

RULE 1

POSITION CLASSIFICATION

1 PR 020. Allocation of Positions.

- (a) The Human Resource Director shall allocate all existing and new positions in the classified service and the partially exempt service to classifications according to established classification specifications.
- (b) The department director requesting allocation action shall provide the Human Resource Director with a written description of the duties, responsibilities and authority assigned to the position. The department director shall also submit other information as may be required by the Human Resource Director and such classification recommendations that are appropriate.
- (c) The department director shall provide the Human Resource Director with a revised position description if any change is made which may affect the allocation of a position or the standards for evaluating the performance of the employee occupying the position.
- (d) The department director shall provide the incumbent of a position with a copy of the current position description no later than the effective date of the position description.
- (e) An employee who considers his or her position improperly allocated may submit a request for allocation to a different classification in writing to his or her immediate supervisor. The immediate supervisor and the department director shall review, and revise if necessary, the employee's position description to assure that the duties and responsibilities of the position are accurately recorded. The department director shall submit the position description to the Human Resource Director for review. The Human Resource Director shall review the position description for proper allocation. Final allocations are subject to budget constraints as determined by the City Manager. This process shall be the sole and exclusive remedy for disputes regarding the allocation of a position or a group of positions. (*Res. No. 2370, 2006; 2422(c), 2007*)

RULE 2

RECRUITMENT

2 PR 005. General.

This Rule applies only to the classified service. The Human Resource Director may use whatever methods are appropriate to recruit qualified applicants. Recruitment may be restricted to current employees including general government, Bartlett Memorial Hospital, Airport, Eaglecrest, Harbors, and School District employees. (*Res. No. 2370, 2006; 2422(c), 2007*)

2 PR 010. Announcements.

(a) Recruitment for permanent full time, permanent part time, permanent seasonal, Eaglecrest seasonal, Eaglecrest limited, and long term temporary vacancies must be publicly announced prior to appointment. Part-time limited, short term temporary, preferential appointments made in accordance with 4 PR 006 – 009 and nonpreferential appointments in made accordance with 4 PR 010 – 011 are not subject to public announcement.

(1) Announcements must be in writing and must include: the title of the position, the department, the division, position status, type of appointment, the pay range or rate, minimum qualifications, typical duties, the dates applications will be accepted, and the place and manner of filing applications. The Human Resource Director may add any additional information believed advisable.

(2) All announcements must be posted for not less than five days, excluding Saturdays, Sundays and those holidays listed in these Rules.

(3) The Human Resource Director may authorize the use of an applicant pool to fill more than one vacancy provided that the additional appointment from the applicant pool occurs within 60 days of the original announcement closing. The additional position to be filled must be in the same job classification and the duties performed shall be reasonably similar to the original vacancy announced. (*Res. No. 2210, 2003; 2370, 2006; 2422(c), 2007*)

RULE 4 SELECTION

4 PR 006. Preferential Appointment Rights

(a) If there is an employee with a preferential employment right, the department director may fill a vacancy without public announcement. The order of preferential appointment shall be:

(1) Due to a request to transfer by a pregnant employee under AS 39.20.520 or an employee with a temporary disability;

(2) Due to return from layoff in accordance with 14 PR 015;

(3) Due to reassignment of duties under the Americans with Disabilities Act.
(*Res. No. 2370, 2006; 2422(c), 2007*)

4 PR 011. Nonpreferential Appointment Rights of Injured Employees.

(a) The department director may offer a position to an individual who was injured on duty and has separated from service for the purposes of treatment and recovery from the injury. The department director may offer a position to a current employee who was injured on duty and whose doctor has certified that maximum medical recovery has been reached and the employee cannot perform the

essential duties of his or her current position with our without a reasonable accommodation.. Such appointment shall be subject to the following rules:

(1) A request for nonpreferential placement must be made in writing to the Human Resource Director within 90 days after the date the injured employee is released to full or modified duty by the injured employee's treating physician; the request for placement must be accompanied by a copy of the treating physician's release. The request must also include;

(A) A completed CBJ employment application,

(B) A physical capacities evaluation form completed and signed by the employee's treating physician, and

(C) Any other material that the Human Resource Director may require to evaluate the request for nonpreferential placement.

