

I. INTRODUCTION

- 1.1 The purpose of these policies is to promote the following:
- a. To recruit and retain the best personnel available for the Municipal service;
 - b. To furnish sound training, supervision, and administrative direction;
 - c. To establish probationary periods for new regular employees and standards of work performance and conduct for all employees;
 - d. To promote opportunities in the Municipal service based on merit and fitness;
 - e. To provide a mechanism for Municipal employees to have their concerns and grievances heard and adjusted;
 - f. To create an exempt service not fully covered by these policies.

The Municipality's employment policies and procedures do not constitute a contract of employment with employees of the Municipality and are not contractual commitments by the Municipality to its employees. The Municipality retains the right to make changes, or to alter or amend its employment policies and procedures at any time.

1.2 APPLICABILITY. These policies apply to certain employees of the Municipality. They do not apply to Sitka Community Hospital and school district employees. Additionally, certain provisions included in these policies do not apply to all of the positions provided for in the Municipality's employment service. For example, many of the provisions do not apply to those positions in the Municipality's employment service, which are classified as exempt. Such provisions include, but are not limited to, the provisions related to just cause discipline and termination, grievance procedures, and the merit system. Employees appointed to exempt positions serve at will, and serve at the pleasure of the Administrator subject to the provision at Section 3.05 of the Charter that there shall be no arbitrary discharge of employees. Just cause is not required for any form of discipline, up to and including termination or other employment action, with respect to an employee serving in an exempt position. Additionally, not all provisions in this manual apply to temporary positions or to employees in probationary appointments, as explained further in other sections of these Personnel Policies.

The following positions are in the exempt service:

Municipal Administrator	Electric Utility Director
Municipal Attorney	Public Works Director
Municipal Clerk	Police Chief
Information Systems Director	Fire Chief
Assessor	Harbormaster
Planning Director	Finance Director
Government Relations Director	Library Director
Human Resources Director	Centennial Building Manager
Information Systems Analyst	Building Official
Electric System Engineer	Police Lieutenant
Electric Generation System Manager	Assistant Fire Chief
Municipal Engineer	Senior Accountant
Public Works Maintenance Superintendent	Budget Treasury Officer
Accountant	Environmental Superintendent
Project Manager	Planning Assistant
Project Engineer	Parks and Recreation Manager
Sawmill Cove Site Manager	Deputy Municipal Clerk

Except for the Administrator and Municipal Attorney, employees in the exempt service serve at the

pleasure of the Administrator and under such terms and conditions as the Assembly may from time to time specifically provide. With the exception of the Administrator and the Attorney, exempt service personnel may be terminated by the Administrator with the approval of the Assembly at a meeting at which the terminated employee shall be given an opportunity to present his or her position on the proposed termination. Exempt service personnel may be demoted or disciplined by the Administrator with the affected employee having a right of appeal to the Assembly.

1.2.5 APPLICABILITY OF CERTAIN PROVISIONS TO VOLUNTEERS AND AUXILIARY PERSONNEL. Notwithstanding any other provision of law, the following provisions of the City and Borough of Sitka Personnel Policies Handbook apply to volunteers and auxiliary personnel who have acknowledged the receipt of this Handbook:

3.4	No Discrimination
5.1	Discipline, Demotion, and Termination of Employees Who Have Obtained a Regular Appointment
5.3	Progressive Discipline Procedure
5.4	Protection for Whistleblowers
18.1	Duty of the Employee to Report
18.3	Volunteer and Auxiliary Personnel
19.10	Travel Allowance
20.1	General Policy
20.2	Steps for Handling of Grievances and Disciplinary Appeals
20.3	Hearing Procedure
20.4	Decision of the Hearing Officer
20.5	Procedure for Suspension or Demotion
20.6	Termination Procedure
20.7	Hearing Officer Decision Final and Binding
20.8	ADA Violations
24.1	Influence of Intoxicants at the Workplace
24.2	Alcohol and Drug Screening Test
24.3	Alcohol and Drug Dependency
24.4	Nonprescription or Prescribed Legal Drug Usage
24.5	Reporting a Conviction
24.7	Sitka Fire Department Substance Abuse Policy
Attachment B	Safety Policy
Attachment C	City and Borough ADA Policy
Attachment D	Sexual Harassment and Anti-Harassment Policy
Attachment E	E-Policy
Attachment F	City and Borough of Sitka Drug Free Workplace Act Policy Statement
Attachment H	Employee Acknowledgment

1.3 REVIEW AND AMENDMENT. These policies shall be reviewed regularly. Suggestions and recommendations for change may be made in any meeting held under the Municipality's meet and confer ordinance.

1.4 RESERVED

1.5 PERSONNEL RECORDS. Records of the work history of employees shall be maintained. Such records may include the employee's original application, report of medical examination, reports of the results of other employment, investigations and tests, annual reports of performance, reports of employee's progress and disciplinary actions, and such other records as may be significant in the employee's service to the Municipality. The Administrator shall prescribe such forms and records for departmental use as may be necessary.

