

Presented by: The Manager  
Introduced: 02/01/93  
Drafted by: K.L.K./J.R.C.

**RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA**

Serial No. 1619

**A RESOLUTION AMENDING THE CITY AND BOROUGH PERSONNEL RULES TO COMPLY WITH THE ALASKA FAMILY LEAVE ACT.**

WHEREAS, the State of Alaska adopted the "Alaska Family Leave Act" which became effective September 16, 1992, and

WHEREAS, the Alaska Family Leave Act applies to the City and Borough of Juneau, as a political subdivision of the State of Alaska, and

WHEREAS, to comply with the Alaska Family Leave Act, the City and Borough of Juneau Personnel Rules should be amended as set out below;

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

\* Section 1. Amendment of Rule. CBJ Personnel Rule 4, Section 005 is amended to read:

4 PR 005. GENERAL. (a) This Rule applies only to the classified service.

(b) If there are employees on layoff status for the job classification, the department director shall offer a vacant position to the employee with the highest number of points as calculated by the reduction in work force rule.

(c) If there are no employees on layoff status for the job classification, the department director shall offer the position to a qualified employee of the department if:

- (1) the employee is pregnant or has a temporary disability,
- (2) the employee requests appointment to the position,
- (3) the employee is qualified for transfer or demotion into the position, and

(4) the duties of the vacant position are less strenuous or less hazardous than those of the employee's current position.

(5) An employee voluntarily transferred or demoted because of pregnancy or temporary disability shall return to the position previously held at such time as the employee's condition permits, provided that service in the alternate position may not exceed 18 weeks.

(d) If there are no employees on layoff status for the job classification and if no qualified employee of the department who is pregnant or who has a temporary disability has requested transfer or demotion to the vacant position; the department director shall select the applicant best qualified for the position based upon the examinations used and local hire preference. The department director may establish an eligible list to be used for filling vacant positions.

\* Section 2. Amendment of Rule. CBJ Personnel Rule 11, Section 040 is amended to read:

11 PR 040. SCHEDULED USE OF PERSONAL LEAVE. (a) With the approval of the employee's supervisor or department director, an employee may use personal leave at any time the work of the employee and the department permits.

(b) An employee who has been employed for the previous 26 weeks shall be granted unlimited use of accrued personal leave:

(1) Because of the employee's illness, injury, impairment or physical or mental condition which involves inpatient care or continuing treatment or supervision, or

(2) To care for the employee's child, spouse or parent who has an illness, injury, impairment or physical or mental condition which involves inpatient care or continuing treatment or supervision, or

(3) Because of pregnancy or birth of a child of the employee or the placement of a child with the employee for adoption.

(4) A department director may require an employee to provide a statement from a health care provider or other acceptable proof that the conditions of this section have been satisfied before authorizing use of personal leave.

\* Section 3. Amendment of Rule. CBJ Personnel Rule 11, Section 050, paragraph (a)(3) is amended to read:

(3) Illness or disability of the employee's spouse, parent or child,

\* Section 4. Amendment of Rule. CBJ Personnel Rule 11, Section 065, is amended by the addition of new paragraphs (f) and (g) as follows:

(f) An employee who has been employed for the previous 26 weeks and has no accrued personal leave will be granted leave without pay:

(1) Because of the employee's illness, injury, impairment or physical or mental condition that involves inpatient care or continuing treatment or supervision, or

(2) To care for the employee's child, spouse or parent who has an illness, injury, impairment or physical or mental condition that involves inpatient care or continuing treatment or supervision.

(3) A total of at least 18 weeks of combined paid leave and leave without pay will be available to the employee during any 105 week period for the employee's own recovery and for the employee to provide child, spouse and parent care.

(g) An employee who has been employed for the previous 26 weeks and has no accrued personal leave will be granted leave without pay because of pregnancy and birth of a child of the employee or the placement of a child with the employee for adoption. A total of at least 18 weeks of combined paid leave and leave without pay will be available to the employee during the 52-week period beginning with the birth date or placement of the child.

\* Section 5. Renumbering of Section. Personnel Rule 17, Section 015 is renumbered as Section 020.

\* Section 6. Addition of Rule. CBJ Personnel Rule 17 is amended by the addition of a new Section 015 to read:

17 PR 015. CONTINUATION OF HEALTH INSURANCE. (a) An employee covered by health insurance who is on leave without pay because of an on-the-job incident covered by workers' compensation will continue to be covered by health insurance for 52 weeks following the date of the incident.

(b) The family of a deceased employee covered by health insurance will continue to be covered by health insurance for 52 weeks following the date of death when the death is because of an accident on the job and health insurance is not provided to the family by the Public Employees Retirement System.

(c) An employee covered by health insurance who is on leave without pay may continue coverage by paying the premium and an administrative fee not to exceed two percent of the premium.

\* Section 7. Renumbering of Section. Personnel Rule 17, Section 020 is renumbered as Section 025.

\* Section 8. Amendment of Rule. Personnel Rule 19, Section 005, entitled "Definitions," is amended by the addition of the following new definitions in alphabetical order and the renumbering of subsections as necessary:

(5) "Child" means biological, adopted, or foster child, stepchild, or legal ward.

(17) "Health care provider" means a dentist licensed under AS 08.36, a physician licensed under AS 08.64, or a psychologist licensed under AS 08.86.

(24) "Parent" means a biological or adoptive parent, a parent-in-law, or a stepparent.

\* Section 9. Effective Date. This resolution shall be effective immediately upon adoption.

Adopted this 1st day of February, 1993.

  
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Mayor

Attest:

  
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Clerk