

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2016-23

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL APPROVING CHANGES TO THE PERSONNEL REGULATIONS

WHEREAS, the City of Dillingham's Personnel Regulations needs some revisions to bring the policy more in line with current practice; and

WHEREAS, the revisions also address personnel issues that we have experienced with how the policy is currently written; and

WHEREAS, the City has started union negotiations with Public Safety Employee Association (PSEA) and Local 71; and

WHEREAS, both unions have been notified of these revisions;

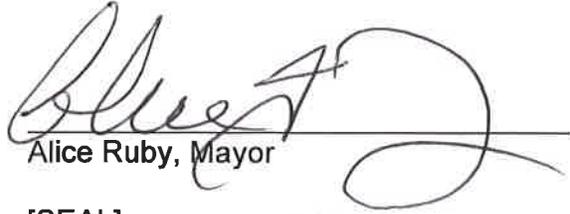
NOW, THEREFORE, BE IT RESOLVED that the Dillingham City Council authorizes the following revisions to the Personnel Regulations:

1. 5.20. HOLIDAYS – change Columbus Day to Indigenous Peoples Day;
2. 5.30. PERSONAL LEAVE – add the following paragraph after the first paragraph: Probationary employees accrue personal leave during the initial 90 day probationary period or any extension of the probationary period. Newly hired employees may not take personal leave during the probationary period, including any extensions of the probationary period.
3. 5.44. SICK LEAVE DONATIONS – add at the end of the paragraph: Sick leave donations are limited to forty (40) hours per event, per person. Sick leave donations cannot be made by or received by an employee who has tendered a resignation of employment or who has been notified he/she is being laid off or discharged for cause.
4. 7.12 VERBAL WARNING – last sentence in this section changed to: This note will be placed in the employee's central personnel file.
5. 7.50 OFFENSES WHICH MAY CAUSE DISCIPLINARY ACTION – under the Serious Offenses and Minor Infractions sections change the sentences before the bullets to:
Examples of serious offenses would include, but not be limited to:
Examples of minor infractions would include, but not be limited to:

Also, add at the end of the entire section:

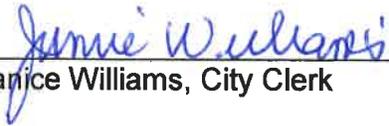
The examples noted above for critical, serious, and minor offenses are illustrative and not all inclusive.

PASSED and ADOPTED by the Dillingham City Council on April 7, 2016.


Alice Ruby, Mayor

ATTEST:

[SEAL]


Janice Williams, City Clerk

Attachment to:

Ordinance No. _____ / Resolution No. 2016-23

Subject:

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL APPROVING CHANGES TO THE PERSONNEL REGULATION

City Manager: Recommend Approval

Signature: Rose Avera

Fiscal Note: Yes No

Funds Available: Yes No

Other Attachments:

Personnel Regulation sections showing additions and deletions.

Summary Statement:

A few sections in the Personnel Regulations are in need of revisions to bring them in line with practices and for further clarification. Since we are in the process of negotiating with the Local 71 and PSEA unions, this would be an opportune time to get the revisions complete.

Attached is the sections that we are requesting revised showing deletions with a strike through and additions in red. The resolution summarizes the proposed changes.

The change in the name of Columbus Day holiday to Indigenous Peoples Day has been requested by some staff and residents. This change follows other communities in the State as well as the State of Alaska.

Attachment to:
Ordinance No. _____ / Resolution No. 2016-23 _____

Summary Statement continued:

Route to	Department Head	Date
X	Finance Director	4/8/16
X	Police Chief	4/8/16
X	City Clerk	4/8/16

PROPOSED REVISION TO PERSONNEL REGULATION 5.20

5.20. HOLIDAYS All employees in a regular full-time position shall be entitled to paid holidays as designated below. Holidays are paid on a prorated basis for regular part-time employees (except those whose wages are paid by grants that do not allow for such leave or benefits).

Holidays recognized by the City are:

1. New Year's Day, January 1;
2. Washington's Birthday, Third Monday in February;
3. Beaver Round-Up Day, Friday of Beaver Round-Up;
4. Seward's Day, Last Monday in March;
5. Memorial Day, Last Monday in May;
6. Independence Day, July 4th;
7. Labor Day, First Monday in September;
8. ~~Columbus~~ Indigenous Peoples Day, Second Monday in October;
9. Veteran's Day, November 11;
10. Thanksgiving, Fourth Thursday in November;
11. Friday after Thanksgiving;
12. Christmas, December 25;
13. Birthday; to be taken within one week of birthday. (Res. No. 2012-11, 3/2012)

If a holiday falls on a Sunday, the following Monday shall be the legal holiday. If a holiday falls on a Saturday, the preceding Friday shall be a legal holiday. Employees who are on approved, paid leave shall be paid for holidays which occur during their leave.

The City shall observe all holidays so proclaimed by special proclamation of the President of the United States or the Governor of the State of Alaska which are observed by the State of Alaska.