1.6 REPORTS. The Administrator shall provide for preparation of reports regarding Municipal employees, or of actions affecting them, as the Assembly considers necessary or desirable.

1.7 DEFINITIONS

Budget Time: the period each year – generally between January and June – between the Administrator’s proposal of an annual budget for the City and Borough and the Assembly’s adoption of an annual budget.

Business Day(s): The business day(s) of the City and Borough’s principal offices at 100 Lincoln Street, which is 8:00 a.m. to 5:00 p.m., excluding weekends and municipal holidays.

Call-out: the directive from a supervisor or dispatcher to an employee to appear at work.

Day: Day means calendar day composed of twenty-four (24) hours, beginning at 12:00 a.m. and ending at 11:59 p.m. on the same day, unless otherwise specified in the Personnel Policies Handbook provisions.

Demotion: means a change in job that results in reduced responsibilities and a reduction in pay and/or decrease in pay grade.

Department Head: the director, chief, master, or chief administrative officer of one of the following departments: Public Works, Finance, Electric, Law, Library, Harbor, Fire, Police, Harrigan Hall, Information Systems, Assessing, Municipal Clerk, Planning.

Discipline: a step taken in employment by a supervisor relating to a subordinate employee aimed at correcting an employee’s job performance or conduct as well as training the employee as to acceptable job performance and conduct.

Employee Assistance Program: a group of services provided to help employees deal with personal problems affecting their job performance by offering early intervention and treatment. Services include:

- Crisis Management and Intervention
- Individual Counseling
- Evaluation and Referral
- Group Counseling
- Group Education

Topics may include:

- Stress Management
- Relaxation Techniques
- Effective Communication
- Depression or Anxiety
- Anger Management
- Family Negotiation/Mediation
- Seasonal Affective Disorder
- Constructive Living
- Personal and Professional Boundaries
- Conflict Resolution
- Eating Disorders
- Time Management
- Healthy Coping Skills
- Support Systems
- Community Resources
- Relationships
- Health and Wellness
- Other Topics as Identified

Exempt Employee: a regular employee who serves at the pleasure of the Administrator and under such terms and conditions as the Assembly may from time to time provide; who may be terminated by the Administrator with the approval of the Assembly at a meeting at which the terminated employee shall be given the opportunity to present his or her side; who may be demoted or disciplined by the Administrator with the affected employee having the right to an appeal to the Assembly; and who is not eligible for overtime pay or additional compensation for overtime.

Holiday: Each day listed as a holiday in the Personnel Policies Handbook consists of twenty-four (24) hour time period, beginning at 12:00 a.m. and ending 11:59 p.m. on the day of the holiday.

Hot Sticking: the use of a device held in a hand or hands (“hot stick”) to manipulate energized electrical lines that are energized at 7.2 KV or above.

Includes or Including: “Includes” or “including” shall be construed as though followed by the phrase, “but not limited to.”

Pay Period: A repeating cycle of days or weeks for which the employer establishes the beginning and ending dates and times for counting hours worked for the purposes of calculating employee pay. City and Borough employees will be paid on a two-week cycle.

Probationary Employee: an employee who is serving a period of probation served at the beginning of employment in a position by each employee hired, rehired, transferred, or promoted.

Promotion: the transfer within a department of the City and Borough or between departments of the City and Borough that includes an increase in responsibilities as well as an increase in pay and/or raise in pay grade, but does not include a hiring process involving advertising, recruitment or outreach.

Qualified Personnel of the Fire Department or Police Department: Employee of the Fire Department or the Police Department who qualifies under the overtime compensation exemption in the federal Fair Labor Standards Act (“FLSA”), as explained in the federal FLSA regulations at 29 CFR 553.21 (a) and (b) or a successor regulation.

Reinstatement: the action of placing a former employee back into that position that person once held.

Regular Employee: an employee who is listed in the Staffing Table published in the annual budget and who is not a probationary, temporary, or contracted employee.

Regular Workweek: the hours and days during the calendar week at which an employee is expected to be working for the City and Borough.

Temporary Employee: an employee appointed to provide services on a temporary, interim, or seasonal basis.

Work Period: Any established and regularly reoccurring period of work which cannot be less than seven (7) consecutive days nor more than twenty-eight (28) consecutive days. The beginning and the ending day of the work period may be changed provided the change is intended to be permanent and is not designed to evade the overtime compensation requirements of the federal Fair Labor Standards Act (“FLSA”).

Work Day(s) or Working Day(s): The day(s) (or date(s)) that an employee is scheduled to be at work within a work period.

Work Schedule: The days (or dates) and hours of those days (or dates) an employee is scheduled to be at work within a work period.

Year: Year means calendar year unless otherwise specified in the Personnel Policies Handbook provisions.