(2) The Human Resource Director shall forward the completed packet of materials to the State of Alaska, Department of Labor, Division of Vocational Rehabilitation. If the injured employee is certified, they will be eligible for nonpreferential placement.

(3) The injured employee must meet the minimum qualifications of the position prior to being appointed.

(4) Nonpreferential appointment rights under this provision expire three years from the date of the employee's injury. (*Res. No. 2370, 2006; 2422(c), 2007*)

4 PR 021 Veteran's Preference

(a) When an applicant is a veteran who has been honorably discharged from military service, the department director will give a preference in ranking to the applicant by:

(1) Utilizing a point scoring system to provide for relative ranking of applicants in the screening process, and

(2) Increasing the score of an applicant eligible to claim a veteran's preference by 10% of the available score.

(b) If an applicant is eligible for more than one preference, no more that 10% may be added to the applicant's score. (*Res. No. 2370, 2006; 2422(c), 2007*)

RULE 5 APPOINTMENTS

Section 005. General

- 010. Emergency Appointments**
- 015. Temporary Appointments**
- 018. Locum Tenens Appointments**
- 020. Permanent/Probationary Appointments**
- 021. Eaglecrest Appointments**
- 025. Acting in a Higher Range Appointments**
- 030. Subfill Appointments**
- 035. Appointment by Transfer**
- 045. Partially Exempt Appointments**
- 050. Appointment by Demotion**
- 055. Appointment by Promotion**
- 060. Re-employment**

5 PR 015. Temporary Appointments.

(a) Short Term Temporary appointments are used to substitute for employees on leave, to meet temporary increases in work, unanticipated staff shortages, or to obtain short term services until a permanent appointment can be made. Short Term Temporary appointments may not exceed 20 calendar weeks.

Short Term Temporary employees are not eligible for health or life insurance, leave or holiday pay and may be separated from employment with no notice and without cause.

(b) Long Term Temporary appointments may be used to cover periods of military leave exceeding 20 calendar weeks in accordance with 11 PR 095, to provide for knowledge transfer where an incumbent of a permanent position would benefit from on-the-job training, or to perform work that is project based when the need for the position will not extend beyond the completion of the project. Long Term Temporary appointments may not exceed 50 calendar weeks unless authorized in advance by the Human Resource Director.

Long term temporary employees are eligible for health and life insurance, holiday pay and leave. Long term temporary employees may be separated from employment with no notice and without cause.

(c) Where eligible lists exist for a classification, short term and long term temporary appointments must be made from such lists. Offers will be made to individuals on the list in descending order of eligibility. The acceptance or refusal by an applicant of a temporary appointment will not affect the applicant's standing on the eligible list. Where no eligible list exists, the Human Resource Director may authorize the temporary appointment of a qualified applicant.

(d) Internship temporary appointments are used to create positions within a department for the purpose of high school, college or vocational school training programs. Internship temporary appointments may not exceed 50 calendar weeks. Such positions must be established in accordance with 9 PR 015.

Internship temporary employees are not eligible for health or life insurance, leave or holiday pay and may be separated from employment with no notice and without cause. (*Res. No. 2370, 2006; 2422(c), 2007*)

5 PR 021 Eaglecrest Appointments

(a) Eaglecrest may make appointments consistent with 5 PR 020. Eaglecrest has the following additional appointment types:

(1) Eaglecrest seasonal appointments are those positions that are assigned responsibilities as division directors or assistant directors, but are not scheduled to work on a year round basis. It is expected that the same employee will return to the position each season.

Eaglecrest seasonal employees receive the rights and benefits outlined in these personnel rules unless otherwise noted.

