



CITY OF WASILLA

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COUNCIL MEMORANDUM NO. 95-85

FROM: Clerk's Office

DATE: October 27, 1995

SUBJECT: Personnel Rules; Proposed Amendments

The following proposed amendments to Attachment "A" of Ordinance Serial No. 95-48, Personnel System, are provided after meetings held with the Employee Committee, Mr. Deuser, Mr. Stocker and myself.

Page 3-5; 3.05.010 Definitions.

T. 8. violation of an oral directive which was known ~~or reasonably should have been known~~ to the employee;

Page 3-6; 3.05.010 Definitions.

W. "Merit anniversary date" is one year from date of ~~hire or appointment to a new position~~ appointment to a regular position. The anniversary date will be advanced by the number of calendar days that total leave without pay exceeds 30 days during the ~~employee's anniversary~~ calendar year.

~~AB. "Re-appointment" means rehire of an employee in a different grade series than he previously occupied or rehire of an employee more than one year after the date of his last separation.~~

AC. "Re-employment" means appointment of an employee due to recall from layoff within one year to the same classification as the position from which that employee was laid off, ~~to a lower position in the same grade series as that position~~, or to a position at the same or lower ~~range~~ grade in which that employee had previously earned status.

AF. "Rehire" means an appointment into a position with the City when previously in the same grade of positions from which separated in good standing, or into a position in a parallel grade, provided the re-appointment takes place within one year from date of last separation.

AG. "Reinstatement" means replacement of an employee into a position in the same grade occupied previously ~~or a parallel grade~~ when there has been no break in service, for one of the following reasons:

Page 3-7; 3.05.010 Definitions.

- AS. "Transfer" means a lateral movement from one position to another position ~~in the same or a parallel grade~~ at the same grade range, without any break in service.

Page 3-8; 3.10.010 Administration.

- B. Maintain or direct the maintenance of ~~a an up-to-date~~ personnel records system.

Page 3-8; 3.10.020 Revision and Amendment.

3.10.020 REVISION AND AMENDMENT. The Mayor ~~may~~ shall recommend revisions of these rules based on ~~demonstrated the needs of the City~~, State and Federal Laws and increased effectiveness. Recommendations to the Council for action shall become effective upon approval of the Council by ordinance. All revisions and amendments of Title 3, Personnel Rules, are, upon the effective date, operative upon the then - existing employees of the City. Employees hired prior to the effective date of amendments and revisions do not retain on-going rights, privileges, or benefits that are rendered void or otherwise made unavailable by the amendment or revision. These provisions are intended to expressly preclude any implication or suggestion that "grandfather rights" are retained by employees hired prior to a revision or amendment of these personnel rules.

Page 3-9; 3.10.030 Scope of Coverage and Amendment of Rules.

- D. Amendment. Employees and Department Heads are encouraged to submit recommended additions or modifications to the Mayor at any time. The Mayor ~~may~~ shall evaluate such recommendations and forward ~~with comments them~~ ^{them} to the Personnel Rules Committee for their consideration. The Mayor may submit additions or modifications of the Personnel Rules to the City Council for its consideration.

Page 3-10; 3.10.040 Statement of Purpose.

- C. To assure fair treatment of applicants and employees in all aspects of personnel administration without regard to political affiliation, race, color, national origin, age, sex, religious creed, marital status or physical disability.

Page 3-12; 3.15.030 Recruitment.

- B. Employees laid-off through no fault of their own within the preceding 12 months and who have requested ~~re-hire~~ re-employment in writing shall be given preference in filling vacancies for which they are qualified, after active employees. A person so re-employed shall not be subject to a probationary period if one was previously completed and he is employed at his former or a lower classification at the same skill level. The hire date will be the date established by the former employment, and the service time shall include the total time with the city in regard to longevity.

Page 3-13; 3.15.050 Preference Guide for Selection.

G. ~~Active employees and new applicants.~~

H. New applicants.

Page 3-14; 3.15.070 Selection of Current and Former Employees.

A. 2. Reinstatement as a Result of Successful Appeal. An employee who has been dismissed, demoted or suspended for insufficient reasons, as determined through a hearing by the Mayor, may be reinstated to his former position or to a position of like status and pay, ~~with or without loss of pay or benefits for the period of his separation as specified in the reinstatement award. During the grievance procedure the Department Head may order reinstatement with or without back pay or benefits, with concurrence of the Mayor. Such reinstatement order, as approved by the Mayor, will contain the terms and conditions necessary to implement the reinstatement.~~

Page 3-14; 3.15.070 Selection of Current and Former Employees.

C. Transfer. A transfer is the lateral movement from one position to another position in the same grade ~~at the same range~~, without any break in service. The transfer may be within a department, or from one department to another. An employee in a temporary position may not be transferred to a regular position. The Mayor may require a written exam or other documentation for the purpose of determining the employee's qualifications for the new position.