PROPOSED REVISION TO PERSONNEL REGULATION 5.30

5.30. PERSONAL LEAVE Regular full-time and regular part-time employees (excepting those employees whose salaries are funded by grants that do not allow for such leave benefits) may be entitled to Personal Leave. When accrual dates that do not coincide with the commencement or end of the day period, the accrual shall be computed on a pro rated basis. Temporary employees do not accrue leave. Regular part-time employees accrue personal leave time as a percentage of time actually worked based on a full time equivalent. (Res. No. 2012-11, 3/2012)

Probationary employees accrue personal leave during the initial 90 day probationary period or any extension of the probationary period. Newly hired employees may not take personal leave during the probationary period, including any extensions of the probationary period.

Employees on probation for disciplinary reasons may not take personal leave.

PROPOSED REVISION TO PERSONNEL REGULATION 5.44

5.44. SICK LEAVE DONATION Employees may, upon the approval of the City Manager, donate all or a portion of their accumulated leave to another employee who is facing a medical emergency or other extreme hardship conditions. Sick leave donations are limited to forty (40) hours per event, per person. Sick leave donations cannot be made by or received by an employee who has tendered a resignation of employment or who has been notified he/she is being laid off or discharged for cause.

PROPOSED REVISION TO PERSONNEL REGULATION 7.12

7.12. VERBAL WARNING The first level of discipline is the verbal warning. These are given for initial minor infractions of the rules of conduct. The supervisor or other manager is to clearly state the perceived infraction, listen to the employee's response and then jointly decide how to correct the deficiency. The supervisor should make a written note of the warning. This note will ~~not be placed in the employee's file unless further action is necessary~~ central personnel file.

PROPOSED REVISION TO PERSONNEL REGULATION 7.50

7.50. OFFENSES WHICH MAY CAUSE DISCIPLINARY ACTION

There are three types of offenses which cause disciplinary action: critical, serious, and minor.

Critical offenses are major violations of City rules or employee conduct which may necessitate immediate dismissal. If the incident is in need of investigation, disciplinary suspension should be used while awaiting the results. If no extenuating circumstances were found to substantiate the employee's action, the employee will be terminated immediately.

Examples of critical offenses would include, but not be limited to:

- ◆ intentional falsification of information such as lying on an employment application, time sheet, police report, etc.;
- ◆ theft of any employee's personal or real property;
- ◆ conviction of a felony or any crime involving moral turpitude;
- ◆ unauthorized possession of firearms or other weapons on City property;
- ◆ willful theft, destruction, unauthorized use, or damage to City property, information, or other assets;
- ◆ physical assault or threat of assault of an employee or member of the public during work hours;
- ◆ using or distributing intoxicating beverages or nonrestrictive drugs on the job;
- ◆ gross acts of insubordination;
- ◆ offensive racial or sexual comments on actions;
- ◆ audio recording of a fellow employee without their consent, etc.

Serious offenses are violations of rules of conduct or the City's policies or procedures which do not justify immediate discharge but are serious enough that a written reprimand would be the least appropriate method of documenting the incidents.

The following are ~~e~~Examples of serious offenses would include but not be limited to:

- ◆ arriving on the job under the influence of intoxicating beverages or drugs;
- ◆ failure to follow orders of supervisor or department head, unwillingness to perform the assigned job, or other such acts of insubordination;
- ◆ being habitually absent or tardy;
- ◆ gambling, sleeping, or other inappropriate behavior on the job;
- ◆ continually being wasteful of material, property, work time, or other resources;
- ◆ being absent from work without permission or failing to report to supervisor before leaving the work place;
- ◆ inability to get along with fellow employees so that work being performed is hindered or below required or expected standards;
- ◆ any act of sexual harassment;
- ◆ exhibiting attitudes or subversive behavior which hinders employee performance;
- ◆ doing non-City work during assigned work hours;
- ◆ committing three or more minor infractions (see below) within a six month period;

- ◆ failure to use safety equipment and/or failure to comply with safety precautions;
- ◆ failure to report an on-the-job accident;
- ◆ breach of confidence or professional ethics;
- ◆ more than two unexcused absences in a one month period;
- ◆ use of City assets or property without proper authorization;
- ◆ unauthorized disclosures to media;
- ◆ intentionally deceiving supervisor, citizen, or fellow employee, etc.

Minor infractions are normally small or insignificant breaches of policy or procedure that in and of themselves can be simply corrected without serious disciplinary measures.

The following are ~~e~~Examples of minor infractions would include but not be limited to:

- ◆ continual unexcused tardiness;
- ◆ taking excessive break time;
- ◆ occasional carelessness and minor inefficiencies;
- ◆ failure to properly record attendance;
- ◆ minor damage to City property;
- ◆ frequent excused absences;
- ◆ use of inappropriate or abusive language;
- ◆ minor interference with another employee in the performance of his/her work;
- ◆ other minor infractions which may come to the attention of the employee's supervisor, department head, or the City Manager; etc.

The examples noted above for critical, serious, and minor offenses are illustrative and not all inclusive.