(2) Eaglecrest limited appointments are those positions budgeted for a limited period of time that do not have director or assistant director level responsibilities. It is expected that the same employee will return to the position each season.

Eaglecrest limited employees receive the rights outlined in these personnel rules unless otherwise noted. Eaglecrest limited employees are not eligible for health or life insurance, leave, or holiday pay. (*Res. No. 2370, 2006; 2422(c), 2007*)

5 PR 025. Acting in a Higher Range Appointment

(a) An acting in a higher range appointment is used to fill a permanent position with a current permanent/probationary employee while the regular employee is on leave or a position is vacant when the expected duration of the absence or vacancy is not less than 2 weeks. Acting in a Higher Range appointments are not subject to the public announcement provisions of 2 PR 010.

(b) If the expected duration of the acting in a higher range appointment is 26 weeks or less the department director may appoint a current permanent or probationary employee who meets the minimum qualifications for the classification of the position.

(1) If the need for an acting in a higher range appointment exceeds the original expected duration due to conditions that could not have been reasonably anticipated the Human Resource Director may grant an extension.

(c) If the expected duration of the acting in a higher range appointment is greater than 26 weeks the vacancy shall be posted for internal applicants and the appointment must be made in accordance with the recruitment and selection requirements of these rules.

(d) A permanent or probationary employee who accepts an acting in a higher range appointment will retain status in the employee's former classification and position. An employee accepting an acting in a higher range appointment does not gain any status in the position or job classification.

However, time served in an acting in a higher range appointment may be used to qualify an employee for other vacancies.

(e) If the regular incumbent of the position fails to return, the position must be filled in accordance with the recruitment, examination and selection requirements of these rules.

(f) This rule does not preclude the filling of the position by a temporary appointment.

(g) Acting in a higher range appointments shall be compensated in accordance with 10 PR 098 and 19 PR 100. (*Res. No. 2342, 2005; 2370, 2006; 2422(c), 2007*)

5 PR 050. Appointment by Demotion.

A department director may appoint a current employee to a vacant position in the same job classification series or a closely related job classification series at a lower pay range. The recruitment, examination and selection rules do not apply to these appointments. The employee must meet the minimum qualifications of the new position. (*Res. No. 2422(c), 2007*)

RULE 7

HOURS OF WORK AND HOLIDAYS

7 PR 025. City and Borough Holidays.

(a) The following days are observed as holidays:

- (1) the first of January, known as New Year's Day
- (2) the third Monday in January, known as Martin Luther King Jr.'s Birthday
- (3) the third Monday in February, known as President's Day
- (4) the last Monday in March, known as Seward's Day
- (5) the last Monday in May, known as Memorial Day
- (6) the fourth of July, known as Independence Day
- (7) the first Monday in September, known as Labor Day
- (8) the 18th of October, known as Alaska Day
- (9) the 11th of November, known as Veteran's Day
- (10) the fourth Thursday in November, known as Thanksgiving
- (11) the day after Thanksgiving.
- (12) the 25th day of December, known as Christmas
- (13) every day designated as a holiday by proclamation or resolution by the Assembly of the City and Borough of Juneau.

(b) If a holiday falls on Sunday, the following Monday is a holiday.

(c) If a holiday falls on Saturday, the preceding Friday is a holiday.

(d) If a permanent/probationary employee volunteers to work on a holiday, an alternate day within the week preceding or following the holiday and agreed to by the employee and the department director is that employee's holiday.

(e) If a holiday falls on a permanent/probationary employee's day off, an alternate day within the week preceding or following the holiday as designated by the department director is the employee's holiday. If circumstances in the department exist such that an alternate day is not available, the employee may either bank the holiday pay or have it paid out.

(f) Employees occupying part-time limited or part-time seasonal positions who work on a day listed in 7 PR 025(a)(1)-(13) will receive pay at a rate of time and one-half their normal rate of pay for all hours worked that day; the provisions of 7 PR 025(b) through (e), however, do not apply with respect to those positions.

