

Mayor
James Kacsh
Council Members
Kristin Carpenter
Tim Joyce
David Allison
Bret Bradford
EJ Cheshier
David Reggiani
James Burton

Acting City Manager
Moe Zamarron

City Clerk
Susan Bourgeois

Deputy Clerk
Tina Hammer

**REGULAR COUNCIL MEETING
JULY 03, 2013 @ 7:30 PM
LIBRARY MEETING ROOM**

AGENDA

A. CALL TO ORDER

B. INVOCATION AND PLEDGE OF ALLEGIANCE

I pledge allegiance to the Flag of the United States of America, and to the republic for which it stands, one Nation under God, indivisible with liberty and justice for all.

C. ROLL CALL

Mayor James Kacsh, Council members Kristin Carpenter, Tim Joyce, David Allison, Bret Bradford, EJ Cheshier, David Reggiani and James Burton

D. APPROVAL OF REGULAR AGENDA..... (voice vote)

E. DISCLOSURES OF CONFLICTS OF INTEREST

F. COMMUNICATIONS BY AND PETITIONS FROM VISITORS

1. Guest Speakers
2. Audience comments regarding agenda items..... **(3 minutes per speaker)**
3. Chairpersons and Representatives of Boards and Commissions
(Harbor, HSB, Parks & Rec, P&Z, School Board)
4. Superintendent's Report

G. APPROVAL OF CONSENT CALENDAR..... (roll call vote)

5. Record excused absence of Council member *Joyce* from the June 19, 2013 regular meeting.

H. APPROVAL OF MINUTES

6. Public Hearing Minutes 06-19-13..... **(page 1)**
7. Regular Meeting Minutes 06-19-13..... **(page 2)**

I. CONSIDERATION OF BIDS - None

J. REPORTS OF OFFICERS

8. Mayor's Report
9. Manager's Report..... **(page 8)**
10. City Clerk's Report

K. CORRESPONDENCE

L. ORDINANCES AND RESOLUTIONS

11. Ordinance 1110..... **(voice vote)(page 14)**
An ordinance of the City Council of the City of Cordova, Alaska, repealing and reenacting Cordova Municipal Code Title 4 – 1st reading

M. UNFINISHED BUSINESS

N. NEW & MISCELLANEOUS BUSINESS

12. Discussion with John Bitney, City Lobbyist redistricting update & out of session lobbying
13. Pending Agenda and Calendar..... **(page 108)**

O. AUDIENCE PARTICIPATION

P. COUNCIL COMMENTS

14. Council Comments

Q. EXECUTIVE SESSION

15. Cordova Center Finances – Attorney advice/update

R. ADJOURNMENT

Executive Sessions: Subjects which may be discussed are: (1) Matters the immediate knowledge of which would clearly have an adverse effect upon the finances of the government; (2) Subjects that tend to prejudice the reputation and character of any person; provided that the person may request a public discussion; (3) Matters which by law, municipal charter or code are required to be confidential; (4) Matters involving consideration of governmental records that by law are not subject to public disclosure.

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**CITY COUNCIL PUBLIC HEARING
JUNE 19, 2013 @ 7:15 PM
LIBRARY MEETING ROOM
MINUTES**

A. CALL TO ORDER

Mayor James Kacsh called the Council public hearing to order at 7:15 pm on June 19, 2013, in the Library Meeting Room.

B. ROLL CALL

Present for roll call were *Mayor James Kacsh* and Council members *Kristin Carpenter, David Allison, Bret Bradford, David Reggiani* and *James Burton*. Council members *Tim Joyce* and *EJ Cheshier* were absent. Also present were Interim City Manager *Don Moore* and City Clerk *Susan Bourgeois*.

C. PUBLIC HEARING

1. Ordinance 1109 an ordinance of the City Council of the City of Cordova, Alaska, amending Cordova Municipal Code Title 11 entitled “port and harbor facilities” to update all provisions, to improve readability and clarity, to comply with federal and state law, and to revise the auction procedures for impoundment of nuisances and the disposal of vessels

Mayor Kacsh opened the meeting up for public comment – there was no public comment

M/Reggiani S/Bradford to recess.

Vote on main motion: 5 yeas, 0 nays. Motion passes.

The public hearing was recessed from 7:16 until 7:26.

Mayor Kacsh asked again if there was any public comment and there was not.

D. ADJOURNMENT

M/Reggiani S/Bradford to adjourn the Public Hearing

Hearing no objection, the Public Hearing was adjourned at 7:26 pm.

Approved: July 3, 2013

Attest: _____
Susan Bourgeois, City Clerk

**CITY COUNCIL REGULAR MEETING
JUNE 19, 2013 @ 7:30 PM
LIBRARY MEETING ROOM
MINUTES**

A. CALL TO ORDER

Mayor James Kacsh called the Council Regular Meeting to order at 7:30 pm on June 19, 2013, in the Library Meeting Room.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor James Kacsh led the audience in the Pledge of Allegiance.

C. ROLL CALL

Present for roll call were *Mayor James Kacsh* and Council members *Kristin Carpenter, David Allison, Bret Bradford, David Reggiani* and *James Burton*. Council members *Tim Joyce* and *EJ Cheshier* were absent. Also present were Interim City Manager *Don Moore*, City Clerk *Susan Bourgeois* and a representative from Birch Horton Bittner & Cherot, the City Attorney, *Cortney Kitchen*.

D. APPROVAL OF REGULAR AGENDA

M/Reggiani S/Allison to approve the Regular Agenda.

Vote on main motion: 5 yeas, 0 nays, 2 absent (Cheshier, Joyce). Motion passes.

E. DISCLOSURES OF CONFLICTS OF INTEREST

Kristin Carpenter said she had a perceived conflict on agenda item 8 because she works for the CRWP which is doing the grant for the project mentioned there. *Mayor Kacsh* agreed that she was conflicted and asked her to refrain from discussing and voting upon that item when it was before Council.

F. COMMUNICATIONS BY AND PETITIONS FROM VISITORS

1. Guest Speaker – none

2. Audience comments regarding agenda items

Kristin Carpenter spoke in support of approving the resolution regarding accepting an easement for the Eyak Mountain Trail. She said when the item came up for approval she would like to assist with an amendment to the resolution that the Council might like to make concerning future protection for the landowner who is giving the easement – protection in that the granting of the easement would not impede her future replat of the affected lots.

3. Chairpersons and Representatives of Boards and Commissions

Harbor Commission Council Representative *Burton* said the last meeting was canceled for lack of a quorum.

HSB representative *Allison* said that the Board will have its regular quarterly meeting on the first Wednesday in July.

P&R representative *Kristin Carpenter* reported that there hadn't been a meeting since the last Council meeting.

P&Z representative *Reggiani* reported that they had a meeting and the easement request for the trail proposal before Council tonight had been discussed there as well as discussion concerning planning to update the comprehensive plan. The commission will be forwarding a recommendation to Council concerning that.

School Board representative *Bret Bradford* said he was not in attendance at last week's school board meeting but that it was chaired by *Dan Reum* and it was a record short meeting.

4. Superintendent's Report - *Theresa Keel* was not present.

G. APPROVAL OF CONSENT CALENDAR

Mayor James Kacsh informed Council that the consent calendar was before them.

Reggiani called out item 8. **Allison** called out item 7. **Bradford** called out item 6. **Mayor Kacsh** placed them as items 21a, 21b, and 21c respectively.

5. Resolution 06-13-34 A resolution of the City Council of the City of Cordova, authorizing the City Manager to enter into a 5 year lease of property legally described as a portion of USS 2679 and within the Cordova High School, to include approximately 1,203 square feet of classroom and office space known as "classroom #3" and the "multi-purpose room" of the Cordova High School's library with the University of Alaska, on behalf of the University of Alaska, Prince William Sound Community College's Cordova campus

~~6. Resolution 06-13-35 A resolution of the City Council of the City of Cordova, Alaska, approving new personnel classification and pay plan schedule~~

~~7. Resolution 06-13-36 A resolution of the City Council of the City of Cordova, Alaska, authorizing a 2.25% wage increase for all exempt (non-union) employees of the City of Cordova, except for the City Manager and the City Clerk, effective June 1, 2013~~

~~8. Resolution 06-13-37 A resolution of the City Council of the City of Cordova, Alaska, accepting a 10 foot wide conservation easement from Linden's Land Company, Inc., across portions of Lots 16 and 17, Block 46, and Lots 1-11, Block 45, Cordova Townsite in order to provide public access to the Eyak mountain trail~~

9. Approval of exception for Copper River Wild Salmon Festival, July 26-27

Vote on Consent Calendar: 5 yeas, 0 nays, 2 absent. Burton-yes; Bradford-yes; Joyce-absent; Cheshier-absent; Carpenter-yes; Reggiani-yes and Allison-yes. Consent Calendar was approved.

H. APPROVAL OF MINUTES

M/Reggiani S/Bradford to approve the Minutes.

10. Special Meeting Minutes 04-11-13

11. Board of Equalization Minutes 04-15-13

12. Regular Meeting Minutes 06-05-13

Vote on main motion: 5 yeas, 0 nays, 2 absent (Cheshier, Joyce). Motion passes.

