

MOHAVE COUNTY SUPERIOR COURT POLICY AND PROCEDURE

TITLE: 8.1 PAID TIME OFF (PTO) LEAVE

EFFECTIVE DATE: 02/09/2017

REVISED DATE: 11/15/2023

PTO allows employees flexibility and the ability to manage their accrued time off for vacations, personal illness or injury, illness, injury or death of a family member, medical and dental appointments, humanitarian/emergency relief as a volunteer, and other personal business.

A. Eligibility and Accrual.

All full-time (at least 32 hours per week) and part-time (at least 20 hours per week) benefits-eligible, non-temporary employees are eligible to accrue PTO leave from the date of hire provided they are:

1. Are actively at work for at least twenty hours in at least one (1) week of the pay period, including hours actually worked plus approved P.T.O., E.I.B., and or comp time.
2. PTO leave shall accrue during any approved leave of absence with pay or suspension with pay (i.e. PTO, short-term military leave, bereavement leave, administrative leave). An employee on an approved leave of absence with pay who is using PTO, EIB, and/or comp time accruals to supplement income replacement through short-term disability is eligible to accrue PTO leave during such paid leave of absence.
3. Employees do not accrue PTO leave if they are on a leave of absence or suspension without pay for the duration of one or more pay periods. Employees who are solely on Workers' Compensation shall not accrue PTO leave, with the exception of Public Safety Officers according to [A.R.S. §38-961](#).
4. PTO leave shall not be used in advance of accrual.

B. Rate of Accrual. Eligible employees shall accrue PTO leave as follows:

1. Eligible part-time employees shall accrue PTO leave at 50 percent of a full time employee accrual per pay period based on their years of continuous service and their budget position.

Rate of accrual for employees hired prior to January 23, 2016

Years of Continuous Service	Full Time Employees	
	Hours Accrued per Pay Period	
	Hours Accrued Per Pay Period	Hours Accrued Per Year (totals rounded to nearest hour/day)

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Beginning on date of hire through end of 1 year	8.00	208 = 26 Days
Beginning year 2 through end of year 4	9.00	234 = 29 Days
Beginning year 5 through end of year 9	10.00	260 = 33 Days
Beginning year 10 through end of year 14	11.00	286 = 36 Days
Beginning year 15 and over	12.00	312 = 39 Days

Rate of accrual for employees hired on or after January 23, 2016 (Revised BOS July 17, 2023)

Years of Continuous Service	Full Time Employees	
	Hours Accrued per Pay Period	
	Hours Accrued Per Pay Period	Hours Accrued Per Year (totals rounded to nearest hour/day)
Beginning on date of hire through end of year 4	6.5	169 = 21 Days
Beginning year 5 through end of year 9	7.5	195 = 24 Days
Beginning year 10 through end of year 14	8.5	221 = 28 Days
Beginning year 15 +	9.5	247 = 31 Days

Newly hired full-time employees will be front loaded 39 hours of PTO on the date of hire. Newly hired part-time employees will be front loaded 19.5 hours of PTO on the date of hire. Accrual of PTO hours in conformity to this subsection will begin on the 7th pay period after hire date. During the transition effective July 29, 2023, adjustments may need to be done to previous newly hired employees who may fall under the first 6 pay periods.

C. Use of PTO leave.

1. The Department Head, or their designee, has the sole authority to approve or disapprove PTO or unpaid time requested by an employee. Failure to obtain approval for any PTO may be deemed by the Department Head as an unauthorized absence and may be subject to disciplinary action.