(g) Employees of Eaglecrest are not subject to the provisions of 7 PR 025. (*Res. No. 2282, 2004; 2370, 2006; 2422(c), 2007*)

7 PR 026 Eaglecrest Holidays

(a) Employees of the Eaglecrest shall observe the following holidays:

- (1) the last Monday in May, known as Memorial Day
- (2) the fourth of July, known as Independence Day
- (3) the first Monday in September, known as Labor Day
- (4) the 18th of October, known as Alaska Day
- (5) the 11th of November, known as Veteran's Day
- (6) the fourth Thursday in November, known as Thanksgiving

(b) Eaglecrest limited positions are not eligible for holiday pay or for premium pay associated with working on a holiday. (*Res. No. 2370, 2006; 2422(c), 2007*)

RULE 10 PAY

Section

005. Scope

010. General

015. Basis of Pay

025. Beginning Pay

030. Advanced Step Placement

035. Former Employee

040. Promoted Employee

045. Pay Range Increase

050. Involuntary Demotion

051. ADA reassignment

- 055. Voluntary Demotion**
- 060. Transferred Employee**
- 065. Change of Occupation**
- 070. Appointment Effective Date**
- 075. Merit Anniversary date**
- 080. Merit Increase**
- 085. Merit Increase Not Earned**
- 090. Step Reduction**
- 095. Increased Responsibilities Differential**
- 097. Temporary Supervision Pay**
- 098. Acting in a Higher Range Pay**
- 100. Shift Differentials**
- 105. Standby Pay**
- 110. Call out**
- 115. Sixth and Seventh Day**
- 120. Overtime Defined**
- 125. Overtime Rate**
- 130. Overtime Payment**
- 135. Maximum Compensatory Time**
- 140. Compensatory Time Payment**
- 145. Holiday Pay**
- 150. Total Remuneration**

10 PR 025. Beginning Pay.

Except as provided in 10 PR 030 (advanced step placement), 10 PR 035 (former employee), 10 PR 040 (promoted employee), 10 PR 050 (involuntary demotion), 10 PR 051 (ADA Reassignment) or 10 PR 055 (voluntary demotion), the beginning pay of a newly appointed employee is step A of the pay range of that classification. (*Res. No. 2370, 2006; 2422(c), 2007*)

10 PR 051. ADA Reassignment

(a) An employee who is reassigned as a reasonable accommodation under the Americans with Disabilities Act shall enter the new range at a step no higher than the one the employee occupied in the former range.

(b) The employee shall serve a new probationary period and establish a new merit anniversary.

(c) An employee who undergoes a reduction in pay due to an ADA Reassignment shall be paid a lump sum equal to the difference between the value of the employee's accumulated leave calculated at the former rate of pay and the value calculated at the new rate of pay. (*Res. No. 2422(c), 2007*)

10 PR 080. Merit Increase.

(a) Steps B through M in the pay schedule recognize merit. Permanent and partially exempt employees are eligible for merit increases.

(b) A merit increase of 1 step in the pay range is given to a permanent employee who receives an overall performance rating of “acceptable” or better. Such increase is due when the employee establishes a merit anniversary date in accordance with 10 PR 075 (a) and on the employee’s merit anniversary date thereafter according to the following schedule:

(1) Steps B through F: 1 year of service. One year of service is defined as 1,950 hours in pay status or twelve months of continuous service, whichever is greater.

(2) Steps F through M: 2 years of service. Two years of service is defined as 3,900 hours in pay status or 24 months of continuous service, whichever is greater.

(c) The City Manager may grant an additional merit increase or advance the merit anniversary date by twelve months to an employee who receives an overall performance rating of “outstanding”, and where other exceptional circumstances exist (*Res. No. 1875, 1997; 2328, 2005; 2320, 2005; 2370, 2006; 2422(c), 2007*)

10 PR 090. Step Reduction.

(a) If an employee receives an overall performance rating of “unacceptable” the department director may reduce the employee’s step placement by one step in accordance with 13 PR 025.