I. CONSIDERATION OF BIDS - none

J. REPORTS OF OFFICERS

13. Mayor's Report

Mayor Kacsh said he had a written report in the packet. He said he is trying to start a conversation with the governor's office about the Cordova Center and he finally got a call back Monday from **Randy Ruaro**, in the Governor's office and they are interested in us putting together a package with pictures etc. of the project (i.e. Cordova Center). Council had a lengthy discussion regarding lobbying and **John Bitney** and the **Mayor** taking a trip to Kodiak this summer, etc.

14. Manager's Report – **Moore** said that the City was shifting to the use of specific Council "city" email addresses instead of their personal email addresses. This stems from the Attorneys' requests that official business only be conducted on "city" emails vs. opening up personal emails to public disclosure, etc. **Reggiani** and **Bradford** were adamantly opposed to having another email to check. **Reggiani** insisted that there was no reason for this and he turned his envelope back in to the Clerk. He wanted to ensure that **Moore** didn't misspeak when he said that this action would bring the City into compliance, he wanted it known that we weren't presently "out of compliance". **Moore** said that is true, we are not necessarily out of compliance currently. **Reggiani** thought it would be appropriate to hear from the City Attorney on this. **Kitchen** said she was present and able to answer questions on this item. **Reggiani** did not ask her any specific questions. He continued that we needed to have a discussion with the City Attorney who was working on this. He would like an agenda item in the future. **Moore** said he also attached to his report a couple of letters that were sent to the contractors on the Cordova Center and a letter he wrote to the PWSSC concerning their request for leases/purchases on four different City properties. **Moore** said a draft has gone back and forth between himself and the prospective City Manager, **Randy Robertson**. He has a final version and has handed that to

Council as well. With the dry weather, the water levels have been a concern, however, we are ok because the warm weather has also meant a great deal of melt and we are doing fine. **Moore** understands that when canneries ramp up for pinks there could be more of a strain on the water supply.

M/Reggiani S/Bradford to recess for 5 minutes at 8:15 pm. Meeting was reconvened at 8:20 pm.

Council member **Cheshier** arrived at the meeting via teleconference.

15. City Clerk's Report – **Bourgeois** said that property tax bills would be in the mail July 1. They are ready to go in the new software system – Caselle. She mentioned a staff meeting she had attended to discuss provisions in the new Title 4 – personnel policies and procedures manual that had been written by the City Attorneys. She said it was very productive and they hoped to have a few more meetings such as that one.

K. CORRESPONDENCE

16. Email from James Mykland in re North Fill and Cordova Center

17. Letter from Governor Parnell in re Cordova Capital Priorities 06-05-13

18. Alaska Municipal League annual membership dues statement 05-20-13

19. Letter from Senator Stevens to Mayor in re Fish Follies invitation

L. ORDINANCES AND RESOLUTIONS

20. Ordinance 1109 An ordinance of the City Council of the City of Cordova, Alaska, amending Cordova Municipal Code Title 11 entitled “port and harbor facilities” to update all provisions, to improve readability and clarity, to comply with federal and state law, and to revise the auction procedures for impoundment of nuisances and the disposal of vessels – 2nd reading

M/Reggiani S/Burton to adopt Ordinance 1109 an ordinance of the City Council of the City of Cordova, Alaska, amending Cordova Municipal Code Title 11 entitled “port and harbor facilities” to update all provisions, to improve readability and clarity, to comply with federal and state law, and to revise the auction procedures for impoundment of nuisances and the disposal of vessels.

Moore said this was reviewed by staff (planner and harbormaster) and back to the attorney and then to Council. The one question Council had at the first reading was whether to remove the penalties from Code and put them in the fee schedule annually. The attorney opined that the penalties should remain in the code. Fees are for the fee schedule not penalties. There was discussion regarding whether a dollar a day penalty was enough to deter. Council decided to keep it as it was (i.e. \$31/month penalty).

Vote on the motion: 6 yeas, 0 nays, 1 absent: Carpenter-yes; Bradford-yes; Joyce-absent; Cheshier-yes; Burton-yes; Reggiani-yes and Allison-yes.

21. Resolution 06-13-38 A resolution of the City Council of the City of Cordova, Alaska, appointing an Acting City Manager

Mayor Kacsh said that Council will need to appoint someone to be acting manager until the new manager arrives. His suggestion to Council was to appoint **Moe Zamarron**. **Bradford** asked when **Robertson** would be here. **Moore** said that his start date will be August 5. **Moore** said he thinks there are a number of City employees in this room who could do the job. He said it should be entirely a Council decision. He said that **Moe** as the public works director is involved in things that the public sees everyday (i.e. baler, landfill, water etc.). He thinks he would be an excellent choice.

M/Reggiani S/Carpenter to approve Resolution 06-13-38 a resolution of the City Council of the City of Cordova, Alaska, appointing **Moe Zamarron** as Acting City Manager. He added – to insert **Moe Zamarron** in the blanks in the resolution.

Vote on motion: 6 yeas, 0 nays, 1 absent (Joyce). Motion passes.

Item 21a. or original agenda item 6. Resolution 06-13-35 A resolution of the City Council of the City of Cordova, Alaska, approving new personnel classification and pay plan schedule

M/Carpenter S/Burton to approve Resolution 06-13-35 a resolution of the City Council of the City of Cordova, Alaska, approving new personnel classification and pay plan schedule.

Moore said that code does say that the Manager should review the classification plan at least annually and he did so and believes that four positions stood out as not in the appropriate place in the classification. He did both an internal review (comparing their duties to other department heads/ # of people supervised, City infrastructure under their control, etc.) and an external review/comparison to other similar sized and similarly complex communities in Alaska to arrive at a new place for these four positions in the classification and pay plan schedule.

Allison said he has no problem with the increases, but he sees where the memo says it will be handled and absorbed in the budget yet the fiscal note says an appropriation is necessary – so which is it? It was determined that the fiscal note was the error and it was to be absorbed in the different funds and budgets.

Reggiani said he is supportive but his concern is that this should be accomplished at budget time and such increases should be aligned when budgets are approved. **Moore** agreed wholeheartedly and will advise **Mr. Robertson** to do exactly that for future budget cycles.

Vote on motion: 6 yeas, 0 nays, 1 absent (Joyce). Motion passes.

Item 21b. or original agenda item 7. Resolution 06-13-36 A resolution of the City Council of the City of Cordova, Alaska, authorizing a 2.25% wage increase for all exempt (non-union) employees of the City of Cordova, except for the City Manager and the City Clerk, effective June 1, 2013

M/Allison S/Reggiani to approve Resolution 06-13-36 a resolution of the City Council of the City of Cordova, Alaska, authorizing a 2.25% wage increase for all exempt (non-union) employees of the City of Cordova, except for the City Manager and the City Clerk, effective June 1, 2013

Moore said this has been done frequently that when the union employees receive an increase, then the exempts do as well – he included the cost which he is asking for an appropriation to accomplish.

Vote on the motion: 6 yeas, 0 nays, 1 absent: Cheshier-yes; Allison-yes; Bradford-yes; Joyce-absent; Carpenter-yes; Burton-yes and Reggiani-yes.

Item 21c. or original agenda item 8. Resolution 06-13-37 A resolution of the City Council of the City of Cordova, Alaska, accepting a 10 foot wide conservation easement from Linden’s Land Company, Inc., across portions of Lots 16 and 17, Block 46, and Lots 1 – 11, Block 45, Cordova Townsite in order to provide public access to the Eyak mountain trail

M/Reggiani S/Burton to approve Resolution 06-13-37 a resolution of the City Council of the City of Cordova, Alaska, accepting a 10 foot wide conservation easement from Linden’s Land Company, Inc., across portions of Lots 16 and 17, Block 46, and Lots 1 – 11, Block 45, Cordova Townsite in order to provide public access to the Eyak mountain trail

M/Reggiani S/Allison to amend by inserting a seventh whereas that says... “Linden’s Land Company and the City recognize that the conservation easement is not intended to impede or interfere with future re-platting of the property or vacation of rights of way subject to the conservation easement”

Reggiani asked the **City Planner** if she has reviewed the amendment and it works. **Sam Greenwood** stated that it works and is legal and makes sense.

Vote on motion to amend: 5 yeas, 0 nays, 1 absent (Joyce), 1 conflicted (Carpenter). Motion passes.

Vote on main motion: 5 yeas, 0 nays, 1 absent (Joyce), 1 conflicted (Carpenter). Motion passes.

M. UNFINISHED BUSINESS

22. Approval of Safe Routes to School conceptual design

M/Allison S/Reggiani to approve the Safe Routes to School conceptual design for sidewalks and crosswalks as outlined in the USKH 3/23/2011 drawings and to direct staff to continue with the process to develop the Safe Routes to School on Third Street.

Allison said the record is clear, planning and staff has handled it and the project needs to move forward.

Vote on motion: 6 yeas, 0 nays, 1 absent (Joyce). Motion passes.

23. Council approval of City Clerk’s Draft Employment Agreement (may be discussed in executive session)

M/Reggiani S/Bradford to approve the City Clerk's employment agreement as outlined in the packet starting on page 71.