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2. PTO leave shall not be charged against an employee's accrued leave balance for an authorized holiday that occurs while an employee is using PTO leave.
3. Employees that do not return to work and separate for medical reasons shall be paid any accrued PTO.
4. Except as provided by Superior Court Personnel Policies and Procedures 7.41 (Call Back Time and Pay) PTO leave shall be allowed only to the extent that it will ensure payment for up to the employee's budgeted hours of their position.
5. PTO leave may be used to supplement Workers' Compensation (WC) payments up to 100% of an employee's regular bi-weekly base salary. Actual PTO hours required to supplement WC, shall be calculated to approach near approximation of the employee's regular net salary as WC payments are not subject to tax withholding.
6. PTO leave may be used to supplement Short Term Disability (STD) payments up to 100% of an employee's regular bi-weekly base salary. Actual PTO leave hours required to supplement STD shall be calculated to approach near approximation of the employee's regular net salary.
7. Compensatory time must be used prior to using PTO.

D. Verification of Need for Sick Related PTO Leave. The Department Head may require an employee requesting or having used sick related PTO leave to submit documentation substantiating the need for such leave in accordance with these procedures.

1. An employee who is absent for illness or injury more than three (3) consecutive days may be required to provide a medical release prior to returning to work. Such evidence may include, but is not limited to a certificate from a designated physician or practitioner, and/or an examination by a designated physician or practitioner.
2. The Department Head may disapprove the request for sick related PTO leave if such documentation is not adequate or if the designated physician determines that the request for sick related PTO leave is not a valid request.

E. Forfeiture of PTO Leave (Original Probationary Employees). Employees occupying classified positions who are on original probation and who do not complete their probationary period shall forfeit accrued PTO leave hours. Compensatory time shall not be forfeited.

F. Forfeiture of PTO Leave. For employees hired prior to January 23, 2016, at the end of the calendar year, total PTO leave accruals may not exceed nine hundred (900) hours. At the end of the calendar year (The pay period which includes December 31) only nine hundred (900) total PTO leave hours, will

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be carried forward to the new calendar year and accrued hours in excess of the nine hundred (900) hour limit will be forfeited.

At the end of the calendar year (The pay period which includes December 31), carryover of PTO for employees hired on or after January 23, 2016, shall not exceed 300 hours.

G. Requesting PTO Leave. With the exception of emergencies, injuries, or illness, PTO leave shall be requested in writing at least two (2) weeks in advance. The Department Head or designee has the sole discretion to approve or disapprove any request for PTO.

H. Reporting and Recording Leave. The Employee and the Department Head or designee shall be responsible for ensuring that all leave used is properly recorded on employee's timesheet form.

I. Disposition of Accrued Leave. An employee who transfers between County departments or to or from the Superior Court shall retain any accumulated PTO leave. An employee who changes from one employment type to another employment type (i.e., full-time, benefits-eligible employee, to part-time, benefits-eligible employee) shall retain any accumulated PTO leave and shall be eligible to use and/or accrue PTO in accordance with their current employment type. A benefits-eligible employee, who transitions to a non-benefits-eligible employee or an elected position, shall receive payment of PTO upon separation in accordance with the separation provision below.

J. Separation. For employees hired prior to January 23, 2016, a classified employee who separates from Superior Court service shall be paid up to a maximum of four hundred (400) hours of unused PTO leave at the employee's current rate of pay. A PTO eligible unclassified employee who separates from Superior Court service shall be paid up to a maximum of six hundred (600) hours of unused PTO leave at the employee's current rate of pay. Within the last three (3) months of employment, any amount of PTO used in excess of half of a year's accrual as defined in section 8.1, will be deducted from the 400/600 hours at separation. This does not include employees on approved medical leave.

K. Rate of PTO payout for employees hired on or after January 23, 2016, shall not exceed 300 hours. Within the last three (3) months of employment, any amount of PTO used in excess of half of a year's accrual as defined in section 8.1, will be deducted from the 300 hours at separation. This does not include employees on approved medical leave.

L. Paid Time Off (PTO) Buy Back

The purpose of this policy is to establish guidelines and procedures for the buyback of PTO for eligible employees.

