

Presented by: The Manager
Introduced: 07-07-77
Referred to:

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 467

A RESOLUTION AMENDING THE PERSONNEL
RULES OF THE CITY AND BOROUGH OF JUNEAU.

WHEREAS, the grievance procedure as provided in personnel rules as adopted by Resolution No. 176 and as subsequently amended by Resolutions No. 304, 315, 360, 426 and 450 should be simplified,

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

1. That Rule 12, Disputes: Hearings and Appeals is hereby repealed in its entirety and readopted to read as follows:

RULE 12 DISPUTES: HEARINGS AND APPEALS

12.01.0 Employee - Agency

12.01.1 General Grievance Procedure

Any employee occupying a position in the classified service who has a grievance relating to his position, working conditions, or employment shall be afforded an opportunity to be heard as follows:

12.01.11 - The employee will attempt to resolve the dispute directly with his immediate supervisor.

12.01.12 - If the dispute is not resolved with the supervisor within five (5) working days from the date of occurrence, the grievance will be reduced to writing, dated and within three (3) working days presented to the department head by the employee.

12.01.13 - If the grievance is not resolved by the department head within five (5) working days, the employee may take the grievance to the manager, but must file the grievance within two (2) working days of the decision of the department head or the expiration of the five (5) days, whichever is earlier. The Manager shall render a written decision in

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the lowest possible level and requires that an appeal be actively pursued by the appellant and actively investigated and processed by the hearing officer. Failure on the part of an appellant to actively pursue his appeal when afforded an opportunity to do so shall constitute grounds for dismissal of the appeal by the Manager or Board without further hearing.

12.01.4 - The employees covered by these procedures shall have freedom to seek resolution of their grievances without fear of restraint, interference, coercion, discrimination or reprisal. This principle shall apply equally to any employee taking part in the presentation and resolution of a grievance.

12.01.5 - The Employee shall have the right to be accompanied, represented and advised by a representative of his own choosing in presenting his grievance. The employee and his representative shall be given a reasonable amount of work time for preparing and presenting the grievance.

12.01.6 - In this chapter "grievance" means an employee's expressed dissatisfaction with aspects of working conditions and environment, relationships with supervisors and with other employees and officials, manner of implementation or failure to implement personnel laws, rules or policies as established and/or interpreted by the Personnel Officer, and with disciplinary action except dismissal, demotion or suspension of over thirty (30) days. Interpretations of the Personnel Officer are not subject to grievance but may be taken directly to the Board for review and recommendation.

12.02.1 Dismissal, Demotion, or Suspension over 30 Days

An employee in the classified service who is dismissed, demoted, or suspended for more than 30 working days in a 12-month period shall have the right to appeal as follows:

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benefit, for the period not to exceed the period of his dismissal, demotion, or suspension as determined by the Board.

12.02.142 - In all other cases, the Board shall report its findings and recommendations to the Manager and employee.

12.02.143 - The Board's findings and recommendations shall be issued within ten (10) working days of the conclusion of the hearing and shall be in writing.

2. That Rule 15.01.2(1) is hereby amended to read as follows:

(1) shall act upon grievances as provided for in Rule 12.01.13 or grievances which may be taken to the personnel board under the terms of any agreement collectively negotiated under CBJ 44.10.

3. That Rule 15.01.2(2) is hereby amended to read as follows:

(2) shall act upon appeals by permanent employees of dismissals, demotions or suspensions over thirty (30) days as perscribed in Rules 12.02.13 and 12.02.14.

4. That Rule 12.01.2(5) is amended to read as follows:

(5) shall order such reinstatement and/or back pay of a permanent employee who is so entitled under Rule 12.02.141 and of a probationary employee who has been dismissed for racial, religious or political reasons.

5. That Rule 15.04.10 is hereby amended to read as follows:

15.04.10 Public Meeting.

All meetings of the Board are open to the public except as set forth in Rules 15.04.6 and 12.02.14.

Adopted this 7th day of July, 1977.


Mayor

Attest:

