

**CITY OF WASILLA
ORDINANCE SERIAL NO. 04-79**

AN ORDINANCE OF THE WASILLA CITY COUNCIL PROVIDING FOR A NEW CLASSIFICATION FOR CITY POSITIONS IN TITLE 3, PERSONNEL OF THE WASILLA MUNICIPAL CODE, AND MAKING OTHER CONFORMING AMENDMENTS TO TITLE 3 FOR THE NEW CLASSIFICATION.

WHEREAS the City needs a new classification for City positions required to perform certain work efficiently at the new Multi-Use Sports Complex.

BE IT ENACTED:

* **Section 1. Classification.** This ordinance is of a general and permanent nature and shall become part of the city code.

* **Section 2. Amendment of section.** WMC 3.45.010, Definitions, is amended as follows:

“Classified service” means all employment positions with the city except for positions held by elected officials, the mayor, the city clerk, the city attorney, temporary employees, interns, non-regular hourly employees, employees hired by the mayor on a contractual basis, and confidential/managerial employees.

“Non-regular hourly employee” means an employee appointed to a non-regular hourly position. A non-regular hourly employee serves at-will and may terminate his or her employment or be terminated at any time with or without cause, and for any reason or no reason. A non-regular hourly employee is not covered by any of the terms of this title and is not entitled to any of the rights and benefits provided to employees under this title unless expressly stated otherwise in specific

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provisions of the title. A non-regular hourly employee's personnel file shall document the fact that the employee is not entitled to any of the rights and benefits provided to employees under this title unless expressly stated otherwise in specific provisions of the title.

* **Section 3. Amendment of sub-section.** WMC 3.45.040.A.3, Scope of coverage and amendment of rules, is amended as follows:

3. These rules shall not apply to election officials, city council members, members of city boards and commissions, temporary employees, employees hired by the mayor on a contractual basis, the city attorney, interns, non-regular hourly employees, or volunteers unless expressly provided for in these rules (for example, see subsection 3.45.040.A.1) or in the policies and procedures implementing the rules (for example, see the city's anti-harassment policy and procedure).

* **Section 4. Amendment of section.** WMC 3.50.020, Types of positions and appointment, is amended as follows:

3.50.020 Types of positions and appointments.

A. Regular Full-time. A regular full time position is one in which the work that is required is expected to be done during the whole of the work day, and is expected to require 2080 or more hours of work per year. An appointment to such a position occurs after an employee has satisfactorily completed the probationary period applicable to his or her position.

B. Regular Part-Time. A regular part time position is one in which the work involved is to be done during a portion of a work day, such as on a morning, afternoon, or night shift. The work shall total less than two thousand eighty (2,080) hours per year

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but a minimum of one thousand forty (1,040) hours a year. A regular part-time appointment is an appointment to such a position. An appointment to such a position occurs after an employee has satisfactorily completed the probationary period applicable to his or her position.

C. Regular Seasonal. A regular seasonal position is one needed to perform City services on a recurring seasonal basis and can be either full or part time. A seasonal position can be filled for any period of time up to nine months. An appointment to such a position occurs after an employee has satisfactorily completed the probationary period applicable to his or her position.

D. Temporary. A temporary position is one established for a defined period of time not to exceed six months except when the Mayor extends the period of the temporary position. A temporary appointment is an appointment to such a position.

E. Non-regular hourly. A non-regular hourly position is one needed to perform city services on a recurring basis, with the number of hours worked in a particular week varying from week to week. The total number of hours worked per year in a non-regular hourly position shall be less than one thousand forty (1,040). A non-regular hourly appointment is an appointment to such a position. A person holding a non-regular hourly position serves at-will and may terminate his or her employment or be terminated at any time with or without cause, and for any reason or no reason. A person holding a non-regular hourly position is not covered by any of the terms of this title and is not entitled to any of the rights and benefits provided to employees under these rules unless expressly stated otherwise in specific provisions of these rules.

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F [E]. Probationary. All appointments to positions in the city's classified service, except temporary, non-regular hourly, intern, and seasonal positions, shall be on a probationary basis. The probationary period for full time positions, except police officers, is six months, unless extended in accordance with section 3.50.070.A. The probationary period for part time positions is 520 cumulative hours of service unless extended in accordance with section 3.50.070.A. The probationary period for police officers is one year unless extended in accordance with section 3.50.070.A.

