

Presented by: The Manager
Introduced: 01/11/88
Drafted by: S.J.F.

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 1282

A RESOLUTION REVISING THE PERSONNEL RULES TO ADOPT RULES
CONCERNING A REDUCTION IN WORK FORCE POLICY AND FORMULA.

WHEREAS, Section 44.05.060 of the city and borough code provides that the Assembly, by resolution, shall adopt such personnel rules as it deems advisable to carry out the intent of the Personnel Management Plan, CBJ Chapter 44.05, and

WHEREAS, City and Borough Personnel Rule 11 04.0 governs reduction in work force or layoff and City and Borough Personnel Rules 5 09.1 and 5 09.3 govern seasonal workers and layoff, and

WHEREAS, the manager has established policies, procedures, and formula to govern reduction in work force, and

WHEREAS, it is in the best interests of the city and borough and its employees to adopt such policies, procedures, and formula as a part of the City and Borough Personnel Rules, and

WHEREAS, it is the policy of the city and borough to, whenever possible, preserve the livelihood of its employees when making budget reductions. When contemplating layoff, department directors are encouraged to be flexible and to consider any alternatives consistent with the personnel rules and labor agreements. The department director and the personnel director will determine how these alternatives may be applied in individual cases. Alternatives include but are not limited to:

1. Job sharing. Job sharing means changing a full-time position to part time and establishing a second part-time position, in which case two different people are employed in each position. The combined total hours of the two job-shared positions cannot exceed the scheduled hours of the original, full-time position. Both part-time positions are assigned the same essential duties of the original full-time position.

2. Transfer. Transfer means the movement of an employee from one position to another position in the same job class or to a parallel job class at the same pay range without a break in service.
3. Reduction in Hours. Reduction in hours means changing full-time positions to part time or reducing the hours of part-time positions to meet budget authorizations.
4. Training or Retraining Employees. Training or retraining employees means an employee would be trained or retrained for related job classes for which a vacancy exists.
5. Voluntary Demotion. Voluntary demotion means movement of an employee from one position to a different position which is vacant at a lower salary range. Such demotions are requested by the employee. The employee must meet the minimum qualifications of the job class to which the vacant position has been allocated.

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

1. City and Borough Personnel Rule 11 04.0, "Layoff" is revised as follows:

11 04.0 Layoff

11 04.1 The manager may lay off an employee in the classified service by reason of abolition of position, shortage of work or funds or other reasons outside the employee's control which do not reflect discredit on the service of the employee. The name of such an employee may remain on the layoff list for a period of two years. If not reappointed within this period of time, the employee shall be considered to have separated without prejudice. The manager may lay off an employee by reason of reduction in force in accordance with Personnel Rule 11 04.3.

2. City and Borough Personnel Rule 11 04.3 is hereby repealed and reenacted as follows:

11 04.3 Reduction in Work Force Criteria

11 04.31 Criteria

This policy applies to only those positions subject to the direction of the city and borough manager. This includes the departments of administration, airport, engineering, finance, fire, parks and recreation, community development, police, public works, and social services. The attorney's office, Eaglecrest, the hospital, the harbor, and the school district are excluded. When positions have been identified for deletion, the following criteria will apply:

11 04.311 Layoff will be by job class with exceptions for bona fide occupational specialities which are consistent with job practices and the position description. Layoff units will not discriminate as to funding source. Employees hired on grants, capital improvement projects, or with other temporary funding if they have permanent status will be considered to be in the layoff unit with other permanent employees.

11 04.312 The averaged overall score of the three most recent performance evaluations will be used to determine employee points. For those evaluations which do not have an overall rating indicated, points shall be determined by averaging all the factors rated, and this average shall determine the overall score.

11 04.313 The overall average performance evaluation score is multiplied by seniority to determine employee points.

11 04.314 In those instances that no performance evaluation has been completed, employee points shall be determined by crediting one point for each full month of service.

11 04.315 Seniority will be determined by total uninterrupted service as a permanent, probationary or provisional employee counted in months. Leave without pay will not be counted. Full time equivalencies will be applied in determining months of service for employees who work

less than full time. Partial months will be rounded to the nearest whole month. Seniority will be calculated as of the first day of the month in which the manager issues the layoff notice.

11 04.316 In the event of tie scores, the least senior employee will be laid off first. If a tie still remains, seniority will be determined by lot.

11 04.317 Probationary employees will be laid off prior to permanent employees. If an employee has dual status (probationary/permanent status), that employee will retain his or her rights as a permanent employee in his or her previous job class.

11 04.318 Wherever possible when the reason for layoff is that the work has been assigned to a contractor or is part of a grant to another entity, the contract or grant shall require that the recipient make a good-faith offer of employment to the displaced employees.

11 04.319 Employees will be notified of potential layoff as soon as possible. Eight weeks notice or more will be provided if feasible. Each permanent employee who is laid off will receive a minimum of fifteen days written notice from the city manager.

No later than five (5) days following an employee's receipt of a layoff notice, the employee may grieve his or her proposed layoff through the grievance procedure set forth in Personnel Rule 12. If the employee fails to so grieve the proposed layoff, the employee shall be considered to have waived any such grievance.

11 04.32 Layoff Rights

Layoff status and rights will be for a maximum period of twenty-four months. If the employee is not reappointed during this period, the employee shall be considered to have separated in good standing. During the period of layoff, the following rights exist.

