

Presented by: The Manager
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RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 1280

A RESOLUTION AMENDING THE PERSONNEL RULES TO REVISE THE DEFINITION OF OVERTIME, REVISE CERTAIN LEAVE RULES, AND ADD CERTAIN SECTIONS TO THE PAY RULES.

WHEREAS, city and borough must accommodate the effects of cutbacks in state and local resources available to fund local government, and

WHEREAS, it is therefore necessary to reduce the city and borough's personnel costs, and

WHEREAS, a reduction of the city and borough budget has been accomplished which minimizes the disruption of municipal services and hardship to municipal employees and their families, and

WHEREAS, certain personnel rule revisions are needed to formally implement the budget reduction in personnel costs;

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

1. Amendment of Rule. That City and Borough of Juneau Personnel Rule 7 02.0, "Minimum Work Week," is amended as follows:

7 02.0 Minimum Work Week

Thirty-seven and one-half hours of actual attendance on duty shall constitute the normal minimum work week except where twenty-four hour coverage requires a forty hour minimum work week for full-time employees in the classified service and the partially exempt service with due allowance for authorized holidays and leaves of absence with pay. Commencing on July 1, 1987, employees shall be compensated for overtime work at the rate of one and one-half times their regular hourly pay only for work in excess of eight hours per day, or forty hours per week, with the exception of employees

working ten-hour normal days who shall be paid overtime for hours worked in excess of ten hours per day or forty hours per week.

2. Amendment of Rule. Personnel Rule 7 07.0, "Legal Holidays," is amended by repealing and reenacting Section 7 07.4 and by adding new Sections 7 07.5, 7 07.6, and 7 07.7, as follows:

7 07.4 Alternative Day

If a permanent, probationary, or provisional employee volunteers to work on an established holiday, an alternate day agreed to by the employee and the employer within the week preceding or following the holiday shall be that employee's holiday.

If any of the established holidays fall on an employee's day off, an alternate day within the week preceding or following the holiday as designated by the employer shall be that employee's holiday.

7 07.5 Alternate Leave

Those permanent, probationary and provisional employees assigned to functions which normally operate on holidays may be given an additional other day off per year for each holiday the employee is required to work.

7 07.6 Holiday Pay

Permanent, probationary and provisional employees with a regular work schedule of thirty-seven and one-half hours per week shall be paid for seven and one half hours for each holiday provided the employee was on duty or paid leave the work day immediately preceding the holiday and the work day immediately following the holiday.

Permanent, probationary and provisional employees with a regular work schedule of forty hours or more per week shall be paid for eight hours for each holiday provided the employee was on duty or paid leave the work day immediately preceding the

holiday and the work day immediately following the holiday.

7 07.7 Part-time Employees

Part-time employees shall receive prorated compensation or credit for holidays.

3. (a) New Sections Added to Rules. The City and Borough of Juneau Personnel Rules are amended by the addition of new sections, and the redesignation of existing sections as set forth in subsection (b) below, as follows:

9 04.0 Shift Differentials

9 04.1 For those employees who are regularly assigned to swing or graveyard shifts, the shift differential shall be:

- a. Sixty-seven cents (\$0.67) per hour for each hour of duty between the hours of 6:00 p.m. and midnight; and
- b. One dollar (\$1.00) per hour for each hour of duty between the hours of midnight and 6:00 a.m.

9 04.2 Only those employees who regularly work in excess of thirty hours per week are eligible for shift differentials.

9 04.3 Hours paid for at the overtime rate shall be exclusive of shift differentials.

9 05.0 Standby Pay

When the employer assigns an employee to standby duty, the employee shall be paid eighty-eight cents (\$0.88) for each hour of standby duty. If called out, the employee will be paid at the appropriate overtime rate and standby pay will cease. Standby duty is not credited to an employee

for purposes of determining overtime eligibility.

9 06.0 Call Out and Call Back

9 06.1 In scheduling extra duty, excluding extension of the employee's regular shift, the employer shall notify the employee not less than twenty-four hours prior to the commencement of the extra duty. If less than twenty-four hours notice is given the extra duty shall be treated as a "call out."

