



## **Weber County Human Resources Policy 2-100**

### **Employment Status**

#### **I. Purpose**

This policy establishes uniform practices governing employment status, benefits and restrictions as they apply to Weber County Employees.

#### **II. Policy**

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

#### **III. Procedures**

##### **A. Overview of Merit Status and Eligibility for Benefits**

1. Merit employees, also known as career service employees, are employees who hold regular status or part-time benefits eligible status, as defined in this policy.
2. The following employees are eligible for county benefits, except as otherwise provided by law or as otherwise noted in this policy or another county policy:
  - a. Merit employees
  - b. Benefits eligible non-merit employees

##### **B. Regular Status**

1. Employees hired through a competitive process, rehires, and transfers may hold regular status. Regular status employees are full-time employees who:
  - a. Work 30 or more hours per week
  - b. Are eligible to receive county benefits
  - c. Are eligible for reclassification, promotion, reassignment or transfer

##### **C. Temporary or Seasonal Status**

1. If an employee is needed for a temporary or seasonal period, the supervisor shall submit a Personnel Action form to Human Resources.
  - a. Temporary or seasonal appointments shall not exceed six months.
  - b. An employee may not be hired for a temporary or seasonal appointment within six months after the employee previously held a temporary or seasonal appointment with Weber County.
  - c. Temporary and seasonal employees are not considered merit employees; they are "at will" employees who may be terminated, without notice and without a pre-determination hearing. Terminations must be approved by the Director of Human Resources before notice is given to the employee.

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- d. Employees hired into a temporary or seasonal position may compete for appointment to merit positions when vacancies are advertised either internally or externally.
- e. Employees hired into a temporary or seasonal position shall possess the minimum qualifications required in the classification description.
- f. Temporary and seasonal employees are not eligible for benefits.

### **D. Part-Time Benefits Eligible Status**

- 1. Employees hired through a competitive process, rehires, and transfers may hold part-time benefits eligible status. Part-time benefits eligible employees:
  - a. Will be paid on an hourly basis and will work an average of between 20 and 29 hours per week
  - b. Are eligible to receive some, but not all, county benefits, as specified in the policies governing county benefits
  - c. Are eligible for reclassification, promotion, reassignment or transfer
  - d. Employees who consistently work more than 29 hours per week over an eight-week lookback period will be moved to regular status and the department will be responsible for securing the necessary budget funds.

### **E. Part-Time Non-Benefits Eligible Status**

- 1. Employees hired for part-time work, rehires or transfers may hold a part-time non-benefits eligible status.
- 2. Part-time non-benefits eligible employees:
  - a. Will be paid on an hourly basis;
  - b. Will work less than an average of 20 hours per week; and
  - c. Do not receive any County benefits except as provided for by policy (e.g. workers compensation)
- 3. Employees who consistently work more than 19 hours per week over an eight-week lookback period will be moved to part-time with benefits status and the department will be responsible for securing the necessary budget funds.

### **F. Benefits Eligible Non-Merit Status**

- 1. Employees in the following positions, when properly classified as exempt from merit status, have benefits eligible non-merit status:
  - a. Elected officials
  - b. Chief deputies
  - c. Department heads
  - d. Executive secretaries
  - e. Administrative assistants
  - f. Division directors

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2. Benefits eligible non-merit employees are eligible to receive county benefits with the following conditions:
  - a. Chief deputy, department head, and division director positions do not accrue vacation and sick leave, but are eligible to take paid leave as approved by the agency elected official(s) or department head. Executive Secretary and Administrative Assistant positions will receive sick leave and vacation leave benefits.
  - b. They cannot be promoted or transferred to a merit position unless certified from a merit employment register, or unless they have the right to return to a merit position as stated in Policy 2-300: Recruitment and Selection, Section G.
  - c. Their rights, upon termination of their appointment, are governed by Policy 2-300: Recruitment and Selection, Section G.
  - d. They do not have the right of appeal or hearing except in cases of alleged discrimination.
3. When creating a benefits eligible non-merit position, the elected official or department head will make a written request to the Director of Human Resources for a new position or change of status of a specific position and will provide the written job description and a proposed justification of the action.
4. The Director of Human Resources may initiate a request concerning a change in the appointed or merit status of any position within Weber County government.
5. The Director of Human Resources will review the request to determine if the requirements of the County Personnel Management Act, Utah Code 17.33, are met and then prepare written findings of fact and a recommendation.