Bourgeois said she has sent the Council several edits to the contract that she is suggesting. She asked if Council wanted to address them one at a time. There was silence and *Mayor Kacsh* said, yes, that is fine. She said she had spoken with *Amy (Limeres)* the City Attorney who works with personnel contracts to edit a few things just for form, grammar, etc.. Otherwise she went on to say that she asked for a salary increase equal to the 2.25% that Council just gave the union and exempt employees. She also asked for a salary increase to be built into the contract equal to any increase given to exempts over the course of the contract. An important concern the Clerk had was the leave accrual and carry-over. *Bourgeois* asked for accrual to remain at 240 hours/year but she asked that carry-over be increased to 480 hours and that at year-end anything above 480 be cashed-out instead of forfeited. Along with that she wanted **all** annual leave to be cashed out at separation. She had arrived at these numbers and provisions by researching many other municipalities' codes and personnel policies. Her request falls somewhere in the middle of what is offered at other places. She had the misfortune of having annual leave wiped off the book in the amount of 90+ hours at the end of 2011 and she was certain that that was never Council's intention to make someone feel the loss of money going out the door to the tune of 90+ hours of salary. Her suggestion of cash out above the max allowed at year end would remedy that. *Bourgeois* asked if there were questions or concerns – she hoped they could negotiate her contract at this point.

Reggiani said he certainly had no questions for the Clerk; he wanted to know if that was the extent of the counteroffer.

She responded in the affirmative.

M/Reggiani S/Burton to go into executive session to discuss matters the immediate knowledge of which would clearly have an adverse effect on the finances of the government specifically to seek advice form counsel.

Allison said he would prefer to postpone until after Council comments.

M/Reggiani S/Burton to postpone the executive session until before item 29.

Vote on motion: 6 yeas, 0 nays, 1 absent (Joyce). Motion passes.

24. Health Care Housing grant update

Mayor Kacsh said that *Bitney* is working on a grant for us and he may need Council direction in the near future so this will come before us again.

N. NEW & MISCELLANEOUS BUSINESS

25. Approval of City Manager contract for employment with Randy Robertson

(draft contract will be brought to the meeting – may be discussed in executive session)

M/Reggiani S/Allison to postpone this item to a special meeting early next week as the manager suggested.

Vote on motion: 6 yeas, 0 nays, 1 absent (Joyce). Motion passes.

26. Redistricting – discussion/update – *Mayor Kacsh* said that the last date to redraw and look at new maps is June 21. We have a few options. There was a concurrence of Council to have *Bitney* at an upcoming meeting to hear his opinions and have a good discussion with him about this.

27. Pending Agenda and Calendar

June 24 – noon meeting for the Manager's contract and Bitney to discuss redistricting and lobbying efforts out of session. June 26 – noon meeting for the City Manager's exit interview/report to Council.

O. AUDIENCE PARTICIPATION

Paul Trumblee said – you guys do a great job.

P. COUNCIL COMMENTS

27. Council Comments

Burton thanked Don for an incredible job; had good comments for the road crews – happy about that.

Allison also thanked Don for the work he has put in; he wondered about the timeline for the Acting City Manager, seemed like there were no dates in there. *Moore* said he'd be mentoring *Moe* until midnight on the 28th of June. *Allison* thanked the exempts he said it was only a pittance that we gave them – but they are appreciated. He thanked all of City staff – we have a great crew.

Reggiani thanks to everyone – especially *Don*.

Bradford thanked *Don* as well – inherited a mess and has pulled it off – he's made a big difference in our town.

Carpenter echoed all the comments – *Don* has been a great “steady at the helm” presence – calm, etc. Also, she is happy to hear about the things going on in Public Works – water leaks being fixed and recycling, etc.

Mayor Kacsh also expressed his gratitude to *Moore* – an invaluable asset.

Q. EXECUTIVE SESSION

Item 28 a. original agenda item 23. Council approval of City Clerk's Draft Employment Agreement

M/Reggiani S/Bradford to go into executive session for matters the immediate knowledge of which would clearly have an adverse effect on the finances of the government, specifically reviewing the counteroffer from the City Clerk on her employment agreement.

Vote on motion: 6 yeas, 0 nays, 1 absent (Joyce). Motion passes.

Council entered the executive session at 9:32 pm and reconvened the regular meeting at 10:37 pm.

Reggiani stated that in the executive session, Council reviewed the counteroffer and directed the City Attorney to write a summary of the items that were agreed to and those that were not agreed to and to communicate those with the City Clerk tomorrow. Then, the contract will be on the special meeting agenda on Monday.

29. Attorney advice regarding PWSSC land disposal

M/Allison S/Bradford to go into an executive session to discuss matters that are attorney client privileged in re negotiations, specifically land dealings with the PWSSC.

Vote on motion: 6 yeas, 0 nays, 1 absent (Joyce). Motion passes.

Council entered executive session at 10:38 pm; Council came out of executive session at 10:54 pm.

30. Cordova Center Finances – Attorney advice/update

M/Bradford S/Allison to go into an executive session to discuss matters the immediate knowledge of which would clearly have an adverse effect upon the finances of the government, specifically Cordova Center finances.

Vote on motion: 6 yeas, 0 nays, 1 absent (Joyce). Motion passes.

Council entered executive session at 10:54 pm; Council came out of executive session at 10:58 pm.

Mayor Kacsh said we are out of executive session and no action was taken.

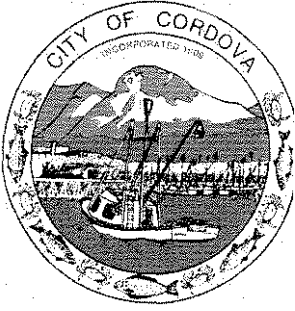
R. ADJOURNMENT

M/Reggiani S/Bradford to adjourn the regular meeting at 10:59 pm; with no objection, the meeting was adjourned.

Approved: July 3, 2013

Attest: _____

Susan Bourgeois, City Clerk



CITY OF CORDOVA

Office of City Manager

To: Mayor and City Council
From: Moe Zamarron, Acting City Manager
Subject: Manager's Report
Date: June 26, 2013

1. Title 4 is the current section of Cordova City Code being reviewed by City staff as part of the ongoing code revision process. It has been received from the attorneys and currently it is undergoing review by staff.
2. The first 3 mile section of Whitshed Road is scheduled to be paved in 2014 and it would be advisable to start looking at the possibility of re-surfacing City streets while the pavement plant is in operation. A list of priority streets is being prepared and will be ready for consideration by the next Council meeting.
3. The water and refuse loans are getting closer to finalization. The last month has included a series of communications with DEC Grants and Loans Office, DCCED loan auditors, the USEPA and the Alaska State Historical Preservation Office. Currently a final review of applicable tasks is being determined between the state and federal loan agencies. This is to define whether a given task can be paid from the loan, the grant, both or neither.
4. The streets department is looking into the purchase of a road patch machine that will make a more permanent type of repair to asphalt and chip seal surfaces. A recommendation concerning this item and its funding will be brought to Council by the next meeting.
5. The harbor is very active now. The north ramp has been busy. The trash problem around the harbormaster office has improved but still suffers setbacks from time to time. Additional steps are being taken to reduce trash buildup.
6. Hauling of the dirt pile is almost complete. To date we have spent about \$13,000 and the total should not be more than \$15,000. Private haulers moved enough to make a noticeable difference in the overall cost.

To: Mayor and City Council
Through: Donald L. Moore, Interim City Manager
From: Josh Hallquist, Construction Project Manager
Date: June 25, 2013

City of Cordova Project Update: 6-24-2013

- Breakwater Extension
 - Remaining work includes placement of the barrier rock stock piled on the fill, final grading, and final as-built survey.
 - Work resumed 6/22/1 and is planned to be complete 6/26/2013.
- North Fill Floating Dock
 - Project Complete 6/6/2013
 - On time and within budget☺
- CCMC EIFS Repair
 - Project completed on 6-14-2013.
 - On time and within budget☺
- CCMC Pneumatic Control Repair and Restoration
 - Siemens began work on 6/17/2013
 - New controls compressor and air dryer installed 6/21/2013.
 - Ongoing work includes purging of compressor lines, repairs of pneumatic tubing leaks, and replacement of low point lines, installs of T-stats, filters, install new volume regulators and receiver controllers, clean heating coils, time clock configuration and onsite training.
 - Anticipated final completion date is 9/4/2013
- CCMC Flooring replacement
 - COC staff will begin assembling a RFP for flooring replacement as the Pneumatic project nears 75% complete to be sure there are no cost overruns that would require cutting scope from the flooring RFP. (August RFP)
 - This is anticipated to be winter work
- Water Treatment Plant Chemical Mezzanine Column Repair
 - Epoxy coating of the mezzanine floor completed was on 5-14-2013.
 - Notice of final completion was issued on 5/23/2013.
 - Project completed within budget.
 - Late project completion due to timing of plant shut down. (Had to dis-mantel and move the chemical dosing equipment off the mezzanine to allow coating of the floor and had to time this activity with water quality to allow shut down of dosing equipment).
- Water Treatment Plant Roof Replacement
 - City Manager released roof repair project on 6/6/2013.

