
2. Appointed employees shall have no expectation of continued employment. They may be dismissed, or demoted if they held career status prior to being appointed, without cause. They have no appeal rights after a dismissal. Appointed positions are not subject to the regular hiring procedure unless specifically stated otherwise. The hiring process for these positions shall be determined solely by the appointing authority.
3. Except where specifically stated otherwise, appointed department heads are eligible to participate in and receive all other benefits of county employment, as well as those negotiated as a condition of hire, and are subject to the other provisions of the county's personnel policies that have no relationship to appointed employee status.
4. Notwithstanding any provision to the contrary, the director of the health department is appointed by the county board of health, which also determines the director's compensation, subject to ratification by the county commission. The director is subject to removal only for cause by the board of health, in accordance with Title 26A of the Utah Code and the local board of health rules and bylaws.
5. The director of personnel management is appointed pursuant to Utah Code 17-33-1. The office of personnel management is a division of the county commission department. Notwithstanding any provision to the contrary, the director is eligible to participate in and receive all benefits of county employment, shall accrue leave, and is subject to the other provisions of the county's personnel policies that have no relationship to appointed employee status. The director's salary will be pursuant to the established county compensation plan.
6. The operations lieutenant, investigations lieutenant, jail lieutenant, court services sergeant, and assistant to the jail lieutenant in the sheriff's department are key policy-determining positions and are appointed pursuant to Utah Code 17-33-8(7). They are exempt from career service. Notwithstanding any provision to the contrary, such employees are eligible to participate in and receive all benefits of county employment, shall accrue leave, and are subject to those provisions of the county's personnel policies that have no relationship to appointed employee status. The salaries will be pursuant to the established county compensation plan.

**EFFECTIVE DATE:** This resolution shall take effect immediately upon passage.

Resolution 2001-18  
Amendment to PPP Section D

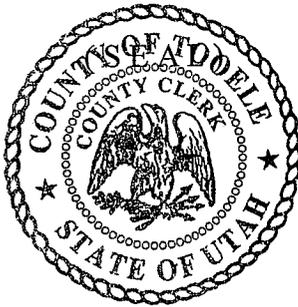
DATED this 6<sup>th</sup> day of November 2001.

ATTEST:

  
DENNIS D. EWING, Clerk

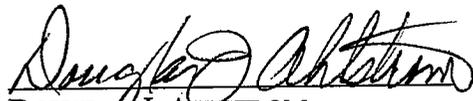
TOOELE COUNTY LEGISLATIVE BODY

  
DENNIS ROCKWELL, Chairman



Commissioner Rockwell voted aye  
Commissioner Hunsaker voted aye  
Commissioner White voted abstain

APPROVED AS TO FORM:

  
DOUGLAS J. AHLSTROM  
Tooele County Attorney

**SECTION 6  
EMPLOYEE STATUS**

- A. DEFINITION:** As used in these personnel policies and procedures, "employee" means each full-time, part-time, or appointed worker, elected official, and any temporary, seasonal or on-call worker in the service of the county, under any contract of hire, express or implied, written or oral. "Employee" does not include any independent contractor, volunteer, or court-appointed ward.
- B. FULL-TIME EMPLOYEES:** Non-elected, compensated employees not in appointed positions and who regularly work 40 hours per week, or 171 hours in a 28-consecutive-day period if a sworn law enforcement officer, are full-time employees.
- C. PART-TIME EMPLOYEES:**
1. Non-elected, compensated employees not in appointed positions and who are hired to work for less than 40 hours per week on an ongoing basis are part-time employees.
  2. Part-time employees hired to work at least 20 hours per week receive fringe benefits, except medical, dental and life insurance, on a prorated basis according to their half-time or three-quarter time status. They are hired pursuant to the regular hiring procedure.
  3. Part-time employees hired to work less than 20 hours per week do not receive fringe benefits. They are not subject to the regular hiring procedure. They shall not be allowed to work more than 20 hours per week. They may not be transferred or promoted to a status which provides for fringe benefits without going through the regular hiring procedure. They may be terminated without cause.
- D. APPOINTED EMPLOYEES:**
1. The following employees are designated as appointed employees:
    - a. chief deputies and members of elected officials' personal staff;
    - b. members of policy, advisory, review, and appeal boards or similar bodies who do not perform administrative duties as individuals;
    - c. time-limited or contract positions established for the purpose of conducting special projects and programs;

