

32B-2-207 Department employees -- Requirements.

- (1) "Upper management" means the director, a deputy director, or other Schedule AD, AR, or AS employee of the department, as defined in Section 67-19-15, except for the director of internal audits and auditors hired by the director of internal audits under Section 32B-2-302.5.
- (2)
 - (a) Subject to this title, including the requirements of Chapter 1, Part 3, Qualifications and Background, the director may prescribe the qualifications of a department employee.
 - (b) The director may hire an employee who is upper management only with the approval of four commissioners voting in an open meeting.
 - (c) Except as provided in Section 32B-1-303, the executive director may dismiss an employee who is upper management after consultation with the chair of the commission.
- (3)
 - (a) A person who seeks employment with the department shall file with the department an application under oath or affirmation in a form prescribed by the commission.
 - (b) Upon receiving an application, the department shall determine whether the individual is:
 - (i) of good moral character; and
 - (ii) qualified for the position sought.
 - (c) The department shall select an individual for employment or advancement with the department in accordance with Title 67, Chapter 19, Utah State Personnel Management Act.
- (4) The following are not considered a department employee:
 - (a) a package agent;
 - (b) a licensee;
 - (c) a staff member of a package agent; or
 - (d) staff of a licensee.
- (5) The department may not employ a minor to:
 - (a) work in:
 - (i) a state store; or
 - (ii) a department warehouse; or
 - (b) engage in an activity involving the handling of an alcoholic product.

Amended by Chapter 365, 2012 General Session