9 06.2 When an employee has completed his/her regular shift and is called back to duty more than two hours prior to the beginning of the employees' next scheduled duty, the minimum call back shall be for one hour at the employee's normal rate of pay, provided that the employee shall be paid at the overtime rate of pay only for hours worked in excess of eight hours per day or forty hours per week with the exception of employees working ten-hour normal days who shall only be paid overtime for hours worked in excess of ten hours per day or forty hours per week.

9 06.3 In those instances that call out duty begins more than two hours prior to the employee's next scheduled duty and two hours of work is not available to be done by the employee, the difference between the employee's actual duty and the one hour minimum shall be recorded and paid as show-up compensation.

9 06.4 When call back duty begins one hour or less prior to the employee's next scheduled duty, the employee will remain on duty and be paid at his/her overtime rate until the beginning of the scheduled duty, provided that the employee shall be paid at the overtime rate only if the call back requires the employee to work in excess of eight hours per day or ten hours per day, whichever is the employee's normal work day.

9 06.5 Show-up compensation is not credited to an employee for purposes of determining overtime eligibility.

9 07.0 Work on Sixth and Seventh Day

9 07.1 Scheduled work on the sixth and seventh day for a full-time employee shall be for a minimum of two hours at the employee's normal rate of pay.

9 07.2 In those instances that the above minimum work is not available to be done by the employee, the difference between the employee's actual duty and the minimum shall be recorded and paid as show-up compensation.

9 07.3 Show-up compensation is not credited to an employee for purposes of determining overtime eligibility.

9 08.0 Temporary Lead Worker Pay

When two or more employees in the same salary range are assigned to work on a job site without an assigned supervisor, the employer may designate in writing one of the employees as a temporary lead worker. It will be that employee's responsibility to direct the work. For said period of time, the lead worker shall be paid fifty-five cents per hour in addition to his/her regular hourly rate.

9 09.0 Work in Higher Level Job Class

9 09.1 When a salaried employee is assigned the duties of a higher level position other than the position of foreman or supervisor for a period of twenty working days or more, commencing at the end of the twenty-day period, the employer shall pay the employee according to the salary range allocation of the higher level position for the remaining duration of the assignment. Salary step placement shall be the same as if the employee had been promoted to the

position. All such assignments shall be made in writing prior to the beginning of the assignment.

9 09.2 When an hourly employee is assigned the duties of a higher level position, other than a foreman or supervisor, the employee shall pay the employee according to the salary rate allocation of the higher level position for the duration of the assignment. Salary step placement shall be the same as if the employee had been promoted to the position.

9 10.0 Temporary Supervisor

9 10.1 If a salaried employee is assigned in writing the duties of a foreman or supervisor on a temporary basis for a period in excess of twenty working days, commencing at the end of a twenty-day period, the employee shall be paid at the same range as the position he/she is filling, and his/her salary shall be at the same step in that salary range for the temporary assignment such as to provide an increase at least equal to the next step in the range of the position where the employee hold permanent status.

9 10.2 If an hourly employee is assigned in writing the duties of a foreman or supervisor on a temporary basis for a period in excess of five working days, the employee shall be paid at the same range as the position he/she is filling, and his/her salary shall be at the same step in that salary range for the temporary assignment such as to provide an increase at least equal to the next step in the range of the position where the employee holds permanent status.

(b) Redesignation of Existing Sections of Rules. Existing City and Borough of Juneau Personnel Rules 9 04.0, "Overtime Compensation"; 9 05.0 - 9 05.3, "Compensatory Time"; 9 06.0 - 9 06.12, "Moving, Transportation, and Resident Search Expenses"; and 9 07.10, "Salary Range Changes"; are redesignated as follows:

9 04.0 becomes 9 11.0

9 05.0 becomes 9 12.0, with corresponding changes to all subsections

9 06.0 becomes 9 13.0, with corresponding changes to all subsections

9 07.0 becomes 9 14.0

4. Amendment of Rule. City and Borough of Juneau Personnel Rule 9 04.0, "Overtime Compensation," is repealed and reenacted as follows:

9 11.0 Overtime Defined

All work in excess of eight hours per day, with the exception of employees working ten-hour normal days, will be paid at the overtime rate of pay. All hours worked in excess of forty hours in a week, excluding show-up compensation, stand-by time and those hours already paid at the overtime rate, shall be paid at the employee's overtime rate of pay. Overtime shall be paid in not less than fifteen minute increments.

All work on a holiday as defined in Rule 7 unless the holiday has been compensated for by an alternate day off or by increased personal leave credit, shall be paid at the overtime rate of pay.

An employee who has a scheduled lunch break and is required to work an entire regular shift without the scheduled lunch break shall be paid at the overtime rate for the lunch break.

9 11.1 Payment of Overtime

Authorized overtime due and payable to an employee may be paid as wages or as compensatory time.

The preferred manner of payment shall be as wages. However, when an employee has expressed the desire to have overtime credited as compensatory time the department director will consider the employee's desire. When it is found by the department director that the crediting of compensatory time will not result in any increased cost to the employer or cause the employer any

hardship an employee may be credited with compensatory time.

No compensatory time other than that earned during the month of December may remain credited to the account of an employee after December 31.

No compensatory time other than that earned during the month of June may remain credited to the account of an employee after June 30.

The employer shall pay an employee at their regular rate of pay for all time that is deducted from an employee's compensatory time account.

An employee credited compensatory time may not exceed one hundred hours at the beginning of any pay period. If an employee's earned overtime posted as compensatory time at the conclusion of a pay period would cause this one hundred hour maximum to be exceeded, all such excess hours shall be paid as overtime wages.

9 11.2 Training Time

An employee shall be compensated for training time that is required by the employer for the employee to obtain and maintain certification or licensing as a condition of continuing employment.

5. Repeal of Rule. City and Borough of Juneau Personnel Rule 9 05.0, "Compensatory Time," is repealed in its entirety, and redesignated as:

9 12.0 (Reserved).

6. Amendment of Rule. City and Borough of Juneau Personnel Rule 10 02.1, "Minimum Leave Use" is amended as follows:

10 02.1 Minimum Leave Use

Each employee shall take not less than one-third of the personal leave accrued during the period beginning January 1 and ending December 31. Employees shall be exempt from the minimum use requirement to the extent that such use would cause

an employer's personal leave balance to be less than thirty days on January 1.

7. Amendment of Rule. City and Borough of Juneau Personnel Rule 10 02.3, "Maximum Leave Carry-Over," is amended as follows:

10 02.3 Maximum Leave Carry-Over

Leave accrued but not used shall accumulate but may not exceed eighty-four days on January 1 of any calendar year. Eighty-four days equate to six hundred and thirty hours for employees assigned to a thirty-seven and one-half hour work week and six hundred and seventy-two hours for employees assigned a forty-hour work week. Leave in excess of eighty-four days shall be converted to medical leave and credited to the employee's medical leave bank.

8. Amendment of Rule. Personnel Rule 10 03.3, "Transfer of Leave," is amended as follows:

10.03.3 Medical leave may not be transferred to personal leave or be credited to any employee other than the employee who earned such leave

9. Repeal of Rule. City and Borough of Juneau Personnel Rule 10 04.0, "Leave Carry-Over" is repealed in its entirety, and redesignated as:

10 04.0 (Reserved).

10. Addition of Subsections to Rule. City and Borough of Juneau Personnel Rule 10 06.0, "Taking Banked Medical Leave," is amended by the addition of two new subsections as follows:

10 06.3 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.

10 06.4 The employee's absence is due to an on-the-job injury with the employer which qualifies as a worker's compensation claim to the extent that the employee's absence is not covered by worker's compensation.

11. Repeal and Reenactment of Rule. City and Borough of Juneau Personnel Rule 10 09.0, "Authorized Court Leave," is repealed and reenacted as follows:

10 09.0 Court Leave

10 09.1 Authorized Court Leave

An employee who is called to serve as a juror or subpoenaed as a witness to testify concerning matters within the scope of employment shall be entitled to court leave.

10 09.2 Disposition of Court Compensation

An employee on authorized court leave shall give the employer all monies received from the court as compensation for services and the employee shall be paid their regular salary while on court leave.

10 09.3 Proof

Court leave shall be supported by written documents such as the subpoena or the court clerk's statement of attendance.

12. Effective Date. This resolution shall be effective immediately upon adoption.

Adopted this 21st day of December, 1987.



Mayor

Attest:



Clerk