

## **ADOA HB2571 State Personnel System Exempt Rulemaking Process Update (Updated as of September 14, 2012)**

The Arizona Department of Administration (ADOA) is posting this update to provide interested parties with updated information regarding the Department's rulemaking. The "Response to Comments" document posted to the Personnel Reform website included the following:

### **Process**

*On July 30, 2012, ADOA notified every affected state agency via email that ADOA would be requesting public comments prior to publishing draft rules. ADOA initiated this first opportunity for public comment by filing a Notice of Public Information (NPI), which identified the topics ADOA intended to include in the rules and indicated ADOA was providing an opportunity for public comment. The NPI was published in the Arizona Administrative Register on August 3, 2012, and includes the address to the Personnel Reform website where additional information regarding the rulemaking may be found.*

*On August 17, 2012, ADOA posted draft rules to the Personnel Reform website to provide an opportunity to comment on the draft rules, initiating the second opportunity for public comment. ADOA also posted a fillable comment form which can be submitted electronically or printed, completed with handwritten comments and submitted by mail.*

*Throughout this process, ADOA is continuing to work with interested parties on the final rules.*

### **Update**

The draft rules posted on August 17, 2012 included the term "reserved" in three areas to indicate that the draft text for the respective section/subsection had not yet been finalized. These three areas were noted as follows:

- Subsection R2-5A-402(L). Performance pay adjustments. [Reserved]
- Subsection R2-5A-403(D). Bonuses and awards. [Reserved]
- Section R2-5A-B611. Recognition Leave. [Reserved]

At the time the draft rules were posted, it was anticipated that when the areas were finalized, the draft rules would be re-posted with the revised areas noted. Because ADOA intends to finalize the rules by September 29, 2012, ADOA required that comments on the draft rules be received by September 7, 2012.

On September 6, 2012, ADOA held a workgroup with representatives from 10 agencies to review ADOA's strategy regarding the above-referenced section and subsections. The comment period for the draft rules concluded on September 7, 2012, prior to these areas being finalized and posted for comment.

ADOA completed its evaluation of the comments from workgroup participants and has developed draft rules for these three areas.

**On September 14, 2012, ADOA will post the draft language for the section and subsections to the Personnel Reform website at: [www.hr.az.gov/PR/index.html](http://www.hr.az.gov/PR/index.html). ADOA will also notify agency Personnel Reform leads via email of the posting. In addition, ADOA is providing an expedited comment period on the draft language. The expedited comment period will begin on September 14, 2012 and end at 5:00 p.m. on Tuesday, September 18, 2012. A fillable comment form will also be posted to the website to allow for electronic submission of comments.**

As previously stated, ADOA is continuing to work with interested parties prior to finalizing the rules.