Section I. General Information

A. Policy Statement

Whereas, the Pima Community College District Governing Board authorized an election by the Classified Employees (non-exempt) and, as a result of that election has recognized the American Federation of State, County and Municipal Employees Union (AFSCME, Local 449) as a non-exempt staff employee unit representative which provides a major source of input for the development of personnel policies for Classified Employees (non-exempt) which recognition does not exclude input from others; and

Whereas, the Pima Community College District Governing Board has entered into the “Meet-and-Confer” process in order to promote harmonious relations between Classified Staff (non-exempt) and the Board through the discussion of matters of mutual concern which include, but are not necessarily limited to, equitable and peaceful procedures for resolution of differences, rates of pay, hours of work, and other conditions of employment and to generally encourage an efficient and high level of educational service to the community; and

Whereas, the “Meet and Confer” process presented the opportunity for an open exchange of ideas and proposals with respect to matters of mutual concern. The result is incorporated in the personnel policies contained herein.

Now, therefore, be it resolved that the Pima Community College District Governing Board adopts this Policy Statement as the expression of personnel policies that are unique to full-time regular non-exempt employees at Pima County Community College District. This Policy Statement revokes, modifies and supersedes any and all classified non-exempt personnel policy statements that may have existed previously. This policy statement and the Personnel Policy Statement for College Employees contain the personnel policies of the Pima County Community College District Governing Board regarding classified non-exempt personnel.

The personnel policies herein shall govern employment practices involving Classified Employees (non-exempt), after their effective date. The provisions of these personnel policies, however, do not apply or govern the employment practices of the Classified Employees (non-exempt) before the effective date of the policies. Such employment practices must be construed and dealt with according to the provisions of the policies existing at the time of the specific employment practice in question.

Nothing in these personnel policies shall inhibit, restrict, modify and/or supersede the Board’s responsibilities and/or authority pursuant to and in compliance with any state or federal law, executive order, agency rule or guideline. The personnel policies contained herein may be supplemented, modified, or deleted without restrictions by the Governing Board pursuant to its statutory authority. In the administration of the Board’s personnel policies, the College Human Resources Office is responsible for interpreting and overseeing the implementation of the policies.
Nothing in this Policy Statement is to be construed to preclude the personal appearance before the Board by any employee on her/his own behalf. Wherever, in this Policy Statement, there is reference to “AFSCME Representative,” the sentence should be read “AFSCME Representative, if any.”

In order for the College to provide flexibility and timeliness to meet the changing needs of the workplace, operational modifications are allowed by the policy and supported by the language contained in the Classified Non-Exempt Personnel Policy Statement. In order to ensure effective communication, fair treatment for all employees within the work unit, and reasonable notice for operational modifications, the following will be observed:

- The implementation of operational modifications must be approved by the Work Unit Administrative Supervisor.
- Approved Work Unit operational modifications will be communicated to the Chief Human Resources Officer in writing stating the reason and duration for and limitation of the modification. The Chief Human Resources Officer may solicit and review input from the employee representative group regarding the proposed modification. The Chief Human Resources Officer may revise or reject the modification.
- Communications to affected employees shall be time sensitive with as much forewarning as reasonable, generally in written or electronic format indicating the reason for the modification, the duration of the change and appropriate guidelines as required.
- Operational modifications shall not supersede or conflict with other sections of this personnel policy statement or the Personnel Policy Statement for College Employees (Common Language).

While the College will normally follow the procedures set forth above with respect to operational modifications, the College and the Board reserve the right to implement policy revisions, modifications and interpretations as the Board in its sole discretion deem fit under the circumstances.

**B. Full-Time Regular Employees**

A full-time regular non-exempt employee for the purposes of this policy statement is one who meets all of the following criteria:
1. Works 30 hours or more per week;
2. Works in a position which is authorized for at least nine months per year, and/or;
3. Is not classified as temporary;
4. Is not on initial hire probation.

Persons meeting all these criteria are members of the Non-Exempt Employee Unit. The College Human Resources Department will transmit to AFSCME copies of the most recent organizational chart for each campus and the district central offices by October 15 of each year.
C.  Active Period of Employment- Flex Year Option

Flex year work schedule of at least nine months shall be an option, should organizational needs be articulated by the College. The College shall, insofar as is reasonably possible, accomplish this first on a voluntary basis. Should additional authorizations of at-lease nine month work schedules be deemed necessary, order of selection of regular employees shall be in order of College-wide seniority within the affected job classification.

If the College determines that a work schedule of at least-nine months is necessary, the AFSCME Chairperson and/or designee shall be notified by the Chief Human Resources Officer no less than thirty days of any pending action.

An employee assigned a work schedule of at least nine consecutive months out of twelve in a single year will be considered a Full-Time Regular Employee. Employees approved for at-least a nine month work schedule shall have the option of extending their payroll to 26 pay periods and will continue to receive College benefits throughout the non-working months. Annual leave and sick leave shall be prorated accordingly.

Should organizational needs necessitate a return to the twelve month work schedule, the employee having been assigned to the nine month flex year shall retain the right of return to a twelve month work schedule.