1. The PTO Buy Back Program shall be funded on a fiscal year basis through the annual budget process, contingent upon Board of Supervisor approval. The Board may terminate the Program at any time. In all cases, employee participation in the Program is strictly voluntary.
2. It is a violation of Superior Court policy for any Court employee to coerce, threaten, intimidate or financially induce or reward another employee to participate in the PTO Buy

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Back Program.

3. Superior Court recognizes the existence of circumstances under which some employees have accumulated PTO that will not be used in a calendar year and will be rolled over to the next year. An eligible employee may sell back to the County up to forty (40) hours of PTO in eight (8) hour increments on an annual basis, which will be paid out by the second payroll cycle in January.

An employee may participate in the PTO Buy Back Program provided the employee meets all the following criteria:

- a. Retains a minimum of eighty (80) hours of PTO after PTO Buy Back is paid out.
 - b. In the calendar year in which the PTO Buy Back is requested, the employee has used, or is scheduled to use by December 31st, PTO in an amount equal to or greater than the amount of PTO Buy Back the employee is requesting. In no event may an employee receive more than forty (40) hours of PTO Buy Back in a single year.
 - c. Receives a "Meets" or "Exceeds" rating, on the employee's most recent employee Evaluation and is not subject to disciplinary action at the time the PTO Buy Back request is submitted.
 - d. Submit the PTO Buy Back Program Form to the employee's Department Director prior to the December 15th deadline in the calendar year in which the request is made. The Department Director shall determine the employee's eligibility, and if eligible, forward the Form to the Finance Department for processing.
4. Nothing in this policy changes Superior Court Policies and Procedures 8.1(C)(7), which requires employees to use compensatory time prior to using PTO. Compensatory time does not count toward the use of 40 PTO hours as required by the PTO Buy Back Program.

MOHAVE COUNTY SUPERIOR COURT

PTO Buy Back Request Form

In accordance with the Mohave County Superior Court PTO Buy Back guidelines, you must complete this Request form and obtain approval of your Department Director for the actual payout.

Acknowledgement by Employee (please initial by each statement):

____ I understand the guidelines for funding this program are subject to the Court's financial state and are reviewed annually by the Board of Supervisors during the budget process.

____ I understand the PTO Buy Back is only permitted once each fiscal year.

____ I understand that my request should be submitted prior to the deadline listed below.

____ I understand that I will receive my PTO time in compliance with current Court processes.

____ I understand that my PTO Buy Back is considered supplemental wages and is subject to I.R.S guidelines requiring tax withholding in addition to all other applicable taxes.

____ I meet the eligibility for this program as outlined below.

____ My PTO Buy Back Request is in compliance with provisions of Mohave County Superior Court's Buy Back Program.

I _____, hereby request _____ (up to 40 hours, payable in increments of 8 hours) PTO hours be paid out. I meet the criteria outlined in this form and as set forth in the PTO Buy Back Program. I further understand that the payout will be made according to the schedule provided below and that earlier payouts are not authorized.

Note: You will receive your PTO Buy Back amount via direct deposit unless you do not have an account set up. If you do not have an account set up you will receive a paper check.

Employee Signature: _____ Date: _____

Employee Name (Print): _____

Employee ID# _____ Department: _____

Employee is eligible for the PTO Buy Back Program provided the employee meets all the following criteria:

1. Retains a minimum of 80 hours of PTO after PTO Buy Back is paid out.
2. In the calendar year in which the PTO Buy Back is requested, the employee has used, or is scheduled to use by December 31st, PTO in an amount equal to or greater than the amount of PTO Buy Back the employee is requesting. In no event may an employee use more than forty (40) hours of PTO Buy Back in a single year.
3. Receives a "Meets" or "Exceeds" rating on the employee's most recent employee evaluation and is not subject to disciplinary action at the time the PTO Buy Back request is submitted.
4. Request must be submitted by December 15th of each year.

Department Director Approval: _____ Date: _____

Financial Services Approval: _____