

Presented by: The Manager
Introduced: 07/20/87
Drafted by: S.J.F.

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 1254

A RESOLUTION AMENDING RULES 3, 4, 5, AND 6 OF THE PERSONNEL RULES OF THE CITY AND BOROUGH OF JUNEAU RELATING TO THE RECRUITMENT AND SELECTION OF EMPLOYEES, QUALIFICATION LISTS, CERTIFICATION AND APPOINTMENTS, AND PROBATIONARY PERIODS.

WHEREAS, Article II, Section 3.14, of the Charter of the City and Borough of Juneau provides, in part, that the personnel system shall regulate all appointments and promotions on the basis of merit, and

WHEREAS, pursuant to CBJ 44.05.060, the Assembly may amend the City and Borough of Juneau Personnel Rules by resolution, and

WHEREAS, Rule 3 of the Personnel Rules presently provides for pass-fail examinations to be used in the recruitment and selection of employees, and

WHEREAS, Rules 4, 5, and 6 of the Personnel Rules presently provided for qualification lists to be used in the certification and appointment of employees, and

WHEREAS, a review of the above-referenced rules has demonstrated that the rules should be revised in furtherance of the administration of a personnel system for the city and borough based upon the principles of merit and fitness;

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

1. That City and Borough of Juneau Personnel Rules, Rule 1, Definitions, is amended as follows:

(a) The definition of Alaska Resident is amended to read:

Alaska Resident. Means a person who has established residency in the State of Alaska as set forth in Alaska Stat. § 01.10.055 immediately prior to making application for city-borough employment.

(b) The definition of Pass-Fail Examination is deleted in its entirety.

(c) There is added a definition of Eligible List, to read:

Eligible List. Means a list of eligible applicants for positions in the classified service in the city and borough.

(d) The definition of Qualification List is deleted in its entirety.

(e) There is added a definition of Personnel Director, to read:

Personnel Director. Means the city-borough manager's designee, designated to perform the duties of personnel officer.

2. That City and Borough of Juneau Personnel Rules, Rule 3, Recruitment and Pass-Fail Examinations, is deleted in its entirety and replaced with the following:

RULE 3

RECRUITMENT AND SELECTION OF EMPLOYEES

3 01.0 Recruitment, Position Vacancy Announcements and Applications.

The personnel director shall use whatever means are appropriate to recruit qualified applicants for any position vacancies, which may include but are not necessarily limited to, internal job postings, help-wanted advertisements, or public and private employment agencies.

3 01.1 Any printed announcements of position vacancies shall include the title of the position for which applicants are sought, the position's pay range or rate, minimum qualifications, and principal duties, the dates applications will be accepted, and the place and manner of filing applications. All such announcements shall be posted for not less than five (5) days. The personnel director may add to the printed announcements any additional information believed advisable.

3 01.2 All applications for positions shall be made on a form provided, or in the manner required, by the city-borough. Any information submitted on the form or any other required documents shall be verified and investigated prior to appointment by the appointing authority to the extent necessary to determine the applicant's qualifications for appointment. The supplying of any false or misleading information as part of an application or the omission of any material information from an application for employment may be grounds for rejection of the applicant or removal of the employee.

3 02.0 Selection of Employees

The personnel director shall establish procedures for the initial selection or promotion of employees. All selection procedures shall relate to the applicant's or employee's merit, fitness and ability to discharge the duties and responsibilities of the position to which the applicant seeks appointment.

3 02.1 Selection procedures may include examinations which measure the applicant's job-related ability, knowledge, and skills. The appropriate form of each examination shall be determined by the personnel director and may include, but need not be limited to, oral, written, graded, or physical examinations or tests, ratings of training and experience, employment references, reports of supervisors, performance evaluations, work samples, and personal references. The personnel director is responsible for setting any minimum qualifying scores or standards for any required examinations.

3 02.2 Any medical examinations utilized as a selection procedure must be completed by a licensed physician before an applicant is appointed or an employee is promoted to a particular position. The personnel director may establish minimum medical and physical standards where appropriate, which reasonably relate to the duties and responsibilities of a particular position. The standards may differ based on the duties and/or responsibilities of each position. No appointment or promotion shall be effective until the applicant or employee

demonstrates satisfaction of any required minimum medical or physical standards. Failure to meet the required minimum standards shall result in disqualification for appointment or promotion to the position.

3 02.3 The personnel director may refuse to examine an applicant, or after examination refuse to place the applicant's name on an eligible list or may remove the applicant's name from an eligible list or may refuse to certify any person on an eligible list who:

3 02.31 has failed to submit an application correctly or within the prescribed time limit;

3 02.32 is found to lack any of the minimum qualifications established for appointment to the job class.

