

SUBSTANTIVE POLICY STATEMENT

This substantive policy statement is intended to inform agencies subject to the jurisdiction and rules of the Arizona Law Enforcement Merit System Council (“LEMSC” or “the Council”) of LEMSC’s interpretation and implementation of LEMSC Rule R13-5-305H, pertaining to grievances arising out of a decision of the LEMSC Business Manager on a challenge from a promotional examination candidate. If a candidate disagrees with the Business Manager’s decision to reject the candidate’s challenge, he or she may present the challenge to the Council to be heard. In such cases, the LEMSC Rules governing grievances and hearings control. The candidate may only present to the Council the same evidence and witnesses in support of the challenge that was previously provided to the Business Manager and may not present any new evidence or witnesses. Since the candidate is challenging the testing process in their grievance, the respondent to the grievance is the Agency, not the Business Manager. This statement is for clarification only and does not impose any additional or different requirements on the parties to promotional examination challenge proceedings.

Richard K. Walker

Richard K. Walker (Jun 8, 2022 09:38 PDT)

Richard K. Walker, Chair

Teri L. Mingus

Teri Mingus (Jun 8, 2022 09:44 PDT)

Teri L. Mingus, Vice-Chair

Rick Salyers

Rick Salyers (Jun 8, 2022 13:17 PDT)

Rick Salyers, Member

Ed Novak

Ed Novak (Jun 12, 2022 10:01 PDT)

Ed Novak, Member

Jennifer Pinnow

Major Jennifer Pinnow, Business Manager

This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona administrative procedure act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under section 41-1033, Arizona Revised Statutes, for a review of the statement.