

**ARIZONA STATE PERSONNEL SYSTEM
STATEWIDE POLICIES AND PROCEDURES**

Policy Number: ASPS/HRD-PA6.01	Issued: October 2, 2012
Subject: Administrative Leave Approval and Reporting Requirements	Effective: October 2, 2012
Policy Section: Leave	Revised: April 13, 2013
Policy Owner: ADOA Human Resources Division	

This policy does not create a contract for employment between any employee and the State. Nothing in this policy changes the fact that all uncovered employees of the State are at will employees and serve at the pleasure of the appointing authority.

Scope:

This policy applies to all agencies, boards, offices, authorities, commissions, or other governmental budget units of the state in the State Personnel System.

Authority:

A.R.S. § 41-749, Administrative leave; reporting
R2-5A-B604, Administrative Leave

Definitions:

“ADOA Chief Human Resources Officer” means the ADOA Human Resources manager at a satellite agency, or for non-satellite agencies, the ADOA Human Resources Division, Shared Services Office.

“Agency” means a department, board, office, authority, commission, or other governmental budget unit of the State Personnel System.

“Agency head” is defined as the chief executive officer of a state agency, or designee.

“Director” means the Director of the Arizona Department of Administration or the Director’s designee, who is responsible for administering the state personnel system pursuant to applicable state and federal laws.

Policy:

It is the policy of the State of Arizona to ensure agencies are efficient and accountable in the management of their respective employees.

In accordance with State Personnel System Rule R2-5A-B604, an agency head may authorize an employee to be absent with pay on administrative leave during a state of emergency declared by the Governor or: (1) in other emergency situations such as extreme weather conditions, fire, flood, or malfunction of publicly-owned or controlled machinery or equipment, or (2) to relieve an employee of duties temporarily during the investigation of alleged wrongdoing by the employee or during a disciplinary or dismissal process.

All administrative leave is paid leave. An agency head shall not place an employee on unpaid administrative leave. Prior to placing an employee on administrative leave with pay

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during an investigation, an agency head shall consider assigning an employee to another job and/or location pending the results of the investigation.

The reporting and approval requirements of this policy apply only to employees who have been placed on administrative leave during an investigation involving alleged wrongdoing or during a disciplinary or dismissal process.

Pursuant to A.R.S. § 41-749, all agency heads are required to report on a weekly basis to the Director when an employee has been placed on administrative leave with pay for at least eighty consecutive hours and to obtain prior approval if the leave will exceed thirty working days. Requests to extend an employee on administrative leave beyond 240 working hours will only be granted under extenuating circumstances.

Procedure:

Prior to placing an employee on administrative leave for an investigation of wrongdoing or during a disciplinary or dismissal process, an agency head shall consult with the ADOA Chief Human Resources Officer assigned to a satellite agency or the ADOA Shared Services Office for non-satellite agencies. The ADOA Chief Human Resources Officer shall determine whether other avenues have been explored to avoid administrative leave, that there is no other capacity to place the employee during the investigative process, and/or that an extension of administrative leave contains sufficient detail prior to submitting the request to the ADOA Human Resources Director or designee.

Reporting Requirement if Administrative Leave Totals at Least 80 Consecutive Hours:

Beginning September 29, 2012:

1. Agencies shall complete the Weekly Administrative Leave Report listing employees that have been placed on paid administrative leave during an investigation of alleged wrongdoing or during a disciplinary or dismissal process once an employee's administrative leave totals eighty consecutive hours. The Weekly Administrative Leave Report shall include the following:
 - Employee's name
 - Employee's EIN
 - Employee's employment status (covered/uncovered)
 - Administrative leave start date
 - Total number of hours on paid leave
 - Anticipated end date for the administrative leave
 - Brief description as to why the employee is on administrative leave
 - Additional number of hours being requested by agency
 - Status of the investigation and/or disciplinary process
 - Actual administrative leave end date (when the leave is terminated; see Item #4)
2. An agency must fully complete the Weekly Administrative Leave Report and submit it to the ADOA Chief Human Resources Officer.
3. The completed report must be submitted by the ADOA Chief Human Resources Officer to the ADOA Human Resources Director or designee by close of business on the Friday of the week in which the employee's administrative leave reaches eighty consecutive hours.

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4. This requirement will be necessary on a weekly basis until the employee's administrative leave is terminated. Once the employee's leave is terminated, the Weekly Administrative Leave Report shall include an administrative leave end date.

Approval Requirements for Administrative Leave Anticipated to Exceed 240 Consecutive Working Hours:

The following requirements shall be completed to obtain approval allowing an employee to continue in an administrative leave with pay status beyond thirty working days:

1. An agency must fully complete the Administrative Leave Justification Form and submit it to the ADOA Chief Human Resources Officer. The request shall include the following:
 - An anticipated end date for the administrative leave (estimate the required time to complete the investigation, investigative report and/or administer the appropriate personnel action)
 - Detailed description as to why the employee is on administrative leave
 - Sufficient justification why the agency is requesting approval to extend administrative leave beyond 240 consecutive hours
2. Prior to submitting the request to the ADOA Human Resources Director or designee, the ADOA Chief Human Resources Officer shall review the extension request and ensure that it provides sufficient detail to enable the Director or designee to make an informed decision to approve, modify or deny the request.
3. An ADOA Chief Human Resources Officer who considers the extension request to have insufficient detail or otherwise does not concur with the request, shall meet with the agency head or appropriate agency official to discuss the request.
4. An ADOA Chief Human Resources Officer who concurs with the request shall submit the request to the ADOA Human Resources Director or designee at least 5 business days prior to the employee's administrative leave reaching 240 working hours.
5. If circumstances beyond the agency's control do not permit at least 5 business days' notice, the agency shall submit the request as soon as the agency head is aware of the necessity for the request.
6. The request only needs to be submitted once unless an additional extension is necessary, however, the agency must continue to report the employee's administrative leave on the weekly report until the administrative leave is concluded.
7. The ADOA Human Resources Director or designee shall review the request and determine if the Administrative Leave Justification Form is fully complete and contains proper justification to extend the administrative leave. The request will be returned to the agency if additional information is required to make a final determination.
8. An approval shall not be provided unless extenuating circumstances exist to continue the administrative leave beyond 240 working hours. If the request is approved, an extension shall only be granted up to the anticipated end date provided by the agency.
9. Once the ADOA Human Resources Director or designee verifies the request is fully complete, the request shall be approved, modified or denied within 5 business days of receipt of the request and returned to the ADOA Chief Human Resources Officer.

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10. If the request is denied, the agency must immediately return the employee from administrative leave.

11. No action will be taken by the ADOA Human Resources Director or designee if the employee is removed from administrative leave prior to the review being completed.

Note: A new Administrative Leave Justification Form must be submitted and the same process followed to obtain approval for allowing an employee to continue in an administrative leave with pay status beyond the originally approved extension date.

Related Forms:

Weekly Administrative Leave Report
Administrative Leave Justification Form

Corresponding Policies:

None

Contact:

If you have any questions related to this policy, please contact your agency's Human Resources Office/representative.

Policy History (supersedes):

- ASPS/HRD-PA6.01, Administrative Leave Approval and Reporting Requirements (November 30, 2012)
- ASPS/HRD-PA6.01, Administrative Leave Approval and Reporting Requirements (October 2, 2012)