- d. the directors or managers of aging, airport, building maintenance, emergency management, engineering, health, information technology, parks and recreation, personnel management, and solid waste management;
  - e. the operations lieutenant, jail lieutenant, investigation lieutenant, court services sergeant, assistant to the jail lieutenant, and corrections sergeant in the sheriff's department; and
  - f. temporary, seasonal, on-call and emergency employees.
2. Appointed employees shall have no expectation of continued employment. They may be dismissed, or demoted if they held career status prior to being appointed, without cause. They have no appeal rights after a dismissal. Appointed positions are not subject to the regular hiring procedure unless specifically stated otherwise. The hiring process for these positions shall be determined solely by the appointing authority.
  3. Except where specifically stated otherwise, appointed department heads are eligible to participate in and receive all other benefits of county employment, as well as those negotiated as a condition of hire, and are subject to the other provisions of the county's personnel policies that have no relationship to appointed employee status.
  4. Notwithstanding any provision to the contrary, the director of the health department is appointed by the county board of health, which also determines the director's compensation, subject to ratification by the county commission. The director is subject to removal only for cause by the board of health, in accordance with Title 26A of the Utah Code and the local board of health rules and bylaws.
  5. The director of personnel management is appointed pursuant to Utah Code 17-33-1. The office of personnel management is a division of the county commission department. Notwithstanding any provision to the contrary, the director is eligible to participate in and receive all benefits of county employment, shall accrue leave, and is subject to the other provisions of the county's personnel policies that have no relationship to appointed employee status. The director's salary will be pursuant to the established county compensation plan.
  6. The operations lieutenant, investigations lieutenant, jail lieutenant, court services sergeant, and assistant to the jail lieutenant in the sheriff's department are key policy-determining positions and are appointed pursuant to Utah Code 17-33-8(7). They are exempt from career service. Notwithstanding any provision to the contrary, such employees are eligible to participate in and receive all benefits of county employment, shall accrue leave, and are subject to those provisions of the county's

personnel policies that have no relationship to appointed employee status. The salaries will be pursuant to the established county compensation plan.

- E. **ELECTED OFFICIALS**: Elected officials are not covered by the personnel policies and procedures except they shall receive an elected official's benefit package. They shall administer their departments according to these personnel policies and procedures.
- F. **CHIEF DEPUTIES**: Chief deputies are not covered by the personnel policies and procedures except they receive the fringe benefit package that full-time employees receive.
- G. **TEMPORARY AND SEASONAL EMPLOYEES**: Temporary and seasonal employees work on a short-term basis, usually to perform a specific piece of work. Applicants must meet the position's minimum qualifications. Such employment shall not exceed one year. The hiring authority shall notify the director of personnel management before any offer is made. The hiring of seasonal employees who may be required to work more than six months in a year and who may be recalled from year to year as departmental needs dictate shall follow the regular hiring procedure. Temporary and seasonal employees receive no fringe benefits; however, ongoing seasonal employees shall be entitled to holiday pay as authorized by the county commission.
- H. **ON-CALL EMPLOYEES**: On-call employees work as department needs dictate but have no regular working schedule. These employees may be used to fill in when other employees are off. Such employees are not entitled to fringe benefits. They shall be hired pursuant to the regular hiring procedure. They shall work less than 20 hours per week unless determined necessary by the department head and authorized by the county commission.
- I. **INDEPENDENT CONTRACTORS**: Independent contractors are those persons engaged in work for Tooele County who are independent of the county in all that pertains to execution of their work, are not subject to the rule or control of the county, are engaged only in the performance of a definite job or piece of work, and are subordinate to the county only in effecting a result in accordance with the county's design. Independent contractors are not covered by the personnel policies and procedures.
- J. **VOLUNTEERS**: Volunteers are individuals who volunteer to perform services for the county if the individual receives no compensation or is paid expenses, reasonable benefits or a nominal fee to perform the services for which the individual volunteered, and such services are not the same type of service which the individual is employed to perform for the county. Volunteers are not covered by the provisions of the county personnel policies, except for workers' compensation.
- K. **COURT-APPOINTED WARDS**: Prisoners or probationers required to work by or for Tooele County are not covered by the provisions of the county personnel policies and procedures, except for workers' compensation.

- L. PROBATIONARY EMPLOYEES:** Newly-hired employees serve an extendable six-month probation. Probationary employees are at-will employees. They have no expectation of continued employment with Tooele County. They may be discharged with cause, without cause, for rule violation, or for any reason other than a reason prohibited by law. Probationary employees may not invoke the grievance process except as described in this subsection. Employees who move to a new position, whether involuntarily or voluntarily, are subject to this subsection, and shall also have no expectation of continued employment in the new position until successfully completing the probationary period.
- M. STUDENTS:** Departments are encouraged to arrange their employment to accommodate students during summer months and summer vacations. However, no person under age 16 may be employed by the county.