- RFP package for structural repairs is currently being noticed and proposals are due 7/5/2013.
- A mandatory pre-proposal meeting will be held on 6-28-2013 for interested contractors.
- A contract will be presented to the council for approval on 7-17-2013 assuming receipt of an acceptable proposal.
- This will be a summer/fall project.
- A RFP for the EPDM roofing will be issued after a contractor is identified for the structural repairs.
- Samson Relocate
 - Project Complete.
 - Completed within budget
 - Late completion date due to delivery of Samson Office Trailer.
- City Shop Electrical Renovations
 - The construction agreement with NLE was signed on 5-3-2013.
 - The notice to proceed was issued on 5-3-2013.
 - Electrical design drawings were submitted to the state fire marshal for review and were approved on 5-3-2013.
 - A project kick-off meeting was held at the city shop on 5-6-2013 to coordinate shop activities and electrical renovation work.
 - The work is roughly 70% complete as of 6/24/2013
 - The substantial completion date per the agreement is 7-15-2013.
- Waste Water Plant Vehicle Storage Building Siding Replacement
 - Estimate received from Eagle Construction on 5/30/2013
 - Project canceled due to expired grant.
- Baler Facility Renovations
 - COC accepted DHI Engineering's proposal dated 3-26-2013 for the sum of \$16,000.00 to assemble a design build RFP to issue for bids.
 - DHI is nearing completion of the draft design build RFP.
 - Upon receipt of the draft RFP the owner and grant agency will review it for compliance with city and grant regulations. There may be revisions to scope depending on the granting agency's review. We anticipate all items will be covered; however there is the possibility that some items (ie...break room) might not be covered as the grant is specific to clean water.
 - The final RFP along with a budget/funding outline will be presented to council for approval.
 - With city councils approval the RFP will be put out for proposals.
 - When a contractor is identified the council will be asked to approve entering into a contract with them and then physical work will begin.
 - It is our hope the project will start in the late summer and complete in the early winter, however winter construction cost may mandate the project start next spring.
- Baler Machine Re-build

- Project completed on time and within budget☺
- Cordova Center Phase I
 - Trinity ERD was on site to observe Dookozian/Capitol Glass window testing the week of 4-8-2013.
 - Trinity issued a observations report that concluded all parties acknowledged the windows and storefronts leak, but the specific reasons for the leaking remained elusive as their testing was rudimentary at best. In the city managers opinion the Dookozian/Capitol Glass testing was a joke. Testing did not follow ASTM testing criteria.
 - Dookozian has not issued a test report documenting their testing efforts as of 5-9-2013.
 - Trinity's began window testing on 4-15-2013 and concluded on 5-23-2013.
 - Trinity tested 7 separate window assemblies to ASTM criteria and all of them failed the test (quickly and badly). Of the windows tested 5 had leaked before (these were claimed to have been fixed last winter) and 2 had not. Trinity issued the first part of their report "Test Results" on 5-25-2013. The findings and Solutions reports are expected by 5-10-2013 and 5-17-2013 respectively.
 - The Trinity findings were received and presented to DC in a series of face-to-face meetings.
 - MRV issued a formal letter identifying specific minimum corrective action and deadlines for both the aluminum store front sills and vinyl windows that is in line with the Trinity's findings.
 - DC sent a response on 6/21/2013 that indicated they would repair the windows; however they would not preform the repairs to the level that MRV indicated would be the minimum acceptable level.
 - COC sent a response that the level of repairs identified in their letter would not be adequate and reiterated the deadlines and scope of work provided by MRV's letter.
 - MRV is currently writing a formal letter indicating the COC will engage a 3rd party to complete the repairs to the vinyl windows and aluminum store fronts.
 - The tentative plan is to obtain hard cost estimates for the repairs and present them to council for funding and approval. The initial window testing, repair, and re-testing cost is anticipated to be at DC's expense.
- Cordova Center Phase II
 - 100% design documents from MRV and subsequent fire marshal approval is pending.
 - MRV states they will have the 100% documents to the state fire marshal for his final approval by 3-29-2013. This has yet to happen as of 5-9-2013.
 - **Value Engineering is on hold with Dawson pending payment and a signed contract.**
 - The Dawson Pre-Construction Services contract is ready for signature by the city manager. The preconstruction services have been completed and we need to get them a contract and payment very soon.
 - **It should be noted the cost for pre-construction services is going to go up as we continue to request Dawson provide revised phasing plans, window/storefront repairs, value engineering, ect.... Dawson has already done more than they were expecting to do for their quoted sum of \$27k.**

- Completion of phase I is the largest hurdle to starting work at this point.
 - Phase II work is on hold pending substantial completion of Phase I.
- Emergency Generator Installation at Mt Eccles
 - The Haight and Associates revised design proposal was accepted for the sum of \$4,200.00.
 - Haight and Associates plans to have the complete design delivered to COC for review 6/25/2013.
 - Upon COC review and approval of the design a construction RFP will be issued.
 - The winning proposal will be presented to city council for approval.
 - The goal is to have this project completed before school starts.
- Safe Routes to School
 - The project was given the green light by city council to proceed with the design as shown by USKH 6/19/2013.
 - A survey preformed in early June identified several small encroachments by 3rd street residents on city right of way. These surveys have been provided to USKH to access the impact to the design. USKH is currently processing the data and the initial impression is that it will work but we might need to scoot the road over a little to the west.
 - When USKH identifies the impact to the current design a grant revision will be sent to SRTS.
 - Upon approval of the grant revision a design/construction services contract for USKH will be provided to council for approval. This will pay USKH to complete the design and provide construction phase services such as answering RFI, submittal approval, ect..
 - When the design is complete a RFP will be issued for the execution of the work.
 - The winning proposal will be presented to city council for approval.
 - This project is slated for summer 2014 construction.
- Mt Eccles Window leaks
 - A proposal from Trinity was received but cost in excess of 30K for testing and design are not acceptable.
 - CH2MHILL visited the site and will be providing a proposal to design a new window system and flashing for the 2nd floor south and East windows.
 - A preliminary construction cost estimate will be established including CH2MHILLS proposal. This will be presented to council for approval to move forward with design.
 - It is anticipated that design work would occur this fall with construction occurring next summer. Windows have roughly a 12 week lead time and considering design, council approval, and FUNDING I don't realistically see this happening any sooner.
- CCMC CT Scanner (New Project)
 - CCMC initiated a project to install a CT scanner at CCMC and requested COC project manager assist in managing the project.
 - CCMC identified and began working with Sparks Design Inc. (architect) prior to turning the project over to the COC project staff.

- Sparks Design Inc. has worked with Providence in Anchorage multiple times and came highly recommended.
- After council approval, COC entered into a contract with Sparks Design for the sum of \$25,407.00 on 4-23-2013 to perform the concept design.
- The concept design includes a third party conceptual cost estimate that will be used to establish an overall project budget for council approval and funding.
- The total cost for Sparks to perform the design and construction phase services is \$79,372.00.
- CCMC Staff have selected a CT scanner and conceptual design is complete.
- Sparks Design has sent the preliminary design documents to a 3rd party cost estimator and anticipate a response next week.
- COC project staff and CCMC staff will be working to assemble an overall project budget as the information becomes available.
- I anticipate this will be a fall/winter project depending on equipment lead time, funding, design, and approval process.

Thank You

Josh Hallquist

MEMORANDUM

**TO: MAYOR AND CITY COUNCIL
CITY OF CORDOVA**

FROM: AMY W. LIMERES

RE: TITLE 4 CODE RE-WRITE

CLIENT: CITY OF CORDOVA

FILE NO.: 401777-187

DATE: APRIL 26, 2013

Submitted with this memorandum is an ordinance revising Cordova Municipal Code Title 4, PERSONNEL.

At present, Title 4 consists of the following 15 Chapters

Chapter 4.04	General Provisions
Chapter 4.08	Personnel Board
Chapter 4.12	Recruitment
Chapter 4.16	Appointments and Promotions
Chapter 4.20	Classification Plan
Chapter 4.24	Employee Development Program
Chapter 4.28	Performance Evaluation
Chapter 4.32	Disciplinary Action – Suspension and Demotion
Chapter 4.36	Termination
Chapter 4.40	Grievance Procedure
Chapter 4.44	Salary Administration
Chapter 4.48	Hours of Work – City Holidays
Chapter 4.52	Retirement – Insurance – Medical Benefits
Chapter 4.56	Leave
Chapter 4.60	Miscellaneous Provisions

As revised, Title 4 consists of a single Chapter:

Chapter 4.01	Personnel Handbook
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The Ordinance would enable the Council to update the current Title 4 to include changes in state and federal law, adopt best employment practices, modernize the

terminology, remove items that are not longer relevant, provide greater flexibility for the City Manager to manage and discipline at will employees (subject to the collective bargaining agreement), and create a separate handbook of personnel policies and procedures for ease of reference. The handbook and any future revisions to the handbook would be reviewed and approved by the City Council via ordinance. The handbook would also enable the Council to keep the language specific enough to give direction to the City Manager, but general enough so that the Ordinance would not become outdated with minor changes in state and federal law, and would give the City Manager discretion in matters of personnel management consistent with the City Charter.

AWL/DSG

**CITY OF CORDOVA, ALASKA
ORDINANCE 1110**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORDOVA, ALASKA,
REPEALING AND REENACTING CORDOVA MUNICIPAL CODE TITLE 4**

BE IT ORDAINED by the City Council of the City of Cordova, that:

Section 1. Cordova Municipal Code Title 4 is repealed and reenacted to read as follows:

Title 14 - PERSONNEL

Chapters:

Chapter 4.01 – PERSONNEL HANDBOOK

Chapter 4.01 – PERSONNEL HANDBOOK

Sections:

4.01.010 - Incorporation by Reference of Personnel Policies and Procedures Handbook.

4.01.010 – Incorporation by Reference of Personnel Policies and Procedures Handbook. The City Council shall adopt a Personnel Policies and Procedures Handbook (“Handbook”) for employees of all departments of the City of Cordova. Said Handbook shall address all matters reasonably related to personnel administration, and terms and conditions of employment in all City departments except as provided in this ordinance. A copy of the Handbook shall be given to all employees of the City upon their being hired. The Handbook may be amended from time to time, by resolution of the City Council.