(b) The employee’s merit anniversary date does not change when a step has been reduced or restored. The reduction is effective the first day of the pay period following written notice to the employee. Not less than 2 pay periods must pass before a step reduction may be restored.

(c) If the employee’s overall performance rating reaches “acceptable” the former step will be restored effective the first day of the pay period following the “acceptable” evaluation.

(d) If an employee receives a step reduction, the supervisor must implement a performance improvement plan consistent with the provisions of 8 PR 025. (*Res. No. 2370, 2006; 2422(c), 2007*)

10 PR 098. Acting in a Higher Range pay

(a) Regular Compensation for Acting in a Higher Range

(1) When an employee is assigned to perform the duties of a higher classification under 5 PR 025, the employee shall be paid according to the pay range allocation of the higher level position. Step placement in the higher pay range shall be the same as if the employee were promoted to the higher classification.

(2) An employee who is acting in a higher range is not eligible for the higher job class rate of pay when on leave. Leave time shall not reduce the overall duration of the acting in a higher range appointment.

(b) Overtime Compensation for Acting in a Higher Range Appointment. .An hourly employee appointed to a higher level job class in a salaried position is not eligible for overtime pay for time worked in the salaried position.

(c) Overtime Compensation for a Salaried employee working in an Hourly position. A salaried employee who works out of class in an hourly position and who works the majority of his or her work day performing the duties that are normally compensated at an hourly rate of pay, shall be eligible for overtime compensation for hours exceeding the thresholds defined in 10 PR 120(a)-(c) (Overtime Defined). (*Res. No. 2342, 2005; 2370, 2006; 2422(c), 2007*)

RULE 11
LEAVE

Section

005. Scope

010. Accrual Rates

012. Personal Leave Cash-in

015. Reserved

016 Annual Leave Accrual and Use for Employees of Eaglecrest

017 Sick Leave Accrual and Use for Employees of Eaglecrest

020. Accrual During Unauthorized Leave

025. Leave Anniversary

030. Minimum Leave Use

035. Maximum Leave Carry-over

040. Use of Personal Leave

045. Direction to Take Leave

050. Bereavement Leave

055. Banked Medical Leave

060. Use of Leave to Supplement Workers' Compensation

065. Leave Without Pay

067. Family/Medical Leave

075. Effect of Leave Without Pay

080. Adjustment of Anniversary Dates

085. Court Leave

090. Military Leave Without Pay

095. Military Leave with Pay

100. Emergency Service Leave

**105. Maximum Paid Military and Emergency
Service Leave**

110. Donation of Leave

115. Seasonal Leave

120. Medical Leave on Separation

125. Personal or Annual Leave on Separation

130. Parent-Teacher Conference Leave

(Res. No. 2069, 2001; 2370, 2006; 2422(c), 2007)

11 PR 010. Accrual Rates.

(a) Employees who are assigned to a 37.5 hour work week and who are paid an hourly rate accrue personal leave at the rate of:

(1) 6.1 hours for each full biweekly pay period of work for employees with less than one year of service;

(2) 7 hours for each full biweekly pay period of work for employees with one but less than two years of service;

(3) 7.8 hours for each full biweekly pay period of work for employees with two but less than five years of service;

(4) 8.7 hours for each full biweekly pay period of work for employees with five but less than ten years of service;

(5) 10.4 hours for each full biweekly pay period of work for employees with ten years or more of service.

(b) Employees who are assigned to a 40 hour work week and who are paid an hourly rate accrue personal leave at the rate of:

(1) 6.5 hours for each full biweekly pay period of work for employees with less than one year of service;

(2) 7.4 hours for each full biweekly pay period of work for employees with one but less than two years of service;

(3) 8.3 hours for each full biweekly pay period of work for employees with two but less than five years of service;

(4) 9.3 hours for each full biweekly pay period of work for employees with five but less than ten years of service;

(5) 11.1 hours for each full biweekly pay period of work for employees with ten years or more of service.