Page 3-18; 3.20.030 Salary Administration Plan - Purpose and Effect.

A. The Mayor ~~may~~ shall establish and maintain the salary administration plan, which shall group together under the same title those positions that are sufficiently similar in kind, responsibility and difficulty of work to warrant application of the same pay rate or ranges of rates and same general selection standards. Such grouping shall be based upon the current duties and responsibilities of positions in the city service.

Page 3-18; 3.20.050 Salary Structure.

B. Amendments to the salary structure may be recommended to the City Council by the Mayor and shall become effective upon City Council approval or a date specified by the City Council. The Mayor may conduct or review current wage and benefits surveys at least every three years to determine the prevailing rates for selected key grades. Surveys shall include fringe benefit data where feasible. Recommendations for range changes, reclassifications and

amendments to the pay plan will be made to the Mayor, based upon results of such surveys. Amendments to employee pay ranges shall be recommended to the City Council by the Mayor based upon ~~the such surveys~~. Cost of Labor index in Alaska and/or as a result of meeting and conferring with the employees and shall become effective only upon City Council approval. Individual salaries generally should not be adjusted up or down based on such pay range adjustments. However, an individual salary could be impacted if an adjustment of a pay range places the individual salary outside the range.

Page 3-19; 3.20.060 Salary Ranges.

1. Salary ranges are assigned to grades, and ~~may be~~^{are} based upon all or some of the following factors:

Page 3-21; 3.20.090 Advancements within a Pay Range.

- B. After Completion of Probation. Employees shall have their performance reviewed annually, and their salaries may be advanced to a higher rate within the range as recommended by the Department Head and approved by the Mayor, based upon their performance. A merit increase must be earned and is not granted automatically. Such advancement may be made annually. Such review should be conducted ~~near~~ within 60 calendar days of the anniversary of the date of hire and may be conducted annually thereafter as adjusted by the number of calendar days that total leave without pay exceeds 30 days during the calendar year.

Page 3-22; 3.20.110 Salary for Special Types of Appointments/Assignments.

- B. Acting Assignment. Upon approval by the Mayor an employee may be temporarily assigned to accept the responsibilities for and perform work normally assigned ~~to a higher grade of position~~ to a position in a higher grade 10 working days or more, the employee shall receive a minimum upward adjustment of five percent (5%) in addition to the normal rate of pay retroactive to the first day of the assignment. An employee shall have the right to refuse a temporary assignment at the pay rate assigned without prejudice. All acting assignments will be approved by the mayor on a personnel status change form.
- C. Public Works Department Stand-By: Employees who are on stand-by will receive 3 hours of credit for compensation at 1-1/2 times the normal hourly rate of pay for each holiday, Saturday and Sunday for which they are on stand-by. During each of those days, the routine and regular required utility system checks are to be performed. Work that must be performed on those days in excess of ~~two~~ 3 hours shall be call-out work and compensated at 1-1/2 times the normal hourly rate of pay if the employee has worked in excess of 40 hours during the week.

Page 3-25; 3.25.070 Overtime and Holiday Pay.

- B. All employees, except exempt employees, and library employees, shall be paid one and one-half times their regular rate of pay for properly authorized hours of work in excess of forty (40) hours actual work including holidays in any unit week. Authorized overtime work on non-work days (normally Saturdays, Sundays and Holidays) or at the end of any regular shift, is compensable only if the overtime work, when added to all time actually worked during the same unit week, exceeds forty (40) hours or in the case of library employees, exceeds eighty (80) hours in a two week period. Each unit week shall begin at one minute past twelve midnight, on the employees first day of work for that week.

Page 3-29; 3.30.050 Administrative Leave.

- D. Blood donation leave ~~of up to two hours~~ may be granted as administrative leave without loss of longevity, leave or pay by Department Heads. ~~This leave will be approved only when a Blood Emergency is announced by the local Blood Bank or other local Medical Facility.~~ The Mayor may develop a policy governing Blood Donation Administrative Leave.

Page 3-33; 3.35.050 Compensation of Exempt Employees.

- A. Consistent with appropriations and within the exempt salary structure applicable to each position, the appointing authority ~~may, effective on~~ should within 60 days of the anniversary date, determine the annual salary of each exempt employee. The appointing authority may review and adjust the salary of an exempt employee more frequently than annually if it so desires.

Page 3-34; 3.35.060 Benefits.

- C. An Exempt employee's annual leave rate may be adjusted upward by the Mayor as part of the employee's overall compensation for recruitment, retention, or merit pay increases.

Page 3-34; 3.35.070 Supervision of Exempt Employees/Performance Appraisals.

- B. The appointing authority should, within 60 calendar days of ~~on~~ the employee's anniversary date of each year, furnish each exempt employee under his supervision a written performance evaluation on a form prepared by the Mayor. Exempt employees shall be allowed to place their own comments on written performance evaluations. Performance evaluations for exempt employees shall be maintained as part of the City's permanent personnel records.