4.01.020 – Exclusions. Neither this ordinance nor the Personnel Policies and Procedures Handbook shall apply to Cordova Community Medical Center employees, Cordova School District employees, elected officials, members of boards and/or commissions, consultants, advisors, independent contractors, or volunteers.

4.01.030 – No conflict with employment agreements or collective bargaining agreements. In any instances where any provision of the Personnel Policies and Procedures Handbook is in conflict with any provision of a written employment agreement or collective bargaining agreement, the provision of the written employment agreement or collective bargaining agreement shall govern.

Section 2. This ordinance shall be effective thirty (30) days after its passage and publication. This ordinance shall be enacted in accordance with Section 2.13 of the Charter of the City of Cordova, Alaska, and published within ten (10) days after its passage.

1st reading:

2nd reading and public hearing:

PASSED AND APPROVED THIS 5th DAY OF JUNE, 2013

James Kacsh, Mayor

Attest:

Susan Bourgeois, City Clerk

CITY OF CORDOVA
PERSONNEL POLICIES AND PROCEDURES HANDBOOK

Adopted by Reference/Incorporation in Ordinance No. 1109

This Handbook becomes Effective **DATE RESOLUTION PASSES** _____, 2013.

Nothing in this Handbook shall supersede state or federal law. If there are any conflicts between this Handbook and state and/or federal law that are not reconcilable, the state and/or federal law will take precedence over the contents of this Handbook.

Created May 15, 2013.

These Personnel Policies and Procedures and other material that you may receive from time to time are not a contract of any kind between the City of Cordova ("City") and any individual. They are general guidelines for your information, and are subject to change at any time.

Employment with the City is at the will of the City and its employees. The City or the employee may terminate the employment relationship with or without notice, and with or without cause, at any time. The City Clerk and the City Manager serve at the pleasure of the City Council, subject to the terms of written employment agreements. All other City employees shall be appointed, promoted, disciplined and/or terminated by the City Manager in accordance with these Personnel Policies and Procedures.

The City does not promise or guarantee continued employment, advancement, career opportunities or job security.

The policies and procedures outlined in this Handbook will be applied at the discretion of the City of Cordova and the City reserves the right to deviate from the policies and procedures of this handbook, or to withdraw or change them, at any time, so long as such is done through appropriate action of the Council. The City will notify all employees within a reasonable period of time after an official change in a policy or procedure has been made by the Council.

The City Manager may require each department to establish and maintain standard operating procedures for use by its employees in daily operations. Such standard operating procedures are not subject to Council action or approval.

If you would like further information or have questions about any of the policies and procedures outlined in this handbook, please feel free to bring them to the attention of the City Manager or the Human Resources Administrator.

This Handbook is applicable to all City employees with the exclusion of: Cordova Community Medical Center employees, Cordova School District employees, elected officials; members of boards and/or commissions; consultants, advisors, persons rendering temporary services; independent contractors; and volunteers. Any conflict

between this Handbook and a provision of any written employment agreement, or collective bargaining agreement shall be resolved in favor of such written agreement(s).

In addition to abiding by these Personnel Policies and Procedures, employees of the City of Cordova Department of Public Safety must observe all Cordova Police Department Procedures, and the rules and regulations promulgated pursuant to the Police Standards Act, to the extent applicable to such personnel. Any conflict between this Handbook and a provision of the Cordova Police Department Procedures or the Police Standards Act rules shall be resolved in favor of such Cordova Police Department Procedures or the Police Standards Act rules.

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1. INTRODUCTION

This Handbook has been written to serve as a guide to the City's personnel policies and practices in general terms. The manual contains only general information and guidelines. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if you have any questions concerning eligibility for a particular benefit, or the applicability of a policy or practice to you, you should address your specific questions to the City Manager or the Human Resources Administrator.

Neither this Handbook nor any other City document confers any contractual rights or obligations, either express or implied. This Handbook does not guarantee you any fixed terms and conditions of employment. Your employment is not for any specific time and may be terminated at will, with or without cause and with or without prior notice, by the City or you, for any reason at any time.

The procedures, practices, policies and benefits described in this Handbook may be modified or discontinued from time to time without advance notice. This Handbook is effective **INSERT DATE THAT RESOLUTION PASSES** and supersedes all previous personnel policies, practices, guidelines or verbal representations that may have previously been made to you by the City, including the prior provisions of Title 4 of the Cordova Municipal Code, the terms of which have been superseded.

This Handbook is the property of the City and is intended for your personal use and reference as an employee of the City. You should familiarize yourself with the contents of this Handbook and, when in doubt about any policy or procedure, or any information contained herein, you should contact your supervisor, the Human Resources Administrator or the City Manager.

2. YOUR EMPLOYMENT RELATIONSHIP WITH THE CITY

2.1 Equal Opportunity Policy. The City provides equal employment opportunities to all applicants and employees and makes decisions without regard to race, creed, color, religion, gender, age, national origin or ancestry, marital status, change in marital status, physical or mental disability, genetic information, pregnancy, parenthood, or any other status or condition protected under federal, state and local laws. You are expected to support this policy by conducting yourself in a manner consistent with its spirit and intent.

2.2 Reasonable Accommodation of Qualifying Disabilities. The City is committed to providing equal employment opportunities to qualified individuals with disabilities, which may include providing reasonable accommodations where appropriate. In general, it is your responsibility to notify the City Manager or the Human Resources Administrator of the need for accommodation. Upon doing so, the City Manager or Human Resources Administrator may ask you for your input on the type of accommodation you believe may be necessary for the functional limitations related to your disability. Accommodation will not be undertaken when providing the

accommodation: (1) causes a direct threat to others in the workplace and the threat cannot be eliminated by reasonable accommodation; or (2) if the accommodation creates an undue hardship to the City. When appropriate, the City may seek your permission to obtain additional information from your health care provider regarding your capacity to perform the essential functions of your job position, with or without reasonable accommodation.

2.3 Policy Against Harassment and Discrimination. It is the policy of the City to maintain a work environment that is free of unlawful discrimination and harassment for all employees. Prohibited harassment consists of unwelcome verbal or physical conduct or communication based on an individual's race, color, creed, religion, national origin, gender, physical or mental disability, age, marital status, pregnancy or parenthood, genetic information, veteran's status, status with regard to public assistance, or any other status protected by federal, state or local law. Examples of conduct prohibited by this policy include using racial and ethnic slurs or offensive stereotypes or making jokes about such characteristics.

Sexual harassment is specifically prohibited. Sexual harassment encompasses a wide range of unwanted, sexually-directed behavior and has been defined in the following manner:

Unwelcome sexual advances, requests for sexual favors, and other verbal, visual, written or physical conduct of a sexual nature constitute harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as the basis of employment decisions affecting such individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Unlawful sexual harassment may include, but is not limited to, sexual touching, advances or propositions, use of sexually explicit language, sexual comments or jokes, staring or leering, displaying sexually suggestive objects or pictures, and harassment not of a sexual nature directed against an individual due to his or her gender.

Sexual harassment applies to the conduct of a supervisor toward a subordinate; an employee toward another employee; a non-employee, such as members of the community seeking City services, vendors or other business visitors toward an employee; or an employee toward an applicant for employment. Other examples of sexual harassment include inappropriate sexual advances or other unwanted sexual physical or verbal conduct at business-related social functions or while traveling on the City business. Harassment or discrimination in any context must be reported in accordance with this policy.

Any employee who believes that s/he or another employee is or has been the subject of discrimination or harassment should report the alleged conduct immediately to their supervisor, the Human Resources Administrator, or the City Manager. Any supervisor who learns of potential sexual or other unlawful harassment or discrimination will promptly consult with the Human Resources Administrator or the City Manager.

Allegations of discrimination or harassment will be investigated. The length of time it takes to perform the investigation will depend on the nature of the complaint. However, employees are free at any time to inquire about the status of the investigation. Information regarding any discrimination or harassment complaint will be kept confidential to the greatest extent possible within the necessary boundaries of the fact-finding process.

No retaliation or reprisal against any employee for reporting discrimination or harassment concerns will be tolerated.

The facts will determine the response to each allegation. Employee conduct which is found to constitute unlawful discrimination or harassment will be disciplined, up to and including immediate dismissal.

The Alaska Human Rights Commission's address is 800 A Street, Suite 204, Anchorage, AK 99501 and its telephone number is (907)274-4692.

2.4 Workplace Violence Policy. The City is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, the City has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur by or against the City employees or members of the public, while on the City premises or while performing the City business at other locations. This policy does not apply to police or other security personnel, engaged in their official duties.

All employees should be treated with courtesy and respect at all times. Violence, threats, harassment, intimidation, and other disruptive behavior in the workplace (or while on the City business outside of the workplace), whether committed by members of the community seeking City services, business visitors, vendors, or City employees, will not be tolerated.

The following is a nonexclusive list of the types of conduct prohibited by this policy:

- Oral or written statements, gestures, or expressions that communicate a threat of physical harm;
- Physically harming, attempting to harm, or threatening to harm one's self, another person, or property;
- Coercion, intimidation, or stalking of another;
- Use of or threatening to use any weapon;

- Any form of non-consensual physical contact (including shoving or grabbing);
- Bringing any unauthorized weapon to the City premises, including the parking lot; and
- Any other conduct that would cause a reasonable person to believe violence may occur.

