

## DEFINITIONS

1. ***Alternate work location*** is a designated work location at a courthouse or office other than the city of the employee's principal place of employment or an office in the employee's home or alternate location that has been designated as the employee's work location.
2. ***Alternative work schedule*** is a set schedule outside normal working hours.
3. ***Appointing authority*** is a person authorized by policy to make human resource decisions. An appointing authority is a supervisor unless the appointing authority has otherwise delegated supervisory authority to another employee.
4. ***At will employment*** is employment that may be terminated by the Court System or an employee at any time, without cause and without notice.
5. ***Career ladder advancement*** is advancement to a higher pay grade. It is advancement from an entry level position to a full performance position.
6. ***Career ladder series positions*** are positions eligible for career ladder advancements.
7. ***Cause*** is conduct related to the job performance of a classified employee or judicial referee. The conduct may relate to job performance or working relationships that are determined to be detrimental to performance of an employment position.
8. ***Child*** is defined as a biological, adopted, or foster child; a step-child; and a legal ward under the age of 18 or, if older than 18, incapable of self care because of a mental or physical disability at the time the leave is requested.
9. ***Classified employee*** is an employee who serves in a position for which there must be cause for dismissal after completion of the introductory period.
10. ***Compensatory time*** is time off for which a non-exempt employee is paid because the employee worked more than a standard 40-hour work week.
11. ***Corrective action*** is an improvement plan that addresses an employee's conduct in the workplace.
12. ***Demotion*** is the involuntary reduction of an employee's salary or the involuntary movement of the employee to a lower job classification.
13. ***Dismissal*** is termination or separation from employment initiated by the Court System.
14. ***Domestic partner*** is a person who is not married or otherwise related to the employee; is the employee's sole domestic partner; resides with the employee and intends to do so indefinitely; and is responsible for the employee's welfare.
15. ***Exempt employee*** is an employee who is not subject to the overtime requirements of the Fair Labor Standards Act.
16. ***Full-time employee*** is an employee who is regularly scheduled to work at least 40 hours each week.

17. ***Introductory period*** is a period of time used to evaluate whether an employee is able to meet the performance requirements of the position for which the employee has been hired.
18. ***Lateral transfer*** is a transfer from one classification to another within the same pay grade.
19. ***Non-classified employee*** is an employee who is an at will employee.
20. ***Non-exempt employee*** is an employee who is subject to the Fair Labor Standards Act.
21. ***North Dakota Court System (Court System)*** includes the Supreme Court and the District Courts.
22. ***On-call*** is when an employee is required to be accessible by telephone, pager, or other means for scheduled periods of time other than regularly scheduled work hours to respond to requests for service.
23. ***Overtime*** is time that a non-exempt employee works in excess of a standard 40-hour week.
24. ***Part-time employee*** is an employee who is regularly scheduled to work fewer than 40 hours each week.
25. ***Pay grade adjustment*** is the adjustment of a classification because of the requirements of market conditions or because the salary level of the classification requires adjustment.
26. ***Preliminary notice*** is a written formal notice to an employee under the corrective action procedure that an employment issue exists which must be addressed. A preliminary notice is documented and provided to the employee, appointing authority, and Human Resource Director.
27. ***Principal place of employment*** is the fixed location to which an employee is required to report for employment duties when not working in an alternate work location.
28. ***Promotion*** is the movement to a position in a higher pay grade.
29. ***Reclassification*** is the movement of a classified position to a higher or lower position because of a substantial and permanent change in duties.
30. ***Reduction in force*** is the reduction in the number of employees for reasons including reduction in funding, lack of work, curtailment of work, or reorganization.
31. ***Regular employee*** is an employee who holds a position funded by the Legislature and is entitled to state benefits paid for by the Court System. A regular employee must be employed more than 20 hours per week for more than 20 weeks per year.
32. ***Referral List*** is a list of candidates for a position who are deemed to be qualified and who are ranked above a cutoff level determined by the appointing authority or designee.
33. ***Regular rate of pay*** is the hourly rate of pay calculated using a 40-hour work week.

34. ***Supervisor*** is an employee or an appointing authority who has the ability or whose suggestions and recommendations are given particular weight to undertake a majority of the following supervisory functions in the interests of the Court System: appoint, employ, hire, assign and direct work, transfer, promote, evaluate, reward, discipline, suspend, demote, or terminate an employee.
35. ***Suspension*** is temporary removal of an employee from the employee's position. A suspension may be unpaid with temporary loss of accrual time for annual and sick leave or paid leave.
36. ***Temporary employee*** is an employee who is employed at will and occupies a position which is not funded as full-time employment by the Legislature.
37. ***Underfill*** is filling a position at a training wage with a candidate who is within two years of the minimum experience qualifications.
38. ***Work week*** is the time from 12:01 a.m. on each Monday until 12 midnight the following Sunday.
39. ***Written reprimand*** is written notice given to an employee indicating there is a serious problem related to employment. A written reprimand is documented on a corrective action memo and placed in the employee's personnel file.

Approved by the Supreme Court 4/1/12; amended 3/6/13; amended 5/6/20 effective 6/1/20; amended 8/26/20; amended effective 2/1/26