

Salt Lake County Human Resources Policy 2-100: Employment Status

Purpose

This policy establishes uniform practices governing employment status, benefits and restrictions as they apply to Salt Lake County employees.

I. Policy

The hiring and movement of employees is governed by statute, county ordinance and Human Resource policies. All allocated positions are assigned an employment status.

II. Procedures

A. Regular Status (Status 02)

1. Employees hired through a competitive process, rehires, and transfers from other merit systems who successfully complete their probationary period may hold Regular status.
2. Regular Status employees are full-time merit employees.
3. Regular Status employees are eligible to receive benefits.
4. Regular Status employees are eligible for reclassification, promotion, reassignment, or transfer.
5. Regular status employees are full-time and the number of hours worked per week may not be permanently changed without position reallocation from the Human Resources Division.

B. Probationary Status (Status 03)

1. Regular Status employees initially hold probationary status.
2. Probationary employees are eligible to receive benefits.
3. Probationary employees are at-will.
4. Movement to Regular Status as a merit employee is conditional upon the satisfactory completion of a merit probationary period.
5. The merit probationary period for career service employees is the first six months of employment following the hire or rehire date of a regular or Permanent Part-Time employee.
6. The merit probationary period of a career service employee may not be extended except for performance issues for up to an additional six months for good cause as determined by the Human Resources Division Director.
 - a. Any extension to the merit probationary period will be communicated in writing to the employee prior to the completion of the original probationary period with a copy forwarded to the Human Resources Division.
 - b. Individuals who have been placed on extended merit probation over three months will be given performance evaluations at least every three months with at least one performance evaluation near the end of the extended period.
 - c. Employees placed on an approved extended merit probationary period are not entitled to benefits contingent upon merit employment status except for the right to appeal to the Career Service Council in cases of discrimination or allegations that the extension is intended to thwart merit principles.
7. The merit probationary period for Sheriff's Office sworn employee is the first 12 consecutive months of employment following hire.
 - a. The probationary period for a Sheriff's Office sworn employee will be extended as necessary for an officer to satisfactorily complete an approved peace officer training program.
 - b. All Sheriff's Office sworn employees must be appointed from a Deputy Sherriff Merit

Salt Lake County Human Resources Policy 2-100: Employment Status

Commission certified register with the exception of a specialist position and a temporary appointment not to exceed 60 calendar days pending certification of a register.

8. Probationary employees will be evaluated prior to completion of the merit probationary period.
9. Prior to the completion of the probationary period, the supervisor will take action following the performance evaluation to either terminate, extend the merit probationary period or convert the employee to merit status.
10. Promotions, Reassignment, and Transfer
 - a. Serving a merit probationary period will not prevent a probationary employee from being promoted, reassigned or transferred to a different position as long as the employee is certified from a merit employment register or is eligible for rehire.
 - b. The supervisor will require a new probationary period if the duties of the new position resulting from promotion, reassignment or transfer are significantly different.
 - c. The supervisor may allow the employee's original probationary period to count towards a new position if the duties and responsibilities of the new position are the same or very similar to the original position, with approval from the Human Resources Division Director.
 - d. Sheriff's Office sworn employees hired from a POMC certified register or reinstated from a Reduction in Force reappointment register into another category will serve a probationary period in the new category.
11. Reclassification
 - a. Probationary employees reclassified to a higher grade based on market data with no change to their actual duties are not required to complete a new probationary period.

C. Provisional (Status 04)

1. Provisional employees are eligible to receive benefits based on hours worked.
2. Provisional employees are at-will.
3. The Human Resources Division Director will review and approve all appointments to provisional status without competitive hire.
4. A provisional appointment may only be made when a position has been allocated, classified, had minimum qualifications established and an on-line requisition has been submitted to the Human Resources Division.
5. Administrators may request an individual be considered for provisional employment if:
 - a. there are urgent reasons for filling the position and the Human Resources Division is unable to make satisfactory certification from a register
 - b. individuals who are eligible for reassignment, rehire, reinstatement, reclassification or promotion are deemed inappropriate for the position
6. After the Human Resources Division certifies that an individual meets the minimum qualifications of a position, the person may be provisionally appointed to fill the existing vacancy until an employment register is established.
7. Provisional appointments will not be continued beyond 30 calendar days after the establishment of an employment register or beyond the length of a probationary period, whichever comes first.
8. The position must be announced for recruitment within 60 calendar days of the provisional appointment.
9. A position will not be filled by repeated provisional appointments.
10. Time spent in the position as a provisional employee will be credited towards the merit probationary period.
11. Provisional employees accumulate vacation and sick leave, receive holiday pay, and earn retirement credit.

Salt Lake County Human Resources Policy 2-100: Employment Status

D. Temporary (Status 05)

1. Temporary employees are not eligible for benefits except as required by law.
2. Temporary employees are at-will.
3. A temporary appointment requires a description of duties submitted to the Human Resources Division.
 - a. If a grade and pay range do not exist, the temporary appointment will be assigned a grade and pay range.
 - b. If a current position description already exists, the grade and pay range previously established will be used.
4. The hiring authority may directly hire a temporary employee.
5. Temporary employees work an average of 29 hours or less per week or an average of 129 hours or less per month over the ACA measurement period. Temporary employees are paid on an hourly basis and within the pay range of the grade established by the Human Resource Division.
6. To pay a temporary employee above the established grade range, the supervisor will prepare a letter of justification and obtain approval from the Human Resources Division Director.
7. Time spent in a temporary appointment is not considered part of the merit probationary period.

E. Merit Part-Time (Status 08)

1. Employees hired for part-time work through a competitive process, rehires or transfers from other merit systems may hold Merit Part-Time status.
2. Merit Part-Time employees are all eligible for benefits based upon hours worked.
3. Merit Part-Time employees work at least 20 hours per week but less than 40.

F. Time Limited Appointment (Status 12)

1. Time limited appointed employees are eligible for benefits.
2. Time limited appointed employees are at-will.
3. Time limited appointed employees will be appointed to perform work that does not exceed three year's duration or until funding is exhausted.
4. A time limited appointment is made after a position has been authorized by the Salt Lake County Council, classified by the Human Resources Division with an approved [written agreement](#) between the hiring authority and the employee that is approved by the Human Resources Division Director.
5. An individual appointed to a time limited appointed position must meet minimum qualifications.
6. Salaries for time limited appointed employees will be determined by the appointing authority.
7. If certified and hired for a merit position, individuals will carry all benefits accrued and retain their original service date (adjusted for interrupted county service).
8. Merit employees who are appointed to a time limited appointed position and transfer back to a merit position, with no break in county service, are not required to serve another probationary period.
9. Merit employees who have accepted an appointment to a time limited appointed position and are not retained by the appointing officer, unless discharged for cause, will within 30 days of non-retention:
 - a. be appointed to any merit position for which they qualify in a pay grade comparable to their last merit position provided an opening exists; or
 - b. be appointed to a lesser merit position for which they qualify pending the opening of a position described in 2-100-II-10-a.

Salt Lake County Human Resources Policy 2-100: Employment Status

- i. If there are no jobs available for which the employee qualifies, the employee will be placed on the reappointment register pending an opening as described in 2-100-II-10-a and 2-100-II-10-b.
- ii. If the employee chooses not to accept a lesser position, the employee will be placed on the reappointment register pending an opening as described in 2-100-II-10-a.

G. Justice Court Judge (Status 91)

1. Justice Court Judges are eligible for benefits.
2. Justice Court Judges are initially appointed by the Council following competitive selection procedures and subsequently retain their appointments only through retention elections by the voting public.
3. Salaries are set by the County Council.
4. Full-time merit employees who are appointed to a Judgeship and transfer back to a merit position, with no break in service, are not required to serve another merit probationary period.