Individuals who commit such acts may be removed from the premises and subject to criminal penalties. Employees engaging in such conduct also may be subject to disciplinary action, up to and including termination of employment. Further, during an investigation of an incident, an employee may be suspended.

If you notice or witness conduct you think is suspicious, please report it immediately to your supervisor, or any other member of management. Any employee facing a situation that may result in violence should avoid confrontation. Instead, if possible, the employee should retreat to a location of safety and report the incident. However, if you believe there is a threat to personal safety involved, the police should be summoned immediately.

No workplace is immune from disruptive behavior. The City needs your cooperation to implement this policy effectively and to maintain a safe working environment. All threats of violence or acts of violence, both direct and indirect, should be reported as soon as possible. This includes threats by employees, as well as threats by members of the community, business visitors, or vendors. Additionally, the City encourages employees to report any threats of violence or acts of violence that occur in their personal lives that could affect workplace security (i.e. issuance of a restraining order to protect the employee, threatening email received outside the workplace, etc.).

All reports of violations of this policy will be taken seriously and will be investigated promptly. The City encourages employees to bring disputes and differences to the attention of a supervisor before the situation escalates into potential workplace violence. As far as reasonably possible, the City will maintain the confidentiality of the reporting employee and of the investigation, consistent with the need to investigate and take action. The City will not tolerate any retaliation or reprisal by or against any employee who makes a good faith report of, or experiences workplace violence.

2.5 Confidentiality. Some City employees have access to personnel records and/or property or sales tax records which under applicable law are confidential and not subject to public disclosure, including disclosure to other employees. Employees with access to such records are required to be generally familiar with the law governing the confidentiality of such records and will be provided with copies of the text of such laws, and may be required to enter into a separate agreement with the City acknowledging the confidentiality of such records. Any violation of such agreements, this Personnel Policy and Procedure, and/or the applicable laws which provide for confidentiality of the records, may result in disciplinary action by the City, up to and including termination.

In addition, employees of the City who have access to other confidential or proprietary information are obligated to maintain the confidentiality of such information, and to only access such information for the purposes of performing duties or functions of their position. Accessing confidential or proprietary information for personal advantage or any reason not related to the employee's job responsibilities is a serious violation and is strictly forbidden. Individuals who improperly access, copy or disclose confidential information will be disciplined, up to and including termination.

2.6 Ethics and Avoiding Conflicts of Interest. The successful operation and reputation of the City is built upon the ethical conduct of its employees. All City employees shall conduct City business in accordance with all relevant laws and will refrain from any illegal, dishonest, or unethical conduct. The examples in this policy are not exhaustive and are designed to give you basic guidelines regarding ethical principles.

Ethical principles require that you not take advantage of your position at the City to profit personally from any confidential or proprietary information that you receive during your employment.

During your employment you are expected to give members of the community seeking City services the most efficient and professional care without expecting any reward beyond your regular pay. You may not ask for or accept a material gift from a member of the public or vendor. Material gifts include substantial favors, money, free or discounted goods or services, trips, lodging, entertainment or other similar items. City employees must politely, but firmly refuse such gifts. You may give members of the public or vendors gifts as long as the gifts are appropriate and the amount is reasonable.

It is a conflict of interest if you have an interest outside of work that interferes with your responsibilities to the City or affects your ability to perform your duties properly. You must avoid conflicts of interest and situations where there might be the appearance of a conflict of interest. You may accept outside employment only so long as it does not create a conflict of interest or interfere with your job performance at the City. Employees are required to notify their supervisor if they work for another employer so that potential conflicts of interest can be investigated. A form announcing your secondary employment is available from the Human Resources Administrator.

Failure to disclose a potential conflict of interest may result in discipline. Questions regarding ethical issues and potential conflicts of interest should be discussed with the City Manager. A form announcing your potential conflict of interest is available from the Human Resources Administrator.

Employees may not use, or permit the use of, items of City property, facilities, equipment, supplies or other resources for activities not associated with their work. Any exceptions to this must be expressly approved by the City Manager.

3. HIRING POLICIES AND PROCEDURES

3.1 Prerequisites to Commencing Employment.

3.1.1 Pre-employment Drug Testing. In accordance with the City's Drug and Alcohol Testing policy, applicants who have been given a conditional offer of employment must pass a drug-test *before commencing to perform services for the City.* Applicants are responsible for completing required testing in advance of the date they are scheduled to start work. If an employee is unable, unavailable, or otherwise fails to complete the screening in advance of the reporting date, the first day of work may be rescheduled until the screen is completed and passed, or the City may withdraw or otherwise modify its offer of employment in its discretion.

3.1.2 Criminal Background Checks. Applicants who have been given a conditional offer of employment must also undergo or update an employment and personal reference, and criminal background checks. Background clearance must be maintained throughout each employee's employment with the City. Employees must promptly report any changes in their criminal background to the Human Resources Administrator.

3.1.3 Licensure and Certifications. Employees required by state or federal law to be licensed, certified or registered to practice a particular profession must demonstrate licensure, certification or registration upon hire and maintain such credentials throughout their employment with the City. For example, City police officers must be certified by the Alaska Police Standards Council. Failure to obtain and maintain required licenses, certifications or registrations may result in immediate dismissal, or result in the City withdrawing or modifying an offer of employment.

3.1.4 Verification of Employment Eligibility. Each new employee, as a condition of employment, must produce original documents establishing his/her identity and authorization to work in the United States.

3.2 Hiring

3.2.1 Merit-Based Criteria. The City Manager and City Clerk shall be appointed by the City Council and serves at the pleasure of the City Council. All other City employees shall be appointed, transferred or promoted by the City Manager. Appointments and promotions of employees shall be made on the basis of merit and fitness for the position. In other words, vacant positions will be filled and promotions made by choosing the best qualified person for the job, based upon job-related qualifications.

3.2.2 Applications and Testing. Applicants for any City job position shall complete an application on a form and in a manner prescribed by the City Manager. Any material misrepresentation or deliberate omission of a fact in an employee application may be justification for, refusal of, or if employed, termination from employment. The City Manager may utilize such written tests, physical examinations, or such other section and evaluation tools and methods to evaluate the merits and qualifications of job candidates as are appropriate under the circumstances.

3.2.3 Job Descriptions. Job descriptions and qualifications for employees shall be established by the City Manager, and hiring decisions shall be based upon the ability of the applicant to satisfy them.

3.2.4 Recruitment. Job vacancies not filled through promotion or transfer within five business days of posting shall be filled through open recruitment by the City Manager or through another reasonable recruitment process. The City Manager shall develop and conduct a recruitment program to meet current and projected personnel needs. Job announcements and advertising for vacancies shall be conducted in a form and manner determined by the City Manager.

3.3 Orientation. New employees meet with the Human Resources Administrator and their Department Head on their first day. The Human Resources Administrator will provide new employees with a copy of this Handbook, obtain payroll paperwork, and provide information on employee benefits. Your supervisor or Department Head will advise you of the orientation program or process applicable to your position.

3.4 Introductory Period. New employees, rehires and transfers are subject to a six (6) month introductory period, except police officers, who are subject to a twelve (12) month introductory period. During this time, the employee participates actively in any orientation and training applicable to the position, as well as ongoing assessments of his/her skills and suitability for the job position. Assessments may be informal and a formal written evaluation may not be provided. The introductory period may be extended, if deemed appropriate by the City Manager upon recommendation by the employee's Department Head, to obtain more information and understanding about the employee's skills, training and abilities. If the City determines that the employee is not suited for the position, separation may occur at any time. Completion of the introductory period should not be construed as creating a contract or guarantee of employment for any specific duration. All employees are considered "at will" at all times and for all purposes.

Introductory employees accrue and may use Sick Leave for sick leave purposes during the introductory period.

Introductory employees accrue, but are not eligible to use Paid Annual Leave during the introductory period, except as approved by the City Manager at his/her discretion for exceptional circumstances. However, an employee rehired within a two year period who successfully completed their introductory period in previous City employment, shall be permitted to use Paid Annual Leave as it accrues during the introductory period in the rehired position, subject to any applicable limitations under Section 6.1.

Paid Annual Leave that accrues during the introductory period shall not be paid out to the employee if s/he terminates employment for any reason during the introductory period, either as a new hire, or rehire.

3.5 Personnel Records. Personnel files are maintained in confidence and in compliance with state and federal law. No information is released to third parties without written authorization from the employee, by court order, or as otherwise permitted by law.

Employees are permitted to review their personnel file in the presence of the Human Resources Administrator or City Manager with reasonable advance notice during regular City business hours. Copies will be provided upon written request from the employee with advance payment of the reasonable cost of copying.

To keep records of employment up to date, employees must notify the Human Resources Administrator and his/her Department Head of any change in name, address, marital status, dependents, telephone number, person to notify in case of emergency, and registration, certification, or licensure.

3.6 Nepotism. No person may be employed in a position directly supervised by another family member. In addition, no employee shall hold a job position in which s/he is required or authorized to review the work performance, personnel file, or expense account of a family member. If an employee and his/her supervisor should marry, they shall elect which employee may continue with their current job position and which employee shall apply for a new position, or who will terminate employment. If that decision is not made within 30 calendar days, the City will decide the matter based on the qualifications and staffing needs of the City.

For purposes of this nepotism policy, “family member(s)” means spouses, parents (including in-laws and step), children (including adopted, step or foster), siblings (including in-laws and step), grandparents, and grandchildren.