(c) Full time employees who are paid a salary accrue personal leave at the rate of:

- (1) .81 of a day for each full biweekly pay period of work for employees with less than one year of service;
 - (2) .93 of a day for each full biweekly pay period of work for employees with one but less than two years of service;
 - (3) 1.04 of a day for each full biweekly pay period of work for employees with two but less than five years of service;
 - (4) 1.16 of a day for each full biweekly pay period of work for employees with five but less than ten years of service
 - (5) 1.39 of a day for each full biweekly pay period of work for employees with ten years or more of service.
- (d) Leave accrual for part-time employees and other employees not assigned to a 37.5 hour work week is prorated according to a schedule established by the Human Resource Director.
- (e) Years of service for the purpose of computing personal leave includes all full-time probationary, permanent, acting in a higher range, long term temporary, and partially exempt service with the CBJ that is subject to these rules. Less than full-time probationary, permanent, acting in a higher range, and partially exempt service is prorated according to a schedule established by the Human Resource Director.
- (f) An employee of the Eaglecrest who is appointed to a CBJ position eligible for personal leave accrual shall have his or her annual leave converted to personal leave and the time the employee served in a leave eligible position at Eaglecrest credited toward determining the appropriate rate of personal leave accrual. The employee's accrued sick leave shall be converted to banked medical leave and available for use in accordance with 11 PR 055.
- (g) If a former employee who left in good standing returns to CBJ service within 10 years of separation, the employee shall be placed at the level of leave accrual formerly held.
- (h) The City Manager may, at his or her discretion, authorize an advanced leave accrual rate.
- (i) The provisions of this rule do not apply to employees of the Eaglecrest. Eaglecrest employees accrue leave according to the provisions of 11 PR 016 and 11 PR 017.
(Res. No. 1875, 1997; 2370, 2006; 2422(c), 2007)

11 PR 035. Maximum Leave Carry-over.

- (a) Accrued personal or annual leave may not exceed 150 days on the first day of the first pay period in January except with the written authorization of the City Manager. Leave in excess of 150 days is converted to banked medical leave.

(b) At the request of the department director, the City Manager may permit the carry-over of leave in excess of 150 days when the City Manager determines that the employee made every reasonable effort to schedule leave and the department director denied the leave requests because of extraordinary circumstances.

(1) The department director must submit to the City Manager a plan providing for the timely use of the excess leave.

(2) Granting carry-over of leave may not cause any hardship to the CBJ beyond the benefit to be gained by granting such leave carry-over. (*Res. No. 1875, 1997; 2069, 2001; 2342, 2005; 2370, 2006; 2422(c), 2007*)

RULE 12

RESIGNATION, NONDISCIPLINARY SEPARATION AND VOLUNTARY DEMOTION

Section

005. Resignation

010. Withdrawal or Amendment of Resignation

012. Non-disciplinary Separation

015. Voluntary Demotion

020. Eligibility to be Considered for Future Employment

(*Res. No. 2422(c), 2007*)

12 PR 020. Eligibility to be Considered for Future Employment.

(a) An employee who separates from service is eligible to be considered for future employment with the City and Borough unless otherwise specified.

(b) An employee who is separated from service for less than fully Acceptable job performance shall not be considered for future employment in the same job class or in a closely related occupational area, unless the individual can demonstrate that he or she has satisfactorily performed similar work at a fully Acceptable level for another employer for a minimum of two years.

(c) An employee who is separated from service for less than fully Acceptable work habits or other job related attributes shall not be eligible to be considered for future employment with the City and Borough unless the individual can demonstrate that he or she has worked for another employer(s) for a minimum of two years. The subsequent employer(s) must verify that the undesirable work habit or job related attribute has been corrected.

