

CODE ORDINANCE

Initiative Petition Submitted to City Clerk: July 23, 2007

Petition Certified by City Clerk: July 27, 2007

Measure Placed Before the Voters at the Regular Election of: October 2, 2007

Proposition No. 1, passed at the Regular Election of October 2, 2007

Election Certified by the Wasilla City Council: October 8, 2007

Vote of Certification of Election: Cox, Ewing, Holler, Massie, Menard and Metiva in favor

**CITY OF WASILLA
ORDINANCE SERIAL NO. 07-45**

**AN ORDINANCE PROVIDING FOR COLLECTIVE BARGAINING FOR THE
EMPLOYEES OF THE CITY OF WASILLA.**

* **Section 1. Classification.** This ordinance is of a general and permanent nature and shall become part of the Wasilla Municipal Code.

* **Section 2. Adoption of Section.** WMC 3.90.085 is adopted to read as follows:

A. The City recognizes the right of its public employees to organize for the purpose of collective bargaining, to form or join employee organizations, and to negotiate with and enter into written agreements with the City on matters of wages, hours, and other terms and conditions of employment.

B. The terms on which City employees may organize and on which the City and its employees will engage in collective bargaining shall be governed by the Public Employment Relations Act (AS 23.40.070 – AS 23.40.260) and the regulations promulgated by the Alaska Public Relations Agency pursuant to AS 23.40.380 or other authority granted by the Alaska legislature. The Alaska Labor Relations Agency is designated the administrative agency having jurisdiction to hear and decide questions affecting the employees of the City of Wasilla arising under the Public Employment Relations Act.

* **Section 3. Repeal of Resolution.** Resolution Serial No. W78-A-1, is repealed in its entirety.

Bold and underline added. [CAPS AND BRACKETS, DELETED.]

[WHEREAS, THE CITY OF WASILLA DESIRES TO REJECT THE PROVISIONS OF THE "PUBLIC EMPLOYMENT RELATIONS ACT" AS SET FORTH IN AS 23.40.070 THROUGH AS 23.40.260; AND,

WHEREAS, PROVISION IS MADE IN SECTION 4, CH. 113. SLA 1972 THAT ORGANIZED BOROUGHES AND POLITICAL SUBDIVISIONS OF THE STATE MAY, BY ORDINANCE OR RESOLUTION, REJECT THE PROVISIONS OF THE PUBLIC EMPLOYMENT RELATIONS ACT.

NOW, THEREFORE BE IT RESOLVED, THAT THE CITY OF WASILLA HEREBY REJECTS THE PROVISIONS OF AS 23.40.070 THROUGH AS 23.40.260 OTHERWISE KNOWN AS THE PUBLIC EMPLOYMENT RELATIONS ACT.]

Section 4. Repeal of Section. WMC 3.90.080, as follows, is repealed in its entirety:

[3.90.080 EMPLOYEE MEETINGS

A. PURPOSE. THE PURPOSE OF THIS SECTION IS TO RECOGNIZE EMPLOYEE ORGANIZATIONS AND TO PROVIDE A MECHANISM FOR CITY EMPLOYEES AND THEIR REPRESENTATIVES TO MEET AND CONFER WITH RESPECT TO TERMS AND CONDITIONS OF EMPLOYMENT AND TO REPLACE THE REQUIREMENTS OF THE PUBLIC EMPLOYMENT RELATIONS ACT THE PROVISIONS OF WHICH THE CITY REJECTED IN RESOLUTION NO. W78-A-1. THE VALIDITY OF THE CITY'S REJECTION OF THE PUBLIC EMPLOYEE'S RELATIONS ACT HAS BEEN CONFIRMED BY THE DECISION OF THE ALASKA LABOR RELATIONS AGENCY IN DECISION AND ORDER NO. 197 DATED NOVEMBER 7, 1995, CASE NO. 95-413 RC.

Bold and underline added. [CAPS AND BRACKETS, DELETED.]

B. RECOGNIZING EMPLOYEE ORGANIZATIONS.

1. NOT FEWER THAN ONE TIME EACH CALENDAR YEAR, THE COUNCIL, OR ITS DESIGNATED REPRESENTATIVES, SHALL 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.

2. THE MEETING SHALL BE HELD AT SUCH TIME AND PLACE AS THE COUNCIL MAY DESIGNATE WITH REASONABLE NOTICE TO ALL EMPLOYEES SO AS TO ENABLE THEM OR THEIR REPRESENTATIVES TO SUBMIT PROPOSED CHANGES IN TERMS AND CONDITIONS OF EMPLOYMENT IN WRITING AND/OR THROUGH PUBLIC TESTIMONY. EMPLOYEE REPRESENTATIVES WILL BE COMPENSATED FOR THESE MEETINGS. IF MEETINGS ARE HELD DURING WORKING HOURS, EMPLOYEE REPRESENTATIVES WILL BE GIVEN ADMINISTRATIVE LEAVE TO ATTEND.

3. THE COUNCIL MAY BY REGULATION ADOPT REASONABLE RULES FOR CONDUCT OF THE MEETINGS AND THE SUBMISSION OF PROPOSED CHANGES IN PERSONNEL POLICIES. ANY EMPLOYEE, AND ANY REPRESENTATIVE OF ANY EMPLOYEE, SHALL BE ENTITLED TO SUBMIT PROPOSED CHANGES AND ADDRESS THE COUNCIL, SUBJECT TO THE COUNCIL'S REGULATIONS.

4. MEETINGS MAY BE HELD ANNUALLY IN THE MONTHS OF MARCH AND NOVEMBER AND SHALL SPECIFICALLY INCLUDE ANY EMPLOYEE

Bold and underline added. [CAPS AND BRACKETS, DELETED.]

PROPOSALS CONCERNING COMPENSATION SO THAT ANY CHANGES MAY BE CONSIDERED FOR INCLUSION IN THE UPCOMING BUDGET.]

* **Section 5. Effective date.** Ordinance Serial No. 07-45 shall take effect upon the certification of the election if a majority vote favors the ordinance.

ELECTION CERTIFIED by the Wasilla City Council on October 8, 2007.



DIANNE M. KELLER, Mayor

ATTEST:



KRISTIE SMITHERS, MMC
City Clerk