4. COMPENSATION

4.1 Employment Classifications. Employees are classified into such job classifications as determined by the City Manager, in accordance with a classification plan established by resolution of the City Council. Appointments for all job classifications shall be made into the following categories:

4.1.1 Full-time regular employee. An employee regularly assigned to work a predetermined schedule of **72-80** hours per pay period.

4.1.2 Part-time regular employee. An employee regularly assigned to work a predetermined schedule of less than **72 hours** per pay period.

4.1.3 Temporary employee. An employee hired as an interim replacement for temporary or seasonal work, not to exceed six (6) months. The expected duration of each temporary position will be determined by the City Manager at the time of hire.

4.1.4 On Call/As Needed. An employee hired to fill certain positions on a short term basis for specific duties. The City Manager shall determine the need for such positions and create a pool of such available employees.

4.1.5 Emergency. An employees hired on an emergency basis for a period not to exceed thirty (30) calendar days at the discretion of the City Manager.

4.2 Wage and Hour Job Classification. All employees are further classified as exempt or non-exempt from the overtime requirements of the federal Fair Labor Standards Act.

4.3 Workday and Workweek.

4.3.1 Work Day. The definition of workday for purposes of payroll and overtime calculations is 12:00 a.m. to 11:59 p.m. Department Heads with the approval of the City Manager may establish different work schedules within such Work Day to meet departmental operating needs.

4.3.2 Work Week. The workweek is defined as 12:00:00 am Sunday through 11:59:59 pm Saturday.

4.4 Timekeeping. All employees must record their hours worked on a time sheet, for purposes of calculating pay, benefits, and the accrual and use of leave. Under no circumstances should any employee fill out a time sheet for another employee or have another employee fill out their time sheet. All FLSA non-exempt employees subject to this policy are required to accurately record all time worked and all break periods. In the event of noncompliance with this policy, an employee may be subject to disciplinary action, up to and including discharge from employment. Time worked is all the time actually spent on the job performing assigned duties. An employee's signature on the time sheet is considered a certification that the document provides a true and correct statement of dates and time actually worked. Time off that is eligible for pay or leave without pay shall be designated using a leave description. The employee's supervisor or Department Head must review time sheets and submit them to payroll. If corrections or modifications are made to the time record, the initials of both the employee and the Department Manager shall be obtained.

4.5 Payroll.

4.5.1 Pay Period/Paydays. The City's pay period is biweekly, with scheduled paydays every other Thursday with respect to the payroll period ending the previous Friday. A schedule of pay periods and paydays may be obtained from the Human Resources Administrator.

4.5.2 Direct Deposit. An employee may elect to have paychecks electronically deposited into a checking or savings account. An employee electing direct deposit must complete an Election Form. The employee will receive a pay stub in lieu of a paycheck on payday detailing the direct deposit.

4.5.3 Payroll Deductions. All contributions required by federal or state law or by benefit plans (PERS), will be deducted from the employees' paychecks, and reflected in the summary attached. Other deductions may be withheld as authorized by written agreement with the employee.

4.6 Wage Scale. All employees shall be paid in accordance with the current Pay Plan adopted by the City Council.

4.7 Overtime. Every attempt is made to schedule work so that the need for overtime is kept to a minimum. However, situations may arise which make overtime unavoidable. In such cases, your supervisor or Department Manager may schedule you to work overtime. Overtime work must be pre-approved. Overtime compensation is available only to non-exempt personnel entitled to be paid overtime wages for overtime work, under the federal Fair Labor Standards Act. Compensation for overtime is paid at one and one half times the regular rate of pay for hours worked over 40 in a workweek.

4.8 No Compensatory Time off for FLSA Exempt Employees. Employees who are exempt from the overtime requirements of federal minimum wage and overtime laws are expected to work whatever hours are necessary to accomplish the goals and requirements of the position. The customary work week at Cordova for full time, exempt employees is Monday through Friday from 8:00 a.m. to 5:00 p.m. However, the specified work hours and work week may differ depending on the needs of the City, and such employees may frequently be required to work beyond the confines of the regular work week and work hours. No compensatory time off is available for employees in such situations.

4.9 Breaks and Meal Periods. Department Managers will schedule breaks and meal periods based upon the number of hours an employee is scheduled to work and based upon the needs of the facility. For every workday of 6 hours or more, non-exempt employees must take an unpaid meal period of not less than 30 consecutive minutes. Breaks (typically, no more than 15 minutes) are paid time worked; meal breaks (20 minutes or more) are unpaid if the employee is released to use the time for their own purposes. Breaks and meal periods may not be accumulated or delayed in order to leave work early or take an extended meal period on another workday.

4.10 Holidays.

4.10.1 Recognized Holidays. The City recognizes the following holidays:

New Year's Day	January 1
Martin Luther King Day	3 rd Monday in January
President's Day	3 rd Monday in February
Seward's Day	Last Monday in March
Memorial Day	Last Monday in May

Independence Day	July 4
Labor Day	1 st Monday in September
Alaska Day	October 18 th
Veteran's Day	November 11 th
Thanksgiving	4 th Thursday in November
Day after Thanksgiving	4 th Friday in November
Christmas	December 25
Employee's Birthday	Varies

Any legally required holiday proclaimed by the President of the U.S., or the Governor of the State of Alaska.

When a recognized holiday falls on a Saturday, the preceding Friday shall be recognized as the holiday. When a recognized holiday falls on a Sunday, the Monday following shall be recognized as the holiday. When a recognized holiday falls on an employee's regularly scheduled day off, the observed holiday shall be the work day closest to the recognized holiday. When an employee's birthday falls on another recognized holiday, or if an employee's duties prevent the employee from taking the employee's birthday off, the employee may elect any day in the week in which the holiday occurs as his or her birthday holiday.

4.10.2 Time Off on Holiday. An employee, whose normal schedule requires them to work on the holiday, may take the holiday off, payable as Paid Annual Leave (when available) or as leave without pay, by scheduling the day off with their Department Manager. No compensatory time off is available for an exempt employee who actually works on a City Holiday.

4.10.3 Pay On a Holiday. An employee who is non-exempt from federal overtime requirements shall receive two times the employee's regular rate of pay for hours actually worked on a City Holiday. A full-time non-exempt employee not required to work on a recognized holiday shall be paid eight hours of holiday pay at the employee's regular rate of pay. A non-exempt part-time employee not required to work on a recognized holiday shall be paid at the employee's regular rate of pay for the number of hours the employee is normally scheduled to work. A recognized City holiday, occurring during an employee's Paid Annual Leave or Sick Leave shall not be counted against the employee's Paid Annual Leave or Sick Leave bank.

5. EMPLOYEE BENEFITS

5.1 Employee Benefit Plans. The City sponsors and/or participates in several welfare and retirement plans for the benefit of eligible employees, including

health, life, and PERS. Detailed information regarding these benefits is contained in summary plan descriptions, insurance policies, the City’s official plan documents, and the plan documents maintained by the PERS system. The City has sole discretion to interpret the employee benefit plan documents, including questions of eligibility, availability or amount of benefits, terms, conditions and limitations. The official plan documents and not this handbook or any other document or verbal representation will govern the City’s determination of all questions regarding plan benefits.

In general, such employee benefits are provided to the City employees classified as full-time regular or part-time regular, subject to the requirements and restrictions contained in the official plan documents. Employees are encouraged to contact the Human Resources Administrator for further information about the plans, including eligibility requirements for the City sponsored benefits.

While it is the City’s present intention to continue these benefits for the indefinite future, the City reserves the right to amend, modify, curtail, reduce or eliminate any benefit, in whole or in part at any time. No amendment or termination will take away vested benefits. However, future accruals or benefits may be reduced or eliminated. Neither the benefit programs nor their descriptions are intended to create any guarantees regarding employment or continued employment.

6. LEAVE POLICIES

6.1 Paid Annual Leave. Paid Annual Leave is the employee leave program adopted to provide paid time off for rest, relaxation, and personal needs. Paid Annual Leave is earned through service time. Paid Annual Leave covers both vacation and personal time away from work, and includes both scheduled and unscheduled absences. **Paid Annual Leave may also be used to cover holiday time off.** Paid Annual Leave accrual is capped, in order to encourage employees to take their accrued leave in a prompt and regular manner, as provided below.

6.1.1 Accrual. Eligible employees accrue Paid Annual Leave **each month** according to **the number of regular hours worked during a month**, and years of service. Only regular full-time and part-time employees are eligible for Paid Annual Leave.

6.1.2 Rate Schedule.

Length of Service	Paid Annual Leave Accrued per Month	Paid Annual Leave Accrued per Year
0 – up to 2 years	8 hours	2.4 workweeks
2 – up to 3 years	12 hours	3.6 workweeks
3 – up to 6 years	16 hours	4.8 workweeks

6 or more years	20 hours	6 workweeks
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Paid Annual Leave does not accrue with respect to overtime hours worked or leave without pay hours.

Regular part-time employees shall accrue Paid Annual Leave pro rata, based on the number of hours actually worked each **pay period** in proportion to the number of full-time regular hours in a **pay period**.

Paid Annual Leave accrues during paid leaves of absence, but not during unpaid leaves of absence.

