

ADMINISTRATIVE POLICY NO. 05-02R

**DELEGATION OF CITY MANAGER'S AUTHORITY TO DECIDE
EMPLOYEE BENEFIT ISSUES AND APPEALS**

1. PURPOSE AND POLICY

The City and Borough provides a number of benefits to its employees. Periodically, an employee may have a specific request regarding a benefit. When the staff responsible for administering a benefit or the City's health insurance administrator denies a request, sometimes an employee wishes to appeal the decision. The City Manager hereby delegates his authority to consider these appeals to three separate panels:

A. Requests for emergency withdrawals from deferred compensation program.

A panel made up of the City Manager, the Finance Director, and the Risk Manager will hear appeals from employees to make emergency withdrawals from their deferred compensation accounts. The panel will consider requests using criteria established by the Internal Revenue Service, the deferred compensation plan, and relevant laws and policies.

B. Appeals on decision regarding the health benefit plan.

A panel made up of the City Manager, the Risk Manager and a member of the Health Benefits Committee will hear special requests and appeals of decisions regarding the application of the health benefit plan. The panel will use criteria it has established for the purpose, benefit plan requirements and related laws and policies.

C. Requests to be released from the obligation to reimburse the employer for health insurance costs incurred while on Family/Medical Leave.

When an employee elects to quit employment rather than return from Family/Medical leave, and the City has provided insurance while the employee was on leave without pay, the employee is liable for the City's contribution unless the inability to return to work is due to the continuation, recurrence, or onset of a serious health condition of the employee or the employee's family member which would otherwise entitle the employee to leave under FMLA; or other circumstances beyond the employee's control consistent with the FMLA.

- a. Within 30 days of a notice being issued by Risk Management of the obligation to repay CBJ contributions to health insurance during the period the employee was on LWOP, the employee may request in writing to be released from this obligation.

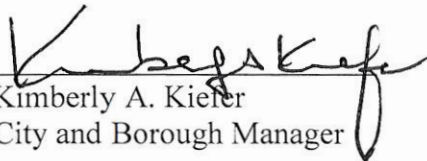
A panel made up of the City Manager, the Personnel Director, and the employee's department director will consider the request using criteria it has established for the purpose, as well as the Family/Medical Leave policy and other relevant laws and policies.

- b. The panel may decide to forgive repayment, require full repayment, or require partial repayment of the insurance costs, e.g., repayment of costs from the time the employee realized, or should reasonably have realized, that he/she was not going to be able to return to work.

2. GENERAL PROVISIONS

- A. Scope: This policy applies to all agencies and employees of the City and Borough of Juneau, Alaska under the general direction of the City Manager.
- B. Authority to promulgate policy: The City Manager of the City and Borough of Juneau, Alaska, maintains the authority granted by the CBJ Charter to order policy and the guidelines for implementation.
- C. Decisions Final: Decisions of this panel are final administrative decisions of the City and Borough of Juneau which may be appealed to the Juneau Superior Court if such appeal is brought under the Alaska Rules of Court within 30 days.
- D. Effective Date: This policy will take effect on: October 8, 2014.

Dated at Juneau, Alaska, this 8th day of October, 2014


Kimberly A. Kiefer
City and Borough Manager