11 04.321 The employee's contribution to the Public Employees Retirement System will be retained by the state. A refund of this contribution is not

permitted by the state unless the employee separates and an employee in layoff status is not considered separated from employment.

11 04.322 At the time of layoff, the employee will receive payment for all personal leave. Return from layoff within the twenty-four month period restores the employees entire medical leave balance.

11 04.323 Any vacant positions for the employee's job class, with exceptions for bona fide occupational specialities, which occur during this period shall be offered first to those employees who are on layoff status before being advertised or offered to anyone else.

11 04.324 The employee may apply for any job as a current employee.

11 04.325 The employee may accept any temporary job with the city or any permanent/probationary job which is less than the employee's current salary without forfeiting layoff rights.

11 04.326 Should the employee return to his or her former position, the period of absence will be viewed as leave without pay and the employee will resume employment with the same status, range, and step held at the time of layoff.

11 04.327 Should an employee accept an appointment to an unrelated job class, an additional probationary period must be served. Absence in all other aspects will be viewed as leave without pay.

11 04.33 Additional Comments

The following additional considerations and information shall be provided to laid off employees.

11 04.331 Coverage under the health insurance plan will cease on the last day of the month in which layoff occurred. Arrangements can be made to continue coverage under an individual plan or continued participation on the group plan. The employee would be entirely responsible for the premium. The employee will be allowed up to one hour of regularly scheduled work time without loss

of pay or benefits to discuss health and life insurance conversion options.

11 04.332 The employee will be allowed up to four hours of regularly scheduled work to attend any job interviews which cannot be scheduled outside regularly scheduled work hours without loss of pay or benefits.

11 04.333 The employee will be allowed one hour of duty time to register for work with Job Service without loss of pay or benefits.

11 04.334 The employee will be allowed to attend job interviews with any city and borough department during regularly scheduled work hours without loss of pay or benefits.

11 04.335 The employee will be allowed up to one hour of regularly-scheduled work to discuss Public Employees Retirement System contributions.

11 04.336 The city and borough personnel office will mail copies of all job announcements directly to the employee for the duration of time the employee is on layoff status unless personnel is notified to the contrary.

11 04.337 Applicants on layoff status shall receive particular consideration. The personnel director may require written justifications to fill any vacant position if the proposed appointment is someone other than an employee on layoff status from a related job classification who has applied for the vacant position.

11 04.338 If the employee refuses or fails to respond to an offer of reappointment in his or her former job class layoff status is terminated and the employee shall be considered to have separated in good standing.

11 04.34 COMPUTING EMPLOYEE POINTS

1. Total months of service are determined.
2. The average scores of the three most recent performance evaluations is determined using the tables below.

3. The results of Step 1 are multiplied by the results of Step 2.
4. The results of Step 3 are the employee's points.

<u>Rating Form A</u>	<u>Rating Form B</u>	<u>Performance Factor</u>
Outstanding	Outstanding	1.3
Acceptable Plus	Exceeds	1.2
Acceptable	Satisfactory	1.0
Acceptable Minus	Needs Improvement	0.3
Unsatisfactory	Unsatisfactory	0.0

FIRST RATING	SECOND RATING				
	1.30	1.20	1.00	0.30	0.00
1.30	1.30	1.25	1.15	0.80	0.65
1.20	1.25	1.20	1.10	0.75	0.60
1.00	1.15	1.10	1.00	0.65	0.50
0.30	0.80	0.75	0.65	0.30	0.15
0.00	0.65	0.60	0.50	0.15	0.00

AVERAGE
PER ABOVE

THIRD RATING

	1.300	1.200	1.000	0.300	0.000
1.300	1.300	1.267	1.200	0.967	0.867
1.250	1.267	1.233	1.167	0.933	0.833
1.200	1.233	1.200	1.133	0.900	0.800
1.150	1.200	1.167	1.100	0.867	0.767
1.100	1.167	1.133	1.067	0.833	0.733
1.000	1.100	1.067	1.000	0.767	0.667
0.800	0.967	0.933	0.867	0.633	0.533
0.750	0.933	0.900	0.833	0.600	0.500
0.650	0.867	0.833	0.767	0.533	0.433
0.600	0.833	0.800	0.733	0.500	0.400
0.500	0.767	0.733	0.667	0.433	0.333
0.300	0.633	0.600	0.533	0.300	0.200
0.150	0.533	0.500	0.433	0.200	0.100
0.000	0.433	0.400	0.333	0.100	0.000

3. City and Borough Personnel Rule 5 09.1, "Seasonal Appointments" is revised as follows:

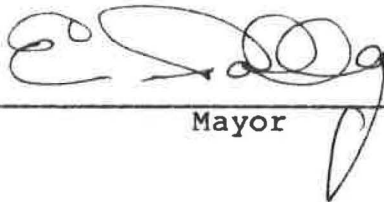
5 09.1 Upon completion of seasonal work for the year, the employee shall be placed in leave without pay (LWOP) status until recalled to work for the following season. If the employee in LWOP status is unavailable or does not return to work, a selection may then be made from the eligible list in the class for that position. The seasonal employee in LWOP status shall then be separated.

4. City and Borough Personnel Rule 5 09.3, "Seasonal Appointments" is hereby repealed in its entirety.

5. This resolution supersedes and replaces the "Reduction in Work Force Policy" adopted by the city and borough manager effective May 30, 1986, and revised effective October 26, 1987.

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

Adopted this 11th day of January, 1988.



Mayor

Attest:



Clerk