3 02.33 has made a false statement of fact material to the position(s) applied for in an application.

3 02.34 has been convicted of a crime involving moral turpitude;

3 02.35 has been dismissed from any employment for delinquency, misconduct, unsatisfactory performance of duties, or other similar cause;

3 02.36 has used or attempted to use political influence or bribery to secure an advantage in the examination or appointment;

3 02.37 has directly or indirectly obtained information regarding examinations, which an applicant is not entitled to obtain.

3. That City and Borough of Juneau Personnel Rules, Rule 4, Qualification Lists, is amended as follows:

(a) The title is amended to read:

ELIGIBLE LISTS.

(b) Personnel Rule 4 01.0 is amended to read:

4 01.0 The personnel director shall establish, maintain, and produce eligible lists necessary to carry out the purpose of the personnel law and rules.

(c) Personnel Rule 4 01.1 is amended to read:

4 01.1 Each list shall be by class of position and shall consist of the names of all persons who have passed the required examination(s).

(d) Personnel Rule 4 02.0, Application of Lists, is amended to read:

4 02.0 Application of Lists. Each list shall be city-borough wide in application. Except as otherwise provided in Rule 5, all vacancies in the classified service shall be filled by certification and appointments from eligible lists.

(e) Personnel Rule 4 03.0 is amended to read:

4 03.0 Duration

The personnel director shall determine the period which eligible lists shall remain in effect, but this period shall not exceed two years. When the personnel director deems it necessary, a new eligible list may be combined with an existing list. The maximum length of time for which the name of any individual may remain on the eligible list without re-examination shall be two years from the date of original entry on the eligible list.

(f) Personnel Rule 4 04.0 is amended to read:

4 04.0 Removal of Names

In addition to the reasons stated in Rule 3 02.3 and Rule 13, the personnel director may remove names from eligible lists permanently or temporarily for any of the following reasons:

(g) Personnel Rule 4 04.7 is amended to read:

4 04.7 Expiration of the term of eligibility on the eligible list.

(h) Personnel Rule 4 05.0 is amended to read:

4 05.0 Statement of Availability

Whenever an applicant submits a statement restricting the conditions under which the applicant will be available for employment the applicant's name shall be withheld from all certifications which do not meet the conditions which the applicant has specified. An applicant may file a new statement at any time during the duration of an eligible list modifying any prior statement as to conditions under which the applicant will be available for employment, except that if such statement results in the withdrawal of the applicant's name from a certification outstanding at the time of receipt of the statement it may be deemed a declination of appointment. For the purposes of this rule the personnel director may accept telephone information as having the same effect as a written statement provided the personnel director confirms the telephone information by letter clearly stating the conditions under which the applicant will be qualified on the basis of such information:

(i) Personnel Rule 4 06.0 is amended to read:

4 06.0 Reinstatement of Names

The name of any candidate placed on an inactive eligible list may be returned to the active eligible list at any time during the life of the list and during the candidate's maximum period of eligibility upon the written request of the candidate provided that the removal was not made under the provisions of Rule 3 02.3, Rule 13, or permanently removed under Rule 4 04.0.

4. That City and Borough of Juneau Personnel Rules, Rule 5, CERTIFICATION AND APPOINTMENT, is amended as follows:

(a) Personnel Rule 5 02.0 is amended to read:

5 02.0 Methods of Filling Vacancies.

Upon receipt of a request to fill a vacant position, the personnel director shall certify the names for the appropriate eligible list or authorize

an appointment as provided in these rules. No appointment other than an emergency appointment (Rule 5 07.0) shall be made without such certification or prior authorization. If the position to be filled is a permanent one, the personnel director shall certify from the layoff list. If no such layoff list exists the personnel director shall certify from the eligible list the personnel director deems appropriate, taking into consideration any request made by the appointing authority.

(b) Personnel Rule 5 03.0 is amended to read:

5 03.0 Certification of Eligible Applicants.

(c) Personnel Rule 5 03.11 is amended to read:

5 03.11 If no layoff list exists, or if such applicants decline appointment or are not available, names from the eligible lists shall be certified for existing vacancies. Certification may be made from the promotional or open list. If the promotional list is requested and this list does not provide a complete certification then the open eligible list shall be used to complete the certification.

(d) Personnel Rule 5 03.12 is deleted in its entirety.

(e) Personnel Rule 5 03.14 is deleted in its entirety.

(f) Personnel Rule 5 03.15 is amended to read:

5 03.15 An employee whose name is reinstated on the eligible list under provision of Rule 4 06.0 may, for reinstatement purposes only, be certified as an additional name on the certification.