### **G. Grant Funded Employees**

1. From time-to-time the county may offer employment to employees whose salary, wages, and benefits are fully or partially paid from grant funds. These employees are at-will employees, not merit employees. However, they are eligible for benefits if they work an average of at least 20 hours per week. If the grant is discontinued or diminished to such a point as to no longer make employment feasible the county reserves the right to terminate these employees without regard to seniority or other reduction-in-force requirements, as long as the employee signed a grant funded employment form prior to their employment.

### **H. Probationary Status**

1. Regular status and part-time benefits eligible employees initially hold probationary status. Movement to regular status or part-time benefits eligible status as a merit employee is conditional upon the satisfactory completion of the probationary period.
2. Merit probationary employees serve at-will under this status.
3. Except as otherwise stated in this policy, the merit probationary period for merit employees is the first six months of employment following the hire or rehire date.

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4. The merit probationary period of a merit employee may not be extended unless the Director of Human Resources determines that there is good cause for an extension of up to an additional six months because of performance issues.
  - 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 Human Resources.
  - b. Individuals who have been placed on an extended merit probationary period over three months will be given performance evaluations at least every 30 days with one final probationary performance evaluation near the end of the extended period.
  - c. Employees placed on an 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.
5. Individuals hired into applicable law enforcement and corrections positions shall serve a probationary period of 12 consecutive months.
  - a. The probationary period for a Sheriff's Office sworn employee is extendable as necessary for an officer who has not yet satisfactorily completed an approved peace officer training program.
6. Probationary employees will be evaluated prior to the completion of the merit probationary period.
7. At least two weeks prior to the completion of the probationary period, the supervisor shall make a recommendation for appropriate action. The recommendation shall include reasons for the action requested. Any of the following actions may be recommended by the supervisor:
  - a. Recommend, based on satisfactory performance by the employee, that the employee be given merit status.
  - b. Recommend that the employee be dismissed.
  - c. If the probation is the result of a promotion within the department, recommend that the employee be demoted (from the promoted position) and returned to the former position.
  - d. In a situation involving a transfer between departments, recommend that the employee be dismissed.
  - e. Recommend that the employee be put on extended probation. Length and terms of probation shall be included in the recommendation.

### **I. Promotions, Reassignment, and Transfer**

1. Except in the case of new hires (see policy 2-300. III. F. Promotions), 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 employee register or is eligible for rehire.
2. The supervisor will require a new probationary period if the duties of the new position resulting from the promotion, reassignment or transfer are significantly different.

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3. 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 Director of Human Resources.

### J. Reclassification

1. Except in the manner provided for promotions during probation, an employee shall not be reclassified during their probationary period to a higher level grade or salary without competing and being certified from an open register, unless the change is due to a change in the salary as a result of market analysis, or a reevaluation of the original duties of the position.

### K. Termination


1. At any time during the probationary period an employee may be separated from the service without the right of appeal. Dismissal during the probationary period requires approval from the Director of Human Resources.
2. A person terminated during their probationary period shall not be placed back on the eligibility register without passing another examination in conformity with these regulations, unless this provision is waived by the Director of Human Resources, based on individual circumstances.


DATED this 23<sup>rd</sup> day of November, 2021.

BOARD OF COUNTY COMMISSIONERS OF  
WEBER COUNTY:


  
James H. Harvey, Chair

ATTEST:

  
Ricky Hatch, CPA  
Weber County Clerk/Auditor

  
Sarah Swan  
Human Resources

Approved as to form and legality:

  
Courtlan Erickson  
Deputy County Attorney