(d) An employee who is separated from service under the provisions of 13 PR 035 for misconduct will not be eligible to be considered for future employment with the City and Borough.

(e) An employee who resigns in lieu of dismissal or during the course of an investigation into an allegation of employee misconduct that, if proven true, would lead to dismissal, will not be eligible to be considered for future employment with the City and Borough.

(f) The employee will be notified upon separation of his or her rehire status.

(g) An individual certified as non-eligible to be considered for future employment under the provisions of (d) through (f) above may, after a period of five years, make a written appeal to the City Manager to have his or her status reversed. The City Manager will respond in writing to the individual requesting reconsideration. The decision of the City Manager shall be final. (*Res. No. 2422(c), 2007*)

RULE 13 DISCIPLINARY ACTIONS

13 PR 025. Step Reduction.

(a) A department director may for cause, after pre-disciplinary investigation, and pre-disciplinary conference if requested, reduce by one step the placement of a permanent employee who is placed at other than step A.

(1) The reason for the reduction will be given to the employee in writing and a copy filed with the Human Resource Director.

(2) The period the employee serves at the lower step may not exceed 26 weeks without review.

(3) The employee must be provided a performance improvement plan in accordance with 8 PR 025.

(b) An employee is subject to further step reduction or other disciplinary action if the employee fails to correct less than acceptable performance or repeats unacceptable behavior during the period of step reduction.

(c) A department director shall restore salary steps in accordance with 10 PR 085 when the employee receives an overall performance evaluation of “acceptable” or better when the unacceptable behavior has been corrected. (*Res. No. 2370, 2006; 2422(c), 2007*)

RULE 15 GRIEVANCE AND APPEAL PROCEDURE

15 PR 020. General Grievance Procedure.

(a) An employee with a grievance regarding working conditions or employment may pursue it as set forth in subsection (b) subject to the limitations set forth in subsection (c):

(b) Procedures.

(1) The employee shall present the grievance to the immediate supervisor within seven days of becoming aware of the action being grieved.

(2) The supervisor and the employee shall attempt to informally resolve the grievance within seven days of the presentation of the grievance. Resolutions may not conflict with the personnel rules or applicable laws, regulations, or policies and shall not be precedential. If the resolution of the grievance is not acceptable to the employee, then

(3) The employee shall, within 21 days of becoming aware of the action being grieved, reduce the grievance, including the relief sought, to writing and present it to the department director. The employee and the department director shall meet to discuss the grievance if either party believes such a meeting will be beneficial.

(4) The department director shall respond to the grievance in writing within 14 days of the grievance meeting or within 14 days of notification that the grievance meeting will not be held. If the decision of the department director is not acceptable to the employee, then

(5) The employee shall present the grievance to the City Manager within seven days, including a written statement explaining why the decision is not acceptable.

(6) The City Manager shall respond to the grievance within 14 days. The decision must be in writing and include the City Manager's findings, conclusions and disposition of the grievance. The City Manager's decision shall be final.

(7) If the employee fails to meet the time limits set out in this grievance procedure, the grievance will not be considered further.

(8) If the CBJ fails to meet the time limits set out in this grievance procedure, the employee may advance the grievance to the next step in the procedure subject to the limitations in the section concerning appeals to the Board.

(9) The parties may agree to extend the time limits at any step of this procedure. Any agreement to extend the time limits must be in writing signed by both parties.

(c) Limitations.

(1) No employee may use this section to grieve a dismissal, demotion, or suspension of more than 10 days.

(2) Only permanent employees may use this section to grieve a suspension under 10 days.

(3) Temporary employees may not use this section.

