

Presented by: The Manager
Introduced: 08/11/2003
Drafted by: J.W. Hartle

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2223

A Resolution Amending the Personnel Rules to Modify the Pay Schedules for City and Borough Employees Who Are Not Members of a Bargaining Unit, and Making Assorted Changes to the Personnel Rules.

WHEREAS, negotiations with the Marine Engineers' Beneficial Association (MEBA), the labor organization representing the largest number of CBJ employees, have been successfully concluded, and

WHEREAS, a new salary schedule has been agreed to for those employees represented by MEBA, and

WHEREAS, in the past, CBJ has provided the same salary schedule to unrepresented employees as that agreed to with MEBA, and

WHEREAS, changes were made to the labor agreement on a variety of issues, many of which would be appropriate for unrepresented employees, and

WHEREAS, some of these changes should be extended to unrepresented employees in order to promote consistent personnel practices across the City, and

WHEREAS, the wages, hours and other terms and conditions of employment for unrepresented employees are solely defined through the Personnel Rules, and

WHEREAS, amendments to the Personnel Rules also affect employees represented by collective bargaining agreements when changes are within the scope of bargainable issues but are not addressed in the negotiated collective bargaining agreement, and

WHEREAS, all CBJ labor agreements provide that the Personnel Rules that are in effect at the time of signing the agreement remain in effect for the term of the agreement unless letters of agreement are entered into, making specified provisions applicable to the union membership.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

The following changes to the Personnel Rules are intended to apply to all unrepresented employees, and to those union-represented employees if not addressed by their collective bargaining agreement.

Section 1. Amendment of Section. CBJ Personnel Rule 8 PR 010 is amended to read:

8 PR 010. Frequency and Standards.

(g) On or before the merit anniversary date, each supervisor will provide notice to each employee, on a form provided by the Personnel Department, of whether a merit increase has been earned. That notice triggers generation of the Personnel Action form making the merit increase effective on the merit anniversary date. If the notice is not provided on or before the merit anniversary date, the employee shall receive \$10.00 per month until the notice is given.

Section 2. Amendment of Section. CBJ Personnel Rule 9 PR 020 is amended to read:

9 PR 020. Training Reimbursement.

(a) Training Expenses Paid for by Department. The department shall pay for registration, tuition, textbooks and other course fees and materials incurred when an employee attends approved training. The textbooks and materials remain the property of the department unless otherwise authorized by the department director.

(b) Training Required for Current Position. This section applies to training which is at the department's direction and is intended to provide the employee with additional skills and knowledge to maintain or improve performance in the employee's current position. If the employee fails to attend the training without good cause, adverse employment action may ensue including a requirement to repay travel and training costs.

(c) Employee Requested Training. This section applies when an employee requests funding to attend a course seminar, workshop, correspondence course or other type of training that is not required by the department. Departments may grant requests for employee training when funds are available and after priority training needs for the department have been met. Costs paid for by the employer may include registration, tuition or other course fees. The employee will pay for textbooks and other materials that remain the property of the employee. In order for the department to pay for the training, the employee must make written application and enter into a repayment agreement.

- (1) Written Application for Training. To request training, an employee must submit written information supporting the request to the employee's supervisor. The employee must include all information requested by the supervisor, but at minimum must include:
 - (A) A description of the training with an explanation of how the training will benefit the employee in the employee's current position;
 - (B) An estimate of the total cost for the training and the amount proposed for payment by the department;
 - (C) The written concurrence of the department director; and
 - (D) The written authorization of the City Manager.

- (2) Employee Agreement to Reimburse Employer. Once preliminary permission is given in writing, the employee and the department director must execute a written agreement on payment for the training prior to the beginning of the training and before the department will make any payment towards the training. Such agreement shall require that the employee repay the department for training costs and amounts advanced if:
 - (A) The employee does not successfully complete the course with a grade of "C" or better; and
 - (B) The employee separates from employment as a result of the employee's own actions within one year from the completion of the training.

The CBJ shall have the right to obtain training reimbursement from the employee by deduction from the employee's final paycheck any monies owing or by other legal means.

Section 3. Amendment of Section. CBJ Personnel Rule 11 PR 012 is amended to read:

11 PR 012. Personal Leave Cash-in.

- (a) An employee may cash in a maximum of 15 days of personal leave upon a showing that the employee:
 - (1) will use the cash-in to alleviate a hardship caused by circumstances beyond the employee's control,
 - (2) will retain a personal leave balance of no less than 21 days, and
 - (3) has not cashed in leave during the preceding 12 months.

Section 4. Amendment of Section. CBJ Personnel Rule 11 PR 050 is amended to read:

11 PR 050. Unscheduled Leave.

(a) An employee may use unscheduled personal leave when the employee notifies his or her supervisor or department director that:

- (1) the employee is sick or disabled to the extent that the employee cannot perform regular duties,
- (2) the employee's presence on the job would jeopardize the health or safety of fellow employees,
- (3) the employee must be absent from work to care for the employee's spouse, parent or child because such person is ill or disabled, or
- (4) a member of the employee's immediate family has died, in which case unscheduled personal leave is limited to ten days.