6.1.3 Use of Paid Annual Leave. To ensure adequate staffing, each Department Head will schedule and approve Paid Annual Leave requests. Leave requests by Department Heads are approved by the City Manager. Each Department Head shall submit a leave request form to the payroll clerk one week prior to the requested leave to ensure the employee has accrued the amount of leave requested. The payroll clerk will review and sign the leave request form and file it with the employee's payroll records. The amount of Paid Annual Leave requested plus the amount of any unpaid leave taken may not exceed a total of ten (10) consecutive days in any calendar month. The amount Paid Annual Leave may be further limited depending on the needs of each Department and the timing of the request. Employees may not use Paid Annual Leave during their introductory period, except as provided in Section 3.4 of this Handbook.

Paid Annual Leave must be accrued before it can be taken. Paid Annual Leave cannot be advanced and an employee cannot draw their Paid Annual Leave bank into a negative balance. If you run out of Paid Annual Leave while on an approved absence, you may be treated as in violation of the City's attendance policy unless you received advance approval to take unpaid time off. **Paid Annual Leave shall be taken in not less than one-hour segments.**

6.1.4 Paid Annual Leave Mandatory Use, Cap and Forfeiture. To encourage employees to schedule and take their Paid Annual Leave on an ongoing basis, the City requires each regular full-time employee to use eighty (80) hours of Paid Annual Leave within each twelve (12) month period after the anniversary date of their successful completion of the introductory period. This mandatory use requirement is pro-rated for regular part-time employees. The City caps Paid Annual Leave accrual at 240 hours. Paid Annual Leave amounts accrued beyond 240 will be forfeited.

6.1.5 Paid Annual Leave Upon Termination. Paid Annual Leave shall be paid out in a lump sum upon termination of employment for any reason, at the current rate of pay of the employee at the time of separation. Under no other circumstances shall a City employee be permitted to receive a cash-out of accrued Paid Annual Leave.

6.1.6 Donated Leave. Employees may donate Paid Annual Leave or Sick Leave to another employee who has exhausted such leave benefits due to serious catastrophic medical issues or similar extraordinary circumstances. All leave donation requests will be reviewed and approved in the sole discretion of the City Manager. Leave donations to any single employee shall be capped at twenty (20) days per calendar year. Employees may donate up to a total of 20 hours of combined Paid Annual Leave and/or Sick Leave annually to other City employees. Each employee donating Paid Annual Leave and/or sick Leave must retain at least 80 hours combined in his/her Paid Annual Leave and Sick Leave banks. All donations will remain anonymous. Employees are prohibited from lobbying for leave donations. The value of donated leave is converted on a dollar for dollar basis, not hour for hour. For example, if your hourly rate is \$10.00 per hour and you donate one hour of leave to someone who makes \$20.00 per hour, that employee will receive one half (1/2) hour of leave. Likewise, if a co-worker makes \$20.00 per hour and donates one hour of leave to you, you will receive two (2) hours of leave. Cash-in of donated leave is not allowed, and donated leave will not be paid out to the receiving employee upon termination of employment for any reason.

6.2 Sick Leave.

6.2.1 Accrual of Sick Leave. Regular full-time and regular part-time employees shall be granted paid Sick Leave during periods of absence due to injuries, illness, or for medical or dental appointments. Sick Leave accrues at the rate of fifteen (15) days per year, regardless of length of service. An employee may use Paid Annual Leave for absences due to illnesses and injuries when s/he has exhausted his/her accrued Sick Leave.

6.2.2 Requesting Sick Leave. An employee can request Sick Leave by informing his/her supervisor as soon as possible concerning the need for the absence. Failure to provide reasonable notice may result in disciplinary action. Absences of longer than three (3) days will require certification by a health care provider.

6.2.3 Limited Cash-Out of Sick Leave. Upon termination of employment **under favorable terms** and completion of five consecutive years of service, fifty percent of the Sick Leave bank accrued up to a total of five hundred twenty (520) shall be paid in a lump sum to the employee upon separation at the employee's current rate of pay.

6.2.4 Sick Leave to Supplement Workers' Compensation. An employee receiving Workers Compensation wage replacement benefits shall be required to take accrued Paid Annual Leave and Sick Leave to make up the difference between Workers Compensation wage replacement benefits paid to the employee and the employee's normal wage. The employee's normal wage shall be the employee's hourly rate of pay, without regard to the payment of overtime, during the last full week of employment before the date of the employee's injury. After all accrued Paid Annual Leave and Sick Leave is exhausted, the employee will receive only Workers Compensation wage replacement benefits.

6.3 Family & Medical Leave. The City employees are entitled to receive up to twelve weeks time away from work within a twelve-month period to attend to specified family and medical needs under a federal law known as the Family Medical Leave Act (“FMLA”). Concurrently, the City employees are eligible to eighteen weeks time away from work within a twelve-month period because of pregnancy, childbirth or adoption, and up to eighteen weeks time away from work within a twenty four month period to attend to specified family and medical needs under state statutes AS 23.10.500 through AS 23.10.550 (“State FMLA”). The eighteen and twelve week periods run concurrently with FMLA leave periods for the same condition.

6.3.1 Eligibility For Leave. To be eligible for State FMLA leave an employee must have worked for the City for at least 35 hours for six consecutive months or 17.5 hours for twelve consecutive months. The rolling backward method applies as well. Under this method, an employee will not be eligible for family medical leave if the employee has taken eighteen weeks of family and medical leave in the twelve calendar months (or twenty four months, if appropriate) immediately preceding each day of leave requested.

6.3.2 Reasons Eligible Employees May Be Granted FMLA or State FMLA

A. Birth or Placement of a Child. Eligible employees may request a leave of absence to provide care for a child following the child's birth, adoption, or foster placement in the employee's home. This leave must be taken within a year after the child is born, adopted or placed in the employee's home. Where both the mother and father of a newborn, adopted or foster child are eligible employees of the City, they are jointly entitled to a total of eighteen weeks of unpaid FMLA and State FMLA leave to care for the child. The eighteen weeks may be divided between them as they agree.

B. Illness of a Family Member. Eligible employees may request a leave of absence to provide care for a child, parent or spouse who has a serious health condition.

C. Illness of an Employee. Eligible employees may also request a leave of absence if they are unable to work due to their own serious health condition.

6.3.3 Military Family Leave. Leave is also available under FMLA and allows for up to 26 weeks of unpaid leave during a single 12-month period for an employee to care for an injured/ill servicemember who is recovering from an illness or injury sustained in the line of duty on active duty. The service member must be the spouse, son, daughter, parent or next of kin of the covered servicemember. The City requires that you use your paid leave (Paid Annual Leave) for Military Family Leave. Certain Exigency Leave is available for the spouse, son, daughter, or parent of an employee who is on active duty or has been notified of an impending call to active duty status, in support of a contingency operation. In such cases, up to 12 weeks of leave may be available. Please see the Human Resources Administrator for further

information on these types of leave or review the FMLA rights poster on the bulletin board.

6.3.4 When Medical Certification Is Required. Employees may be required to provide a medical certification (on a form supplied by the City) supporting the need for leave due to a serious health condition affecting the employee or a family member. If the employee is taking leave on an intermittent or reduced work schedule basis, then the medical certification should indicate that such a leave schedule is medically necessary. Where requested, the medical certificate must be received by the City prior to the commencement of leave. However, if the need for leave was unforeseen, the City should receive the medical certification no later than fifteen calendar days from the date the employee requests leave. Employees may be required to provide second or third medical opinions or periodic recertifications at the City's expense. Employees may be required to provide periodic reports during leave regarding their status and intent to return to work. Prior to returning to work from leave due to his or her own serious health condition, an employee must provide the City with a fitness for duty certification from the employee's health care provider stating that the employee is able to perform the essential functions of the employee's position. If an employee who is required to provide such a certification fails to do so, the City will not restore the employee to employment until such a certification is provided.

6.3.5 Compensation. FMLA leave is unpaid, however, the City requires employees eligible for FMLA or Military Family Leave to exhaust their accumulated Paid Annual Leave. The City has no obligation to pay you more than any accumulated Paid Annual Leave, which must be used at the beginning of your leave (Paid time off is counted as part of the FMLA/State Leave entitlement, not in addition to it). Paid Annual Leave time does not accrue during an unpaid leave. Paid holidays are counted as part of the FMLA leave and do not serve to "extend" the leave when taking into account the holiday time. If you run out of paid time off while on FMLA and a holiday falls in the time in which you are on unpaid leave, you will not be paid for that holiday. Where appropriate, the City will coordinate an employee's workers' compensation leave with FMLA/State FMLA leave so that the two run concurrently. FMLA/State FMLA leave shall run concurrently with any other qualifying leave.

6.3.6 Benefits Continuation.

A. Group Health Benefits. Employees may continue their the City group health insurance coverage during family or medical leave on the same terms as before such leave. If the employee elects to continue group health coverage, the employee will be required to pay the City the employee's portion of the insurance premium. Payment will be automatically deducted from the employee's paycheck while on paid leave. When paid leave is exhausted, the employee is responsible for contacting the Payroll Office regarding the options available to them to pay for continued health insurance during the unpaid portion of their FMLA leave. The City may recover from an employee its portion of the premiums paid to maintain an employee's health insurance coverage during leave if the employee: (1) fails to return to work after the employee's leave entitlement has expired or (2) fails to work at least thirty days after

returning from leave. The City may not recover its premiums paid on behalf of the employee if the employee's failure to return to work is due to (1) the continuation, recurrence, or onset of a serious health condition or (2) