

Presented by the Manager  
Introduced June 5, 1975  
Referred to:  
Public Hearing:

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 315

A RESOLUTION AMENDING THE PERSONNEL RULES OF  
THE CITY AND BOROUGH OF JUNEAU RELATING TO SICK  
LEAVE, MATERNITY LEAVE AND THE HIRING OF ALIENS.

WHEREAS, the Assembly of the City and Borough of Juneau has, by Resolution No. 176, adopted personnel rules for the municipality, and

WHEREAS, certain of those rules relating to sick leave and maternity leave may, under certain circumstances, tend to discriminate on the basis of sex, and

WHEREAS, the United States Supreme Court in Sugarman v. Dougall, 413 U.S. 634 (1973) declared that a rule against hiring aliens for non-policy making positions was unconstitutional, and

WHEREAS, the personnel rules of the City and Borough of Juneau contain a blanket prohibition on the hiring of aliens, and

WHEREAS, the personnel rules of the City and Borough of Juneau should be made to conform to these recent changes in the law;

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

That the personnel rules adopted by the assembly by Resolution No. 176 are hereby amended as follows:

(a) Rule 10 02.211 is amended to read as follows:

10 01.211 When the agency head is satisfied that the absent officer or employee is actually sick, injured or suffering from a temporary disability. Temporary disability includes, but is not limited to, disabilities caused or contributed to by pregnancy, miscarriage, childbirth, and recovery therefrom. Sick leave may be granted for a medical or

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dental appointment only when such appointment is kept in connection with an actual illness, injury or disability. If the absence exceeds three consecutive working days, the department or agency head may require a doctor's certificate showing the disability.

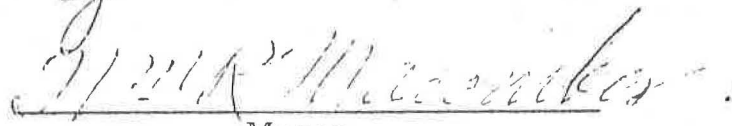
(b) Rules 10 03.0 through 10 03.04 are hereby repealed.

(c) Rule 10 07.0 is amended to read as follows:

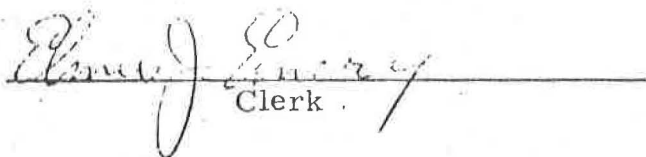
10 07.0 Upon application by a probationary or permanent employee, a leave of absence without pay may be granted because of sickness, injury or a temporary disability. Such leave shall be limited to one month for each full month of service to a maximum of 24 months. The manager from time to time may require that the employee submit a certificate from the attending physician or from a designated physician. In event of a failure or refusal to supply such certificate or if the certificate does not clearly show sufficient disability to preclude the employee from the performance of his duties, the manager may cancel such sick leave and require the employee to report for duty on a specified date.

(d) Rule 14 01.0 relating to the hiring of aliens is hereby repealed.

Adopted this 5<sup>th</sup> day of June 1975.

  
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Mayor

Attest:

  
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Clerk