

The following words and terms as used in these Rules shall have the meaning indicated unless the context clearly indicates otherwise:

1. **Abandonment of Job:** The separation from Judicial service of an employee who has been absent from his/her position for three (3) or more consecutive days without authorized leave.
2. **Access:** To have permission or ability to examine, obtain information from or add to personnel records.
3. **Accrued Holiday Leave:** Holiday leave accrued and added to the PTO balance of an eligible non-exempt status employee who is approved to work on a holiday observed by the Court.
4. **Actively at Work:** An employee who is working their regularly scheduled work hours and days and paid regular earnings.
5. **Administrative Suspension:** An involuntary leave with or without pay in the best interest of the Court imposed upon an employee who is under investigatory or judicial proceedings or for other good reason as determined by the Division Head and upon approval of the Presiding Judge.
6. **Allocation:** The assignment of a position to a classification on the basis of the duties and responsibilities assigned to the position.
7. **Appeal:** A request of the Hearing Officer to investigate a complaint alleging improper administrative suspension without pay, disciplinary suspension, demotion, or dismissal or alleged illegal discrimination.
8. **Appellant:** An employee whose appeal is pending through the Appeal Process.
9. **Applicant:** A person seeking Judicial employment in a position covered by these Rules or an employee seeking a transfer, reappointment, reinstatement, detail, promotion or demotion who has completed and returned, on a timely basis, an official Mohave County Court application form according to instructions.
10. **Appointing Authority:** Appointed or elected official serving in the capacity of Division Head or designee.
11. **Appointment:** The official offer of employment and acceptance by an eligible in accordance with these Rules.

12. **Armed Forces:** The United States Air Force, Army, Navy, Marine Corps, Coast Guard or Arizona National Guard.
13. **ARS:** Arizona Revised Statutes.
14. **Assignment:** A position (duty assignment and work location assignment) to which an individual is appointed.
15. **At Will Employee:** An employee who is appointed by and reports to an elected official and/or who is otherwise so designated, and whose employment may be terminated at any time, with or without cause.
16. **Board of Supervisors (also "Board"):** The Mohave County Board of Supervisors.
17. **Candidate:** An applicant approved for participation in an examination process.
18. **Certificate of Eligibles:** An official list of eligibles placed in order of suitability for a particular position which is submitted to the hiring division for selection.
19. **Child:** An individual who has not yet attained their eighteenth (18th) birthday.
20. **Civic Duty Leave:** Approved periods of absence with pay and related benefits from regularly scheduled work approved in advance while: serving as a juror; responding to a subpoena to appear as a witness; serving as a member of a public service board, commission or similarly constituted body; serving in the Arizona National Guard or Military Reserve; for voting, or for participating as a volunteer in humanitarian/emergency relief activities.
21. **Classification:** A title assigned to a position or group of positions with similar duties and responsibilities which require similar training, experience, knowledge, and skills.
22. **Classification Plan:** The orderly arrangement of positions under separate and distinct classifications on the basis of current duties and responsibilities.
23. **Classification Series:** Jobs involving work of the same nature, but requiring different skill and responsibility levels. For example, Probation Officer is a classification series; Probation Officer I is a classification (skill/responsibility level) within that series.
24. **Classification Specification:** The official description of positions assigned to a classification defining the type and level of duties and responsibilities and the acceptable qualifications necessary for successful performance.

25. **Classified Employee:** An employee who is appointed to a position which is covered under the provisions of these Rules.
26. **Commission:** The Judicial Employee Merit System Commission of the Superior Court in Mohave County.
27. **Compensation:** The salary, wage, allowances, and all other forms of valuable consideration earned by or paid to an employee except reimbursement for necessary expenses which have been authorized and incurred.
28. **Compensatory Time:** Earned time recorded on an employee's pay record in lieu of overtime pay which must be taken in the same pay period as worked.
29. **Consecutive Calendar Years:** A twenty-four (24) month consecutive period of time including the current and previous calendar years.
30. **County:** Mohave County Government.
31. **Court:** The Superior Court in Mohave County and all Divisions thereof, individually and collectively, which are covered by these Rules.
32. **Demotion:** A change in the assignment of a regular employee from a position in one classification to a position of another classification having a lower salary range.
33. **Detail:** The assignment of an employee to temporary duty which exceeds thirty (30) working days to a position other than the position to which regularly assigned.
34. **Disability:** A physical, mental, emotional or psychological illness or injury which temporarily or permanently renders an employee or applicant unable to perform the essential functions of their position, with or without reasonable accommodation.
35. **Dismissal:** The involuntary termination of a person from Judicial employment for disciplinary reasons.
36. **Disposable Earnings:** The compensation paid or payable for personal services, less any amount required to be withheld by law.

