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ARIZONA SUPREME COURT
ADMINISTRATIVE OFFICE OF THE COURTS
EXECUTIVE OFFICE

IN THE SUPREME COURT OF THE STATE OF ARIZONA

FILED
NOV 9 2000
NOEL K. DESSAINT
CLERK SUPREME COURT
BY

In the Matter Of:)
)
AMENDING HUMAN RESOURCES)
POLICIES FOR SUPREME COURT)
EMPLOYEES)
_____)

Administrative Order
No. 2000- 82
(Amending Administrative
Orders No. 96-49 and 2000-34)

On October 4, 1996, by Administrative Order No. 96-49, the Court adopted Human Resources Policies for Supreme Court Employees which replaced all previous and existing human resources policies.

On June 1, 2000, by Administrative Order No. 2000-34, the Court adopted revisions to the Work Hours and Reporting Requirements policy to create "on call" pay for information technology staff.

In order to enhance the ability of the Supreme Court to attract and retain qualified employees, it is advisable to provide overtime pay or compensatory time at the rate of one and one half times the employee's regular rate for hours worked on a state holiday regardless of the number of hours worked in a week.

Now, therefore, pursuant to Article VI, Sections 3 and 7 of the Arizona Constitution,

IT IS ORDERED that the attached amendment to Sections 6.07, Work Hours and Reporting Requirements, adopted by Administrative Order No. 96-49 on October 4, 1996, and adopted on June 1, 2000 by Administrative Order No. 2000-34, are adopted effective November 8, 2000.

IT IS FURTHER ORDERED that the attached amendment to Section 6.07, Work Hours and Reporting Requirements, hereby revises the previous and existing Human Resources policy section, and this amendment be considered the governing authority.

Dated this 9th day of November, 2000.



THOMAS A. ZLAKET
Chief Justice

Arizona Supreme Court
Policies and Procedures Manual
Section: 6.07
Date: ~~07/01/00~~ 11/08/00
Applies to: Supreme Court

WORK HOURS AND REPORTING REQUIREMENTS POLICY

WORK AND OPERATING HOURS

The Supreme Court operating hours are Monday through Friday, 8:00 a.m. to 5:00 p.m. The normal work hours for Supreme Court employees are Monday through Friday, 8:00 a.m. to 5:00 p.m. However, employees may be assigned a different structured start and end schedule depending upon the nature of the position and an approved alternative work arrangement structured schedule.

OVERTIME AND COMPENSATORY TIME PAY POLICY

Non-Exempt Employees

Employees listed below who are not exempt from the FLSA shall be paid overtime or given compensatory time at the rate of time and one half for all hours worked in excess of the normal 40 hour work week, if they actually work in excess of 40 hours in one week (Saturday through Friday). **EXCEPTION: ALL HOURS WORKED ON A DESIGNATED PAID STATE HOLIDAY AS REQUIRED BY STATE LAW SHALL BE PAID OVERTIME OR GIVEN COMPENSATORY TIME AT THE RATE OF TIME AND ONE HALF; REGARDLESS OF TOTAL HOURS WORKED FOR THE WEEK.** The preferred method for compensating non-exempt employees for excess hours worked is to give compensatory time off. Non-exempt employees may accrue up to 80 hours of comp time. Any hours paid instead of accumulating compensation time will be at the employee's overtime rate.

Factors in Determining Payment or Accrual:

Employees must receive prior approval from their authorized supervisor to accumulate hours that may result in overtime pay or compensatory time off. In emergency cases, overtime may be worked before approval is obtained.

All hours actually worked must be reported. Employees must actually work over 40 hours in a one week period (Saturday through Friday) to qualify for overtime. EXCEPT FOR HOURS WORKED ON A DESIGNATED PAID STATE HOLIDAY AS REQUIRED BY STATE LAW. Employees who take vacation or other types of leave during a week will not receive overtime compensation unless and until the actual hours worked exceed 40 hours. For example, if an employee works 10 hour days Monday through Thursday, but is sick or takes vacation on Friday, the employee only worked 40 hours in the week and does not qualify for overtime pay.

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Overtime will be compensated or accrued in increments of 15 minutes. For non-exempt employees, hours worked at other state agencies will be combined with hours worked at the Arizona Supreme Court to determine total hours worked.

Exempt Employees:

It is the nature of most exempt positions that the employee will need to work more than 40 hours per week to complete assignments and keep up with workload demands. As a general rule, all hours worked are considered part of the job, and do not result in additional compensation.

