



## CITY OF WASILLA

290 E. HERNING AVE.

WASILLA, ALASKA 99654-7091

PHONE: (907) 373-9050

FAX: (907) 373-9085

### COUNCIL MEMORANDUM

NO. 95-87

FROM: Personnel Committee; Mayor Stein  
Dick Deuser  
Marj Harris  
Ron Stocker

DATE: November 6, 1995

SUBJECT: Working Session with the Wasilla City Council

Ordinance Serial No. 95-48 (Substitute) has incorporated all changes outlined in CM. No. 95-79 and CM. No. 95-85. However, four areas of concern were voiced at the meeting which need further approval/rejection by the Council. These areas should be resolved at the next meeting.

Ms. Chase expressed her opinion that Regular Part-time employees working less than 50% of the time should not be afforded benefits even on a pro-rated basis. The administration concurs. However, this requires no change in the proposed code. pg. 3-12, 3.15.020 C. Describes Regular Part-time as follows:

- C. Regular Part-time: The work involved is to be done during a portion of a work day, such as on a morning, afternoon, or night shift, and totaling less than forty hours but a minimum of 20 hours a week. A regular part-time employee shall be a person hired under these circumstances.
2. Cash in of Annual Leave: pg. 3-27, 3.30.020 F.

Mr. Carney expressed his opinion that there should be no cash in of unused annual leave. He stated and the employee committee concurred that supervisors/department heads should be responsible for ensuring that their employees take annual leave each year. The administration concurs and recommends that the wording should be changed as follows.

- F. Annual leave accrued, but not used, shall accumulate to a maximum of not more than 480 hours on January 1st of any calendar year. Unused leave in excess of the maximum accumulation allowed on balance as of December 31st of any calendar year shall be canceled. Department Heads may approve carry over of a maximum of two additional weeks (80 hours) leave into the next calendar year if the employee was denied a reasonable opportunity to take accrued leave (Normally meaning on three or more occasions during the year where leave requests were denied for operational purposes.) The employee must have made genuine efforts to use the excess leave and been denied because of the city's needs. It is the responsibility of the Department Head to ensure this carry over leave is used during the first quarter of the new year. ~~Carry over leave not used during the first quarter through no~~

~~fault of the employee will be bought out.~~ Carry over leave not taken during the first quarter at the choice of the employee will be canceled.

3. Some Department Heads expressed a desire to have transferred or promoted employees serve another probationary period. The administration does not concur. The probationary period described in the code is served by new employees for six months (one year for police officers) and at the end of the probation they attain "regular" status as an employee of the city. During the probationary period the employee may be terminated with or without cause. Once an employee has completed this probationary period they have regular status and can be terminated for "just cause" under the disciplinary chapter. The "just cause" definition includes incompetence, inefficiency, lack of any qualifications required by the position, etc. and is sufficient for removing transferred or promoted employees who are inadequate for the position. The fact that an employee is transferred or promoted to another position does not eliminate the employee's "regular" status and the requirement for the city to deal with them fairly and in good faith as required by Alaska law. Department heads must be certain of employee's abilities before selecting them for promotion or accepting them for transfer.

The administration recommends one change to the probationary period article. This pertains to employees transferring to the Police Department as an officer. Since Police officers are held to a higher standard, any regular employee transferring to the Police Department as an officer should serve the additional six months of probation required of other officers. Recommend the following Change.

Pg. 3-16, 3.15.080 A.

A. All new regular employees shall serve a probationary period of six (6) months, except police officers shall serve a probationary period of one (1) year. Regular employees who successfully transfer to become a police officer will be required to serve a total of one (1) year probation, including any probationary period previously successfully completed. In the event regular status is not approved at the end of the probationary period, probation may be extended once for up to three (3) months. The employee will be notified in writing of the reason(s) for the extension and a plan to correct the problem which will be signed and agreed upon by the Department Head and the affected employee. A copy of the probation extension documents will be maintained in the employee's personnel file.

4. Mr. Carney expressed an opinion that the Council should have one mandatory meeting with Employee Organizations and other meetings as requested. The administration concurs and recommends the following change. Pg. 3-52, 3.90.020 A.

A. Not fewer than one ~~two~~ times each calendar year, the Council, or its designated representatives shall, ~~if desirable or requested,~~ meet and confer with the employees of the City, or their designated representative(s), with respect to terms and conditions of employment for the City. Additional meetings may be held, if desirable or requested.