H. Appointed – Non-Merit (Status 95)

1. Appointed – Non-Merit employees are eligible for benefits.
 - a. Appointed – Non-Merit employees eligible for Tier 1 will receive the same contribution rate to the URS as regular merit employees who are Tier 1 eligible.
 - b. Appointed – Non-Merit employees eligible for Tier 2 will receive the same contribution rate to the URS as regular merit employees who are Tier 2 eligible.
 - c. The funding for these benefits is subject to the provisions of Salt Lake County Human Resource Policy 1-100 Human Resources Policy Disclaimer.
2. Appointed – Non-Merit employees do not accrue vacation or sick leave but are eligible to take paid leave as approved by the Agency’s Elected Official.
3. Appointed – Non-Merit employees are at will.
4. Elected officials may make non-merit [appointments to specified positions](#).
5. An employee in a position designated as Regular (Status 02) that is approved by the Career Service Council to be Appointed Non-Merit (Status 95) will be offered 60 calendar days to voluntarily elect to convert to Appointed Non-Merit (Status 95).
6. Salaries for appointments are set by the appointing Official and approved by the Council as part of the budget process.
7. When creating an appointed position, the Administrator or Elected Official will make a written request to the Human Resources Division Director for a new position or a change of status of a specific position and will provide the written job description and a proposed justification of the action to the Human Resources Division Director.
8. The Human Resources Division Director may initiate a request concerning a change in the appointed or merit status of any position within Salt Lake County government. The Human Resources Division Director will review the request to determine if the requirements of the County Personnel Management Act, [Utah Code 17.33](#), are met. The Human Resources Division Director will prepare written findings of fact and a recommendation which will be forwarded to the Career Service Council and the requesting party.
9. The Career Service Council will review the Human Resources Division Director’s findings of fact and decision and will conduct a public hearing to rule on the request. A public hearing will be scheduled within 14 calendar days of the receipt of the request to get input on the proposal.
10. The Career Service Council will prepare findings of fact and a final decision regarding the request that will be forwarded to the Mayor or Elected Official, the Human Resources Division Director and the requesting administrator.

Salt Lake County Human Resources Policy 2-100: Employment Status

11. Merit employees who have accepted an appointment to an appointed – non-merit position and are not retained by the appointing officer, unless discharged for cause, will within 30 days of non-retention:
 - a. be appointed to any merit position for which they qualify in a pay grade comparable to their last merit position provided an opening exists; or
 - b. be appointed to a lesser merit position for which they qualify pending the opening of a position described in 2-100-II-10-a.
 - i. If there are no jobs available for which the employee qualifies, the employee will be placed on the reappointment register pending an opening as described in 2-100-II-10-a and 2-100-II-10-b.
 - ii. If the employee chooses not to accept a lesser position, the employee will be placed on the reappointment register pending an opening as described in 2-100-II-10-a.
- I. **Elected Official (Status 97)**
 1. Elected officials are eligible for benefits.
 - a. Elected officials eligible for Tier 1 will receive the same contribution rate to the URS as regular merit employees who are Tier 1 eligible.
 - b. Elected officials eligible for Tier 2 will receive the same contribution rate to the URS as regular merit employees who are Tier 2 eligible.
 - c. The funding for these benefits is subject to the provisions of Salt Lake County Human Resource Policy 1-100 Human Resources Policy Disclaimer.
 2. Elected officials include Assessor, Auditor, Clerk, County Council, District Attorney, Mayor, Recorder, Sheriff, Surveyor and Treasurer.
 3. Salaries are set by the County Council.
 4. If certified and hired for a merit position, individuals will carry all benefits accrued and retain their original service date (adjusted for interrupted county service).
 5. Elected officials who are hired into merit positions will be required to serve a probationary period.
 6. Regular employees who transfer to an Elected Office and transfer back to a merit position, with no break in service, are not required to serve another merit probationary period.
- J. **Seasonal**
 1. Seasonal employees are not eligible for benefits
 2. Seasonal employees are at-will.
 3. A seasonal appointment requires a description of duties submitted to the Human Resources Division.
 - a. If a grade and pay range do not exist, the seasonal appointment will be assigned a grade and pay range.
 - b. If a current position description already exists, the grade and pay range previously established will be used.
 4. The hiring authority may directly hire a seasonal employee.
 5. A seasonal employees shall work six months or less.
 6. Seasonal employees are paid on an hourly basis and within the pay range of the grade established by the Human Resource Division.
 7. In order to pay a seasonal employee above the established grade range, the supervisor will prepare a letter of justification and obtain approval from the Human Resources Division Director.
 8. Time spent in a seasonal appointment is not considered part of the merit probationary period.
 9. Seasonal employees are not eligible for county benefits except as otherwise provided by the