(b) An employee is required to promptly advise the supervisor or department director of the absence and reason before using unscheduled leave.

(c) A department director may require a physician's statement or other acceptable proof that an employee's condition meets the requirements of this section before authorizing the use of unscheduled personal leave.

Section 5. Amendment of Section. CBJ Personnel Rule 11 PR 055 is amended to read:

11 PR 055. Banked Medical Leave.

An employee who has banked medical leave may take such leave only when one of the following conditions exist:

(a) The employee has no accrued personal leave and the employee is sick or disabled to the extent that the employee cannot attend to the employee's regular duties.

(b) The employee has no accrued personal leave and the illness or disability of a member of the employee's immediate family requires the attendance of the employee.

(c) The employee has a medical disability exceeding one working day. In such instances the use of banked medical leave begins on the second day of absence.

(d) The employee's absence is due to an on-the-job injury with the Employer which qualifies as a workers' compensation claim to the extent that the employee's absence is not covered by workers' compensation.

(e) The employee has no accrued personal leave and the absence is due to the death of the employee's immediate family member, in which case the use of medical leave is limited to ten days.

A department director may require a physician's statement or other acceptable proof that an employee's condition meets the requirements of this section before authorizing the use of banked medical leave.

For further definition of this type of leave, please see Personnel Rule 19.

Section 6. Amendment of Section. CBJ Personnel Rule 11 PR 065 is amended to read:

11 PR 065. Leave Without Pay.

(g) An employee may be granted up to ten days of leave without pay, regardless of hardship caused to the CBJ, if the absence is due to the death of a member of the employees immediate family.

Section 7. Amendment of Section. CBJ Personnel Rule 16 PR 030 is amended to read:

16 PR 030. Other Employment.

An employee may not engage in or accept other employment or service for compensation unless the employee has notified the department director and the City Attorney in writing of the nature and extent of that outside activity and received written permission. The department director and the City Attorney must respond to the employee within five days.

Section 8. Amendment of Section. CBJ Personnel Rule 18 PR 005 is amended to read:

18 PR 005. Pay Schedules.

The pay schedules attached as Appendix D, E and F shall be effective sequentially, each pay schedule effective on the date shown thereon.

Section 9. Amendment of Section. CBJ Personnel Rule 18 PR 027 is amended to read:

18 PR 027. Health Benefits and Employee Wellness.

The CBJ maintains a health benefit and employee wellness program for its employees on a defined contribution basis.

(a) From July 1, 2003 until December 31, 2003, the CBJ shall pay the full cost to obtain health benefits pursuant to the CBJ Health Benefits Plan for each full-time, eligible employee.

(b) Beginning January 1, 2004, the CBJ shall provide a tiered benefits program for the provision of health insurance. Eligible employees shall pay, by payroll deduction, any difference between the CBJ's contribution and the amount required to provide the coverage elected by the employee under the tiered benefits program.

- (1) Effective January 1, 2004, the employer's contribution rate shall be \$700.00 per month per full-time, eligible employee.
- (2) Effective January 1, 2005, the employer's contribution rate shall be \$780.00 per month per full-time, eligible employee.
- (3) The eligibility of the employees and their dependents for coverage and the precise benefits to be provided shall be as set forth in the three-tiered insurance benefit plan written and maintained by the City and Borough for that purpose.

(c) Permanent part-time, eligible employees working 780 hours per year or more shall be provided the option of participating in the group insurance plan by paying a prorated portion of the benefit cost.

(d) When an employee goes into Leave Without Pay or leaves employment due to termination, resignation or lay off, health insurance coverage ends at 12:01 a.m. on the day following the last day of pay status.

(e) When an employee is on Leave Without Pay while on Family/Medical Leave, the provisions of the Family/Medical Leave policy which maintain health benefit coverage remain in effect and the employee contribution remains unchanged.

(f) The CBJ maintains a Health Benefits Committee, which is made up of three members who are unrepresented employees, three from the Marine Engineers Beneficial Association, one from the Public Safety Employees Association, one from Bartlett Regional Hospital, and one administrative employee. The Committee will meet at least quarterly to review progress of cost containment efforts, review the administrative company's performance and offer suggestions regarding other options

concerning employee health insurance. The Committee will develop checks and balances on plan adjustments with the goal of maintaining the relative cost and value of the tiers. This committee may also develop, implement and evaluate Wellness Program activities and services and review the effectiveness of the Employee Assistance Program. The Health Committee will review the health benefit costs at its quarterly meetings and make recommendations to the parties that address increased costs.

(g) The CBJ shall pay not less than \$12.80 per full time employee per month to fund a Wellness Program in order to promote education about healthy lifestyles.

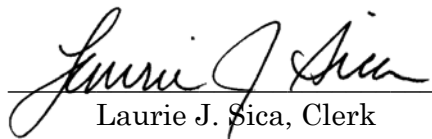
Section 10. Effective Date. This resolution shall be effective immediately upon adoption.

Adopted this 11th day of August, 2003.



Sally Smith, Mayor

Attest:



Laurie J. Sica, Clerk

Vote: Unanimous

Absent: Anderson; Wheeler