37. **Division:** A unit of the Superior Court which falls under the purview of these Rules and is under the control of a Division Head.
38. **Division Head:** An elected or appointed official responsible for directing and coordinating the functions of a Division including supervising assigned personnel.
39. **Eligible:** An applicant who has been determined to meet the acceptable qualifications for a specific classification.
40. **Employee:** A person who has been appointed to and is currently filling a budgeted position falling under the purview of these Rules. Temporary and contractual hires are excluded from this definition unless the terms of a contract permits inclusion under the Judicial Merit Rules.
41. **Exempt Status Employee:** Executive, administrative and professional employees who are considered exempt from the overtime and reporting provisions of the Fair Labor Standards Act (FLSA) and/or applicable provisions of the A.R.S.
42. **Fair Labor Standards Act (FLSA):** The Fair Labor Standards Act of 1938 as amended.
43. **Full-time Employee:** An employee assigned to work a minimum of thirty two (32) hours per week in a budgeted, benefits eligible position.
44. **Garnishment:** Retention of wages or property pursuant to legal process by an employer or other person to satisfy a debt owned to a creditor.
45. **Grievance:** A complaint (excluding alleged improper suspension, demotion, dismissal or illegal discrimination) alleging misinterpretation, misapplication or unequal enforcement of Judicial Merit System Rules, Personnel Policies or Administrative Procedures.
46. **Grievant:** An employee who has filed a grievance through the general grievance process included in these Rules.
47. **Hearing Officer:** An individual retained by the Court to hear and make written findings of fact, applicable law, policy and/or procedure; and recommendations on disposition of appeals filed under the provisions of these Rules.

48. **Holiday Benefit:** The compensation paid to eligible employees for each of the recognized/observed holidays. Holiday time for full-time eligible employees is defined as eight (8) hours in duration for each court recognized/observed holiday. Holiday time for part-time eligible employees is defined as four (4) hours in duration for each court recognized/observed holiday.
49. **Illegal Discrimination:** Discrimination, including harassment, based on race, religion, color, gender, age, disability, national origin or veteran's status.
50. **Immediate Family Member (or Relative):** Spouse, parent (whether biological or step), child, stepchild, siblings, father-in-law, mother-in-law, grandparents of an employee or grandparents of an employee's spouse, grandchildren of an employee or employee's spouse. Employees living together and who consider themselves life partners but who are not legally married are considered within this definition.
51. **Intermittent Employee:** An eligible who has been hired for seasonal, on-call as-needed employment.
52. **Internal Register:** The official file containing applications of eligibles, for a specific classification, who are current employees.
53. **Intradivision Announcement:** The official notice to employees of a specific division of employment opportunity in that division.
54. **Judicial Service:** The Superior Court and all divisions thereof falling under the purview of these Rules.
55. **Layoff:** The conditional separation of an employee due to lack of funds, lack of work, reorganization (causing cutbacks and reductions), abolition of position or other reasons specified in these Rules.
56. **Maintain:** Includes collect, file, update, use or disseminate.
57. **Management Leave:** Time off with pay during an exempt employee's normal working hours to offset unaccruable extraordinary hours worked in unusual circumstances as determined by the Division Head.
58. **Manifest Error:** An act or failure to act which is, or clearly has caused, a mistake of commission or omission to occur.
59. **May:** Used to express customary action.

60. **Merit System:** The uniform and equitable system of personnel administration under the federal guidelines and rules.
61. **Moral Turpitude:** Act or behavior that gravely violates moral sentiment or accepted moral standards of the community.
62. **Non-Active Work Status:** An employee who has been and continues to be absent from their job beyond the lesser of ten (10) consecutive work days or two (2) consecutive pay periods.
63. **Non-Exempt Status Employee:** Employees covered by the overtime and reporting provisions of the Fair Labor Standards Act and/or applicable provisions of the A.R.S. Non-exempt employees are compensated in pay or compensatory time at the discretion of the Division Head and consistent with the provisions of the Fair Labor Standards Act, applicable provisions of the A.R.S., and these Rules.
64. **Official Position Review:** The examination of the required duties and responsibilities of a budgeted position in order to determine proper allocation.
65. **Overtime:** Time worked by non-exempt employees in excess of forty (40) hours in any work week unless a different definition is allowed by law and established by the Court.
66. **Part-time Employee:** An employee assigned to work a minimum of twenty (20) hours per week but less than thirty-two (32) hours per week in a budgeted, benefits eligible position.
67. **Pay Period:** A two consecutive calendar week period of time commencing at 12:01 a.m. on Saturday and ending at 12:00 midnight the second Friday thereafter, during which hours worked, paid and unpaid leave are recorded for purposes of calculating payrolls. There are twenty-six (26) pay periods in each calendar year.
68. **Personnel Department:** The Mohave County Department known as the Personnel and Risk Management Department or such other Mohave County or Superior Court Department or Division so designated by the Presiding Judge.
69. **Personnel Record:** Any personnel information maintained in the official employee record or file.
70. **Position:** A group of duties and responsibilities normally performed by one employee in order to provide a necessary service as identified by a Division Head and authorized by an approved budget.