Salt Lake County Human Resources Policy 2-100: Employment Status

law.

10. Seasonal employees are not considered merit employees; they are “at will” employees who may be terminated, without notice and without a pre-termination hearing.

K. **Multiple Jobs**

1. An employee is allowed to work in more than one position or for more than one agency but is not allowed to work in more than one merit position.
2. Upon hire, the employee shall have their Primary Agency and Primary Position designated by the Human Resources Division.
3. Neither the Primary Agency nor the Subordinate Agency may approve overtime for Multiple Jobs Employee.

L. **Internship**

1. An internship requires the Agency to submit a description of duties and minimum qualification to the Human Resources Division.
2. An internship does not guarantee employment following its completion.
3. An intern must complete the County Internship Agreement
4. An internship may be paid or unpaid.
 - a. **Paid Internship**
 - i. A paid intern works under the supervision of a skilled employee while learning a profession or trade for a defined period of time.
 - ii. A paid intern may be affiliated with a school contract and/or receive academic credit, but it is not required.
 - iii. A paid internship has a defined beginning and end with clearly defined learning objectives and goals related to the goals of the internship program.
 - iv. A paid intern is an employee under FLSA regulations.
 - v. A paid intern is at-will.
 - vi. A paid intern is not eligible for benefits unless required by law.
 - vii. A paid intern shall work 29 hours or less per week or 129 hours or less per month.
 - viii. A paid intern shall not be a merit employee.
 - b. **Unpaid Internship**
 - i. An unpaid intern shall be affiliated with a school contract and/or receive academic credit.
 - ii. An unpaid intern participates with the County in an educational or academic capacity designed to provide the student with professional experience in the continuance of their education and training.
 - iii. An unpaid internship has a defined beginning and end with clearly defined learning objectives and goals related to the goals of the academic program.
 - iv. An unpaid intern is supervised by an experienced employee and provided resources that support the learning objectives and goals.
 - v. An unpaid internship is for the benefit of the unpaid intern.
 - vi. An unpaid intern does not displace or cover for regular employees but rather participates under close supervision of existing employees.
 - vii. An unpaid intern is not an employee under FLSA regulations.
 - viii. An unpaid intern is not a volunteer under FLSA regulations.
 - ix. An unpaid intern is not eligible for benefit unless required by law.
 - x. An unpaid intern shall not be a merit employee.

Salt Lake County Human Resources Policy 2-100: Employment Status

APPROVED and ADOPTED this 13 day of September, 2022.

SALT LAKE COUNTY COUNCIL

By Laurie Stringham
Laurie Stringham, Chair

ATTEST:

Sherrie Swensen

Sherrie Swensen, County Clerk

Reviewed and Advised as to
Legality and Form
Salt Lake County
District Attorney's Office
Digitally signed by Zachary
Lancaster
Date: 2022.09.05 14:56:36 -0600

Voting:

Council Member Alvord
Council Member Bradley
Council Member Bradshaw
Council Member DeBry
Council Member Granato
Council Member Theodore
Council Member Snelgrove
Council Member Stringham
Council Member Winder Newton

"Aye"
"Aye"
"Aye"
"Aye"
"Aye"
"Aye"
"Aye"
"Aye"
"Aye"