Position Classification for Purposes of the FLSA

Exempt from FLSA

Administrative Director
Deputy Director
Division Director (all)
Project Director
Manager (all)
Officer (all)
Specialist III
Specialist IV
Specialist V
Specialist VI
Specialist VII
Custodial Supervisor
Security Manager
Building Mtce Supervisor

Clerk's Office

Clerk of the Court
Chief Deputy Clerk

Staff Attorney's Office

Chief Staff Attorney
Staff Attorney

Justices' Staff

Law Clerk
Judicial Secretary

Special Master

Special Master

Non-Exempt from FLSA

Assistant (all)
Secretary (all)
Clerk (all)
Custodial Worker
Floor Care Custodian
Security Officer
General Building Mtce Techn
Carpentry Mtce Technician
Building Mtce Technician
Machine Operator
Controls Technician
HVAC Technician
Receptionist
Specialist I
Specialist II

Deputy Clerk

Secretary

Executive Secretary
Water Adjudication Specialist
Courtroom Deputy

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Exempt employees will not be suspended without pay for less than one week for any reason, including disciplinary action or budgetary constraints.

LAW CLERKS

Law clerks are full-time, exempt employees with limited appointments. Law clerks are appointed by a justice, usually for a term of one year. The term may be extended. Law clerks are expected to attend all oral arguments conducted by the court unless otherwise excused by the appointing justice, including those held at locations other than in Phoenix. When attendance requires law clerks to travel, reimbursement for expenses and per diem according to current travel policies will apply.

WEEKLY EXCEPTION TIME REPORTING SYSTEM

For AOC employees, all Weekly Exception Time Reports (WETR) must be approved by the Division Director or the Acting Division Director in the Director's absence.

Any changes to the original Weekly Exception Time Report must be submitted to and approved by the Division Director in the next time reporting period. In order to maintain the accuracy of the system, employees and Division Directors should keep WETR records current.

ALTERNATIVE WORK ARRANGEMENT PROGRAM

Defined alternative work arrangements may be available to eligible full time employees depending upon the employee's specific position. However, the structured nature of some positions may limit or prohibit participation in the alternative work arrangement program. An alternative work arrangement is not an entitlement and may be canceled by the Division Director at any time.

Flextime:

Flextime is a Monday - Friday schedule with work hours different from the normal 8:00 a.m. to 5:00 p.m. A flextime schedule must be approved by the respective Division Director, and will not be changed on a daily basis.

Compressed Work Week:

A compressed work week condenses the traditional two week pay period in one of two ways:

A 9/80 work period equaling 80 hours over a two week work period. Employees work eight 9 hour days, one 8 hour day, and have one day off each two week pay period. Non-exempt employees on a 9/80 schedule have a different work week from employees on a

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traditional schedule. The employees' work week ends after 40 hours in the longer week. The remaining 5 hours are part of the next work week.

For example, a non-exempt employee works the following schedule, with every other Friday off:

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
9	9	9	9	4/5
MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
9	9	9	8	OFF

This employee's work week ends after 4 hours Friday. Any hours worked after that time are considered part of the next work week.

OR

Employees work four 10 hour days in a week and have one day off each week. Employees choosing this option must take a full one hour lunch period during the 4/10 work week. Employees or supervisors may choose to limit this option to less frequently than every week.

Employees working an alternate schedule need to consider the impact of the alternate schedule on holidays and other paid leave time. Holidays provide 8 hours of paid leave. Employees on a 9 or 10 hour work day need to WETR the additional 1 or 2 hours as vacation, personal, or compensatory leave, or make up the time. Similarly, employees on a 9 or 10 hour day need to WETR 9 or 10 hours vacation, sick or personal time for any days taken.

Telecommute:

A Division Director may authorize an employee to work from home or another satellite location other than the "main" office. Telecommuting will be allowed only when it is in the best interest of the Supreme Court, and appropriate arrangements can be made. The Supreme Court building is considered the post of duty for Phoenix employees who telecommute. For Tucson employees, it is the Tucson office of the Supreme Court.

Eligibility:

Eligible full time employees may participate in flextime or a compressed work week if the nature of the work allows. Employees who supervise others are eligible to participate in flextime only.

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Employees who are eligible and want to participate in the alternative work arrangement program must obtain approval from their immediate supervisor and Division Director. Circumstances that may be considered in making the decision to participate include the impact on the office, the nature of the work, and the employee's performance and attendance.

ON CALL STATUS

The purpose of this policy is to provide additional compensation for those exempt information technology employees who maintain critical business systems which operate on a twenty-four hour, seven day a week schedule and are regularly scheduled to be on call. These employees may be designated as "on call" by their division director, the deputy administrative director, or the administrative director.

Employees who are designated "on call" are restricted in their travel and other activities such that they are able to respond within 20 minutes to system emergencies during non-working hours. Employees must be able to be reached by telephone or pager, must be fit for duty, and may have to report to their duty posts. Employees who are designated "on call" must leave contact information with their immediate supervisor, and notify their supervisor of scheduled vacations, out of state travel, and other similar times they will not be available. In the latter circumstances, employees will not be considered "on call". Employees will receive a sum of \$15.00 per day for each day they are designated "on call."

Divisions must maintain and update a list for payroll of those employees designated as "on call." The administrative director or designee will approve this list at the beginning of each fiscal year.

Non-exempt employees will normally not be designated as "on call." non-exempt employees are paid for all working hours, and covered for any overtime hours worked by the provisions of the fair labor standards act.