(g) Personnel Rule 5 03.4 is amended to read:

5 03.4 Subfilling Positions

In the absence of a complete certification, the appointing authority may request authorization from the personnel director to subfill the position at a

lower classification level. Upon approval a certification may be made from the eligible list of the lower classification in accordance with Rule 5 02.0. An employee receiving a subfilled appointment shall be so advised in writing by the appointing authority and performance shall be evaluated on the basis of the duties of the lower class.

(h) Personnel Rule 5 05.0 is amended to read:

5 05.0 Permanent Appointments

All vacancies in the classified service having an expected duration in excess of the probationary period shall be filled by appointment from eligible lists except as otherwise provided in these rules.

(i) Personnel Rule 5 06.0 is amended to read:

5 06.0 Temporary appointments shall when practicable be made from eligible lists. If the personnel director has found it impracticable to make certification because of nonavailability of applicants, the personnel director may authorize the temporary appointment of a qualified individual designated by the appointing authority. No temporary appointment shall exceed six months except where the personnel director grants an extension of a temporary appointment because of extenuating circumstances. The acceptance or refusal by an applicant of a temporary appointment shall have no effect on the eligible list.

(j) Personnel Rule 5 06.01 is amended to read:

5 06.01 Permanent status shall be granted to a temporary employee who is on the eligible list and who has completed the required length of consecutive service to achieve permanent status when the employee is filling a permanent position in the same classification provided there has been no break in service.

(k) Personnel Rule 5 08.01 is amended to read:

5 08.01 When authorized by the personnel director and in the absence of an appropriate eligible list, a provisional appointment of a qualified person may be made to fill a vacant

position. Such an appointment shall be terminated upon certification and appointment from an eligible list, whichever occurs first. No person shall receive more than one provisional appointment to the same position nor serve in the position beyond the probationary period, except with prior approval of the personnel director.

(l) Personnel Rule 5 08.41 is amended to read:

5 08.41 Retroactive probationary status may be granted to a provisional employee who earns a place on the eligible list at the first opportunity and who is appointed.

(m) Personnel Rule 5 08.42 is amended to read:

5 08.42 Probationary status may be made effective no earlier than the date certified to the appointing authority in those cases where the provisional failed to earn a place on the eligible list at the first opportunity.

(n) Personnel Rule 5 08.43 is amended to read:

5 08.43 Retroactive permanent status may be granted to a provisional employee who is otherwise eligible for permanent status upon promotion and who earns a place on the eligible list at the first opportunity and who is appointed to a promoted position.

(o) Personnel Rule 5 08.44 is amended to read:

5 08.44 Permanent status may be made effective no earlier than the date certified in those cases where the provisional failed to earn a place on the eligible list at the first opportunity and who is otherwise eligible for permanent status upon promotion.

(p) Personnel Rule 5 09.1 is amended to read:

5 09.1 Upon completion of seasonal work for the year, the employee shall be in layoff status until recalled for the following season. If the employee in layoff 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 employee in layoff status shall then be terminated and the employee's name may be entered on the eligible list for that class as per 4 01.4.

(q) Personnel Rule 5 11.4 is amended to read:

5 11.4 Transfer to a parallel job class may be made only upon the approval of the personnel director after it has been determined that the employee possesses the minimum qualifications and the job classes involved have a sufficient relationship. The personnel director may require an examination or other evidence for purpose of determining the employee's qualifications for the class.

(r) Personnel Rule 5 12.0 is amended to read:

5 12.0 Appointment of Federal or State Employees.

A federal civil service employee or a state merit service employee who qualifies as an Alaskan resident under these rules may be appointed to a position in the classified service in a comparable classification without examination if such employee meets the minimum qualifications for the position to which such employee is being appointed and has been on permanent status under federal civil service or state merit service for not less than six months immediately preceding appointment. Such appointment may not be made if a certified eligible list is available for filling the position. (See 5 03.11) The employee may be required to serve a probationary period of employment. The qualifications of the federal and state employee and evidence that other provisions of this rule have been fulfilled must be approved by the personnel director prior to appointment.

(s) Personnel Rule 5- 14.0 is amended to read:

5 14.0 Promotion Boards

The manager may establish policies and procedures for the operation of promotion boards. Such boards may conduct examinations of permanent or probationary employees within established policies and procedures. Jurisdiction of promotion boards


shall be limited to classifications designated by the manager and activities of the board shall be continually reviewed. The applicants obtained from these promotional boards shall be certified to vacancies under Rule 4.

5. The City and Borough Personnel Rules, Rule 6, PROBATIONARY PERIODS, Rule 6 02.3, is amended as follows:

6 02.3 Former employees appointed for eligible lists other than the layoff list shall be subject to a complete probationary period beginning the day of the new appointment.

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

Adopted this 20th day of July, 1987.



Mayor

Attest:



Clerk