1. Promoted employees and transferred employees will serve a promotional or transfer probationary period of six months.

2. All probationary periods may be extended once for up to three months.

G. [F] Intern. A paid position which allows training opportunities within City departments, particularly for high school and college age individuals. The position is temporary, [AND] but may extend beyond six months. The hourly pay will be at the minimum pay for Grade 1 or minimum wage, whichever is higher, of the City pay scale. Each City department is responsible for preparing position descriptions for any intern working within that department. A person holding an intern position serves at-will and may terminate his or her employment or be terminated at any time with or without cause, and for any reason or no reason. A person holding an intern position is not covered by any of the terms of this title and is not entitled to any of the rights and benefits provided to employees under these rules unless expressly stated otherwise in specific provisions of these rules. An intern appointment is an appointment to such a position. Unpaid intern positions are filled by volunteers who are also not covered by any of the terms of this title and are not entitled to any of the rights and benefits

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provided to employees under these Rules unless expressly stated otherwise in specific provisions of these Rules.

* **Section 5. Amendment of section.** WMC 3.60.060, Holiday with pay, is amended:

A. The following days shall be recognized as holidays that are compensated with eight hours of regular pay for all employees, except temporary, non-regular hourly, and intern employees, who are in pay status before and following such days:

New Year's Day	January 1
Washington's Birthday	Third Monday in February
Seward's Day	Last Monday in March
Memorial Day	Last Monday in May
Fourth of July	July 4
Labor Day	First Monday in September
Alaska Day	October 18
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Friday after Thanksgiving	Fourth Friday in November
Christmas	December 25

1. In the event a holiday occurs on a Saturday, the Friday immediately prior shall be considered a holiday. If the holiday occurs on a Sunday, the Monday immediately after shall be considered a holiday.

B. All employees who have to work on a holiday shall receive their regular rate of pay for hours worked during their regular shift. Additionally, an employee who is eligible for overtime (see section 3.60.070.B) who has actually worked more than forty (40) hours during the work week or actually worked more hours on the holiday than the number of hours in his or her regular shift, shall receive overtime pay for hours actually **bold and underline added.** [CAPS AND BRACKETS, DELETED.]

worked beyond forty (40) in the week in which the holiday occurs or for hours actually worked beyond the hours in his or her regular shift on the holiday. Additionally, all employees, except temporary, **non-regular hourly and intern** employees, who have to work on a holiday shall be entitled to accumulate eight hours of paid time off, or receive eight hours of pay at their regular rate of pay. If an employee's regular day off is a holiday, the employee shall accumulate eight hours of paid time off.

* **Section 6. Effective date.** This ordinance shall take effect upon adoption of the Wasilla City Council.

ADOPTED by the Wasilla City Council on December 13, 2004.



DIANNE M. KELLER, Mayor

ATTEST:



KRISTIE SMITHERS, MMC
City Clerk

[SEAL]

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**CITY OF WASILLA
LEGISLATION STAFF REPORT**

RE: ORDINANCE SERIAL NO. 04-79: AMENDING WMC TITLE 3, PERSONNEL TO INCLUDE A NEWLY CREATED TYPE OF POSITION.

Agenda of: November 22, 2004

Date: November 15, 2004

Originator: Ted Leonard, Director of Finance And Administrative Services

Route to:	Department	Signature/Date
	Police	
	Recreational and Cultural Services Library, Museum	
	Public Works Planning	
X	Finance *signature required	<i>[Signature]</i>
X	Clerk	<i>[Signature]</i>

REVIEWED BY MAYOR DIANNE M. KELLER:

[Signature: Dianne M. Keller]

FISCAL IMPACT: yes\$ or no

Funds Available yes no

Account name/number:

Attachments: none

SUMMARY STATEMENT: The proposed ordinance creates a new definition of the position of "non-regular hourly employee" which means an employee is appointed to an non-regular hourly position.

A non-regular hourly employee serves at-will and may terminate his or her employment or be terminated at any time with or without cause and for any reason or no reason.

This newly created type of position will assist in efficiently staffing the Multi-Use Sports Complex.