(4) The grievance procedure may not be used to determine the appropriate classification of a position. (*Res. No. 2055, 2000; 2370, 2006; 2422(c), 2007*)

RULE 19
EAGLECREST SKI AREA PAY

Section

005. Scope

010. General

015. Basis of Pay

025. Beginning Pay

030. Advanced Step Placement

035. Former Employee

040. Promoted Employee

045. Pay Range Increase

050. Involuntary Demotion

051. ADA Reassignment

055. Voluntary Demotion

060. Transferred Employee

065. Change of Occupation

070. Appointment Effective Date

075. Proficiency Steps

080. Merit Anniversary Date

085. Merit Increase

090. Step Reduction

095. End of Season Bonus

100. Acting in a Higher Range pay

105. Overtime Defined

110. Overtime Rate

115. Overtime Payment

120. Maximum Compensatory Time

125. Compensatory Time Payment

130. Holiday Pay

135. Total Remuneration

(*Res. No. 2370, 2006; 2422(c), 2007*)

19 PR 005. Scope.

This Rule covers the pay provisions for all Eaglecrest employees. (*Res. No. 2422(c), 2007*)

19 PR 025. Beginning Pay.

Except as provided in 19 PR 030 (advanced step placement), 19 PR 035 (former employee), 19 PR 040 (promoted employee), 19 PR 050 (involuntary demotion), 19 PR 051 (ADA Reassignment) or 19 PR 055 (voluntary demotion), the beginning pay of a newly appointed employee is step A of the pay range of that classification. *(Res. No. 2422(c), 2007)*

19 PR 051. ADA Reassignment

(a) An employee who is reassigned as a reasonable accommodation under the Americans with Disabilities Act shall enter the new range at a step no higher than the one the employee occupied in the former range.

(b) The employee shall serve a new probationary period and establish a new merit anniversary.

(c) An employee who undergoes a reduction in pay due to an ADA Reassignment shall be paid a lump sum equal to the difference between the value of the employee's accumulated leave calculated at the former rate of pay and the value calculated at the new rate of pay. *(Res. No. 2422(c), 2007)*

19 PR 075. Proficiency Steps

(a) A probationary employee shall be eligible for proficiency steps provided that the employee has made acceptable progress in completing his or her training plan. Proficiency steps shall be granted at the beginning of the pay period.

(b) The granting of a proficiency step shall not place the probationary employee above "D" step.

(c) Acceptable progress in completing the training plan shall be documented in writing by the employee's supervisor. The decision to award a proficiency step shall be at the sole discretion of the Eaglecrest General Manager.

(d) The Eaglecrest General Manager shall provide a specific methodology for what demonstrates acceptable progress in completing a training plan. The methodology must be approved by the Human Resources Director. *(Res. No. 2422(c), 2007)*

19 PR 080. Merit Anniversary Date.

The merit anniversary date is July 1st. *(Res. No. 2422(c), 2007)*

19 PR 085. Merit Increase.

(a) A merit increase of 1 step in the pay range shall be given to an employee who receives an overall performance rating of "acceptable plus".

(b) A merit increase of 2 steps in the pay range shall be given to an employee who receives an overall performance rating of “outstanding”.

(c) The Eaglecrest General Manager may grant an additional merit increase to an employee who receives an overall performance rating of “outstanding”, and where other exceptional circumstances exist.

(d) Notwithstanding subsections (a) – (c) above, the decision to grant merit increases during any fiscal year is at the sole discretion of the Eaglecrest General Manager. (*Res. No 2422(c), 2007*)

19 PR 090. Step Reduction.

(a) If an employee receives an overall performance rating of “acceptable minus” the Eaglecrest General Manager may reduce the employee’s step placement by one step in accordance with 13 PR 025.

(b) The reduction is effective the first day of the pay period following written notice to the employee. Not less than 2 pay periods must pass before a step reduction may be restored.

(c) If the employee’s overall performance rating reaches “acceptable” the former step will be restored effective the first day of the pay period following the “acceptable” evaluation.

(d) If an employee receives a step reduction, the supervisor must implement a performance improvement plan consistent with the provisions of 8 PR 025. (*Res. No. 2422(c), 2007*)