71. **Premium Pay:** Compensation in addition to an employee's normal pay including overtime pay, compensatory time, call-back pay, and on-call pay, and premium holiday wages.
72. **Presiding Judge:** The person appointed by the Arizona Supreme Court who is responsible for the overall supervision of the Superior Court including personnel of Judicial Divisions, Court Administrator's Office, Conciliation Court, and Adult and Juvenile Probation Departments.
73. **Probationary Employee:** An employee serving either an original, promotion, reappointment, transfer, demotion or certain types of reinstatement, probationary period immediately following employment. An employee who fails any type of probationary period has no right of appeal, except in instances of alleged illegal discrimination as provided in these Rules. Original probationary employees do not have grievance, appeal or hearing rights, except as otherwise provided in these Rules.
74. **Probationary Period:** A qualifying timeframe following initial appointment, reinstatement, reappointment, transfer, promotion or demotion, which is the final step in the examination process during which an employee's work performance is evaluated.
75. **Promotion:** A change in the assignment of an employee from a position in one classification to a position in another classification having a higher salary range.
76. **Public Announcement:** The official notice to the public of an employment opportunity in a Division falling under the purview of these Rules.
77. **Public Register:** The official file containing applications of eligibles for a specific classification.
78. **Reallocation:** A change in the classification of an existing position.
79. **Reasonable Suspicion:** A belief based on objective and articulated facts sufficient to lead a person to suspect that an employee is under the influence of drugs or alcohol or has committed a criminal act.
80. **Reassignment:** A noncompetitive change in the assignment of an employee from one position to another of the same classification and salary range within the employee's division.
81. **Reclassification:** A change in the classification of an incumbent employee when his or her position has been reallocated.

82. **Record:** Any information maintained about an individual containing a name or other identification.
83. **Register:** An official list of eligibles for a particular classification or group of classifications.
84. **Regular Employee:** An employee who, through a selection process, has been chosen to fill a position in the classification system and has completed the original probationary period for the position. Appointed, contractual, temporary, and original probationary employees are excluded from definition.
85. **Reinstatement:** The appointment of a laid-off employee to a position of the same or lower classification from which laid-off, or the return of an employee as ordered by the Presiding Judge.
86. **Reinstatement Register:** The official file containing applications of employees who have been laid-off from a specific division and specific classification.
87. **Relative:** Any person related by affinity or consanguinity within the third degree as defined by A.R.S. 38-481.
88. **Respondent:** The Division Head or the other individual named by the Appellant whose interests are adverse to those of the Appellant who will be directly affected by an appeal decision.
89. **Separation:** Separation of an employee from a position falling under the purview of these Rules.
90. **Shall:** Used to express what is mandatory; must; will.
91. **Should:** Used to express future expectations; future tense of shall.
92. **Statutory Payroll Deduction:** Those deductions which are mandated by or under color of applicable state and/or federal law or regulation and include, but are not limited to, social security and state retirement employee contributions, garnishments, court-ordered deductions, state and federal taxes, and similar items.
93. **Superior Court:** The Superior Court in Mohave County and all Divisions falling under the purview of these Rules.

94. **Suspension:** An involuntarily imposed leave with or without pay of a regular status employee.
95. **Temporary Employee:** An employee who has been appointed on a full-time, part-time or variable-time basis for a time-limited period not to exceed twenty-four (24) months unless extended an additional twelve (12) month period.
96. **Transfer:** The noncompetitive change in the assignment of an employee to another classification in the same pay range or to a position of the same classification in another division.
97. **Unclassified Position:** A position which is exempt from the provisions of these Rules.
98. **Under the Influence of Alcohol:** Anything greater than .00 percent of alcohol as measured by blood, breath or urine tests while the employee is on duty or subject to be called back to duty in a paid standby status.
99. **Under the Influence of Drugs:** Any measurable amount of drugs which is unlawful to possess under Arizona law (unless the same is being taken by the employee pursuant to instructions of a licensed medical doctor) as measured by blood or urine tests while the employee is on duty or subject to be called back to duty in a paid standby status.
100. **Vacant Position:** A position currently under recruitment or not filled by an employee.
101. **Voluntary Payroll Deduction:** Dollars which are voluntarily authorized by an eligible employee and are deducted from their paycheck.
102. **Wage Assignment:** The transfer of property (wages) to be held in trust or to be used for the benefit of creditors.
103. **Work Period:** A work period is any established and regularly recurring period of work which cannot be less than seven (7) consecutive days nor more than twenty-eight (28) consecutive days.
104. **Work Week:** All time within a seven (7) day period which an employee is required to be on the employer's premises for the performance of prescribed duties, at a prescribed work place on duty and begins at 12:01 a.m. Saturday and ends at 12:00 midnight the following Friday.