Page 3-35; 3.40.010 Performance Appraisal.

- A. The Mayor ~~may shall~~, in cooperation with Department Heads and others, develop and adopt a system of appraising the performance of classified employees. Performance evaluations are used for the following purposes:
- B. Preparation. A performance evaluation report ~~may should~~ be prepared for all classified employees as set forth below. Each Department Head, shall develop and use performance standards suited to the requirements of his department. Standards of performance established as a basis for personnel evaluation shall have reference to the quality and quantity of work, the manner in which service is rendered and such characteristics as will measure the value of the employee to the classified service. Employees should be informed of such standards.
- C. Nature, Form and Frequency of Reports. The Mayor ~~may should~~ prescribe the nature, and form and frequency of performance evaluation reports, shall investigate the accuracy of challenged performance evaluation reports and shall, when justified, take any necessary action required to ensure that the evaluation report accurately reflects the facts. Performance evaluation reports should be made before completion of each probation period, annually ~~before merit~~ within 60 calendar days of anniversary dates of hire regardless of grade, upon promotion, demotion or transfer, and for every separation of employees who have worked at least 90 days regardless of the reason. Performance evaluation reports may also be completed at any other time at the discretion of a Department Head.
- D. Review of Performance Evaluation with Employee. The ~~Department Head Evaluator~~ should prepare the performance evaluation report and discuss it privately with the employee to whom it pertains unless the employee is not available. In that case, the Department Head ~~may should~~ deliver a copy of the evaluation report to the employee. Employees may comment on the content of the performance evaluation report, such written comments shall be attached to the report and become a part of it.

Page 3-37; 3.45.010 Personnel Records and General Personnel Files.

~~The Mayor may provide for the establishment and maintenance of the following records:~~ Personnel records containing information about employees will be maintained in a confidential manner as set forth herein. Access to personnel files is authorized only as delineated below.

- A. 2. Department Evaluation File. Any ~~Department Head Evaluator~~ may establish and maintain a file for individual employees for use by supervisors during the evaluation process. Following final acceptance and approval of an annual performance evaluation, the files used to write the evaluation, the evaluators separate files will be purged and the documents contained therein destroyed in a confidential manner.

~~G.B. 3. Use of Personnel Files.~~ Employees may comment ~~upon each~~ on any document placed in their personnel files.

~~DC.~~ Confidentiality of Personnel Records.

Page 3-39; 3.50.030 Grievance Procedure.

C. Step 3 - Mayor. Within 15 working days of receipt of a written appeal of the decision of the Department Head, the Mayor or his designee shall review the matter and respond in writing to the employee's grievance. At the request of the employee and at the discretion of the Mayor, a three member panel of City employees may be appointed by the Mayor. The panel shall confer with the department head and appropriate supervisory personnel and the employee. Within ten working days following receipt of the written grievance, the panel shall give its written recommendation to the Mayor, the employee and the department head. If the employee is not satisfied with the panel's recommendations, he shall within 5 working days after receipt of such decision, submit a written appeal to the Mayor. The Mayor shall review the panel's recommendations, the employees appeal and other documentation, as necessary, and render a decision upholding, modifying or overturning the panel's recommendations. The decision of the Mayor shall be final. ~~In the discretion of the Mayor a grievance hearing, including appropriate procedures, may be held before the Mayor's decision on the grievance.~~ In the application of this section, "employee" shall include any duly authorized representative of the employee who alleges a grievance.

Page 42; 3.55.040 Suspension without Pay, Demotion or Dismissal, Disciplinary Hearings.

B. 2. The employee's request for a hearing must be in writing, signed by the employee (or counsel of the employee) and delivered to the Mayor's office within fifteen (15) working days of receipt of the notice of intent to discipline, such notice described in Subsection (A), above. The employee's failure to request a hearing within the time and manner provided shall be deemed a waiver of his or her appeal rights and to any appellate review to which he or she might have otherwise been entitled, and in such an event the discipline action, described in the notice of intent to discipline, becomes final.

3. If the employee duly delivers his request for a hearing, the Mayor or his designee will hold a hearing within fifteen (15) working days from the date of receipt of the request. The Mayor or his designee may extend in writing the hearing date, but no extension of more than twenty (20) working days shall be granted. The Mayor or his designee shall notify the employee of the date, time and place of the hearing.

5. At the request of the employee, the hearing ~~shall~~ may be open to the public.

Page 3-43; 3.55.040 Suspension without Pay, Demotion or Dismissal, Disciplinary Hearings.

- F. If the Mayor denies the existence of just cause to support the recommended discipline, the Mayor may then impose a lesser form of discipline for the conduct at issue at the hearing or may determine that no discipline of any nature shall be imposed.

Page 3-52; 3.90.020 Recognizing Employee Organizations.

- D. Meetings may be held annually in the months of March and November and shall specifically include any employee proposals concerning wages compensation so that any changes may be considered for inclusion in the upcoming budget.