

# MOHAVE COUNTY SUPERIOR COURT POLICY AND PROCEDURE

TITLE: 3.01 CHAIN OF COMMAND, EMPLOYMENT OF  
RELATIVES, NON-FRATERNIZATION AND  
CHILD LABOR

EFFECTIVE DATE: 04/29/2010  
REVISED DATE: 10/30/18

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## A. CHAIN OF COMMAND:

1. The chain of command for the Superior Court is as follows:
  - a. Presiding Judge: Final level of chain of command. The Presiding Judge has final authority over personnel matters, including but not limited to disciplinary actions and management policies within the Superior Court. As deemed necessary, the Presiding Judge may designate the Associate Presiding Judge to have final authority over specific personnel matters.
  - b. Court Administrator: Second highest level in chain of command (for personnel matters) prior to reaching the level of the Presiding Judge. The Court Administrator has responsibility for daily administration of the Judicial Merit System, policies and procedures, and/or as otherwise directed by the Presiding Judge.
  - c. Division Head: Intermediate level of the chain of command. Division Heads have primary authority for personnel matters arising in the course of managing their assigned Divisions, subject to the limitations established by the Judicial Merit Rules, policies and procedures, including but not limited to: appraising and evaluating employee performance, proposing and instituting disciplinary actions and establishing divisional policies and procedures.
  - d. Supervisory Staff Designee of Division Head: Individuals under the supervision of a Division Head to whom the Division Head has delegated authority including supervising authority.
  - e. Line Staff: Under direction of a Division Head, may be granted temporary supervising authority.
2. As a general guideline, employees are expected to follow the chain of command when seeking to bring work-related matters of concern to the attention of court management. The Court recognizes, however, that exceptional circumstances may exist which require an employee to skip one or more levels in the chain of command to seek assistance. These situations may include, but are not limited to the following:
  - a. Perceived, alleged or actual illegal, immoral, discriminatory, harassing or retaliatory behavior by one individual occupying the applicable level in the chain of command; or
  - b. Situations in which the complaint or concern is directed specifically at the individual occupying the applicable level in the chain of command and when communicating with said person would cause undue distress on the employee, or where one or more previous communications with such individual have not produced a desired result.
3. When an employee elects to skip one or more levels in the chain of command, and when, upon review by the person to whom the employee disclosed their concerns the decision is reached to do so, the employee may be referred back to a lower level in the chain of command with or without accompaniment by a higher level manager in an effort to resolve the matter(s) on an informal basis.

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### **B. EMPLOYMENT OF RELATIVES:**

1. Relatives of an employee shall not be employed where one employee supervises the other.
2. Relatives of an employee shall not be employed where decisions of compensation and approval of work are made by an immediate family member.
3. Immediate family members shall not be employed in the same division without approval of the Presiding Judge.
4. Work site or duty considerations of Court employees who subsequently become related by marriage or cohabitation may warrant transfer or layoff.

### **C. NON-FRATERNIZATION:**

The success of the Court depends on positive employee morale and good working relationships. The Court recognizes that workplace romances or attractions can develop between people who work together. Employees who engage in personal relationships (including romantic and sexual relationships) should be aware of their professional responsibilities and will be responsible for assuring that the relationship does not raise concerns about ethics or conflicts of interest. In cases of doubt, advice and counsel should be sought from their Division Head.

Unfortunately, attractions are not always mutual, and these situations can develop into sexual harassment complaints. In addition, a relationship between a supervisor and his/her subordinate can often cause morale problems or misperceptions about assignments and favoritism on the part of other employees in the court division.

For these reasons, supervisory employees are not permitted to date, or become romantically involved with, and/or engage in any fraternization or similar conduct, attempted or otherwise, with any employee with whom they have a supervisor/subordinate relationship. In the event that such a relationship develops between a supervisor and his/her subordinate employee, it is the responsibility of the supervisory employee to promptly disclose the existence of the relationship to the attention of his/her supervisor, Division Head, or to the Court Human Resource Manager. The subordinate employee may make the disclosure as well, but the burden of doing so shall be upon the supervisory employee. The individual receiving such notification shall confer with the involved Division Head and Court Human Resource Manager, to explore what arrangements are necessary to further the best interests of the Court and may include but are not limited to: transfer, reassignment, and/or dismissal of the involved employee(s). The Court Administrator shall be consulted prior to taking any action.

### **D. CHILD LABOR PROVISIONS:**

1. Minors between the ages of sixteen (16) and eighteen (18) may be employed by the Court as part of the regular workforce or in summer jobs for youth programs. Employment of minors shall be done in compliance with federal, state and local wage and hour laws. Occupational and age restrictions apply to certain jobs involving operation of equipment and hazardous materials. Divisions should contact Court Human Resources for clarification.
2. All employees under the age of 19 shall submit documentary proof of age.