

Davis County Human Resources Policies

Employment Categories #175

1.0 Purpose & Scope

To define and clarify employment categories for all positions at the County.

1.1 Policy

All positions in the County are separated into merit and merit-exempt categories according to principles outlined in the County Personnel Management Act, Utah Code 17.33.1.

1.2 Definitions

See Definitions Policy

1.3 Procedures

1. Employment Categories

- a. **Merit Positions.** Merit employees, also known as career service employees, are benefits-eligible and have merit rights in accordance with the County Personnel Management Act¹. The following applies:
 - i. All open merit positions will be filled using a competitive recruitment process.
 - ii. Employees in this category are benefits-eligible.
 - iii. Full-time positions will work a regular schedule of at least 40 hours per week and are eligible for full-time benefits.
 - iv. Part-time merit positions will have a regular schedule of at least 24 hours but no more than 29 hours on average per week. Employees in this category are eligible for health insurance at part-time premium rates, URS retirement, and Holiday pay.
 - v. Merit Status Retention. A merit employee accepting an appointment to an exempt position who is not retained by the appointing Administrative Officer will be appointed to any merit position for which the employee qualifies in a pay grade comparable to the employee's last merit position provided an opening exists; or be appointed to any lesser merit position for which the employee qualifies pending the opening of the previously described position. This rule does not apply to employees who have been terminated in accordance with the Corrective & Disciplinary Action policy. This retention process takes precedence over other County employee retention processes.
 - vi. Probation.
 1. Probationary Period. Merit-eligible employees will serve a 6-month probationary period with the exception of sworn merit-eligible employees in law enforcement and corrections who will serve a 12-month probationary period. Upon successful completion of the probationary period, the employee will obtain merit status.

¹ See UCA 17-33-1 et. seq.

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Supervisors shall use the probationary period to onboard, train, and evaluate employee performance.

- i. Upon successful completion of the probationary period, employees are eligible for a merit increase in accordance with the Performance Evaluations policy.
 - ii. If the probationary period is unsuccessful, the supervisor, in coordination with HR, may separate the employee from employment; the separation must occur before the end of the probationary period.
 - iii. Under certain circumstances, the probationary period for employees returning to the same or similar position they once held at the County, may be waived with both the Administrative Officer and the Human Resources Director or designee's approval.
2. Probationary Period Extension.
- i. Probationary periods may be extended for up to 6 months for the following reasons:
 - Additional training is needed;
 - Poor performance or behavior has improved but additional time is needed to determine if the improvement will be sustained;
 - Performance has declined towards the end of the probationary period;
 - Extended absences during the probationary period that have prevented a full 6 or 12-month probationary evaluation period;
 - For the sworn officer to satisfactorily complete an approved peace officer training program and receive a certificate of completion, under Utah Code Title 53, Chapter 6, Peace Officer Standards and Training Act.
 - Other business reasons as approved by the Administrative Officer or designee.
 - ii. Process. The supervisor will notify HR before notifying the employee of the probationary extension. HR will provide a template for the probationary extension notification. The supervisor will deliver the probationary extension notification to the employee before the probationary period ends.
3. Probationary period restrictions for transfers.
- i. A non-sworn merit employee who applies for a sworn law enforcement or corrections position, and who is subsequently offered and accepts entry in such position, must resign from merit status and serve a new 12-month probationary period under Utah Code Title 17, Chapter 30, Section 11, Probationary period of appointment.

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- ii. Non-sworn transfers. Employees transferring from one merit position to another merit position will not serve a new probationary period.
- iii. Employees who work in temporary, part-time non-merit, or fund/time-limited positions and who accept a new merit position will serve a probationary period.

b. Merit-Exempt Positions.

- i. Appointments and promotions to merit-exempt positions are made by the Administrative Officer. Selection methods will be based on job-related knowledge, skills, abilities, experience, education, and when appropriate, prior demonstrated performance, aptitude, and adaptability.
- ii. Employees in this category are benefits-eligible unless otherwise specified.
- iii. List of Merit-Exempt Positions:
 - 1. All County Officials elected by popular vote at officially designated elections held within the County.
 - 2. All persons politically appointed to fill vacancies in elected County Offices mid-term.
 - 3. The chief deputy of any Elected Official.
 - 4. One confidential secretary for each Elected Official and each Department Director.
 - 5. An administrative assistant to each member of the Commission and to each Elected Official.
 - 6. The heads of the following major departments of Davis County:
 - i. Director, Animal Care and Control
 - ii. Director, Community & Economic Development
 - iii. Director, Facilities Management
 - iv. Director, Western Sports Park
 - v. Director, Health
 - vi. Director, Information Systems
 - vii. Director, Libraries
 - viii. Director, Human Resources
 - ix. Director, Planning
 - x. Director, Public Works
 - xi. Director, Tax Administration
 - xii. Director, Golf
 - 7. Commission Office Manager
 - 8. Sheriff's Office Business Manager
 - 9. Deputy Director, Animal Care
 - 10. Deputy Director, Golf
 - 11. Deputy Director, Tourism
 - 12. Deputy Director, Economic Development

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13. Health Department Positions:
 - Deputy Director - Health Department
 - Deputy Director - Senior Services
 - Division Directors
14. Davis County Attorney Positions:
 - i. Division Chiefs - Prosecution, Civil, Investigations
 - ii. Director - Children's Justice Center
15. Temporary & Seasonal Positions.
 - i. Employees in this category may work up to 40 hours per week but not more than 1508 hours per calendar year.
 - ii. Positions will not exceed 6 months with the period extendable for up to an additional 3 months as determined by the Administrative Officer. Total days worked per year must not exceed 270 days.
 - iii. Not eligible for benefits.
 - iv. Employees in this category do not have merit rights and may be dismissed without advance notice for legitimate non-discriminatory business reasons.
16. Part-time Non-Merit Positions.
 - i. Positions are limited to an average of up to 29 hours per week but no more than 1508 hours in a calendar year.
 - ii. Positions will generally carry over from year to year.
 - iii. Not eligible for benefits.
 - iv. Employees in this category do not have merit rights and may be dismissed without advance notice for legitimate non-discriminatory business reasons.
17. Limited Time and or Funding Positions w/ Benefits: Subsidized by limited funding or only for a time not to exceed three years in duration.
 - i. The job posting will include information about the position's merit-exempt status, limited funding, and/or limited duration.
 - ii. Part-time 24-29 hours/week; Eligible for health insurance at part-time premium rates, URS retirement, and Holiday pay.
 - iii. Full-time 40 hours/week; eligible for full-time benefits.
 - iv. Employees in this category do not have merit rights and may be dismissed without advance notice for legitimate non-discriminatory business reasons.

1.4. Policy History:

1. Effective Date: 05/28/24
2. Previous Catalogue: Davis County Policies & Procedures #175, #100; Davis County Merit System Ordinance Ch. 9.
3. Previous Revisions: 03/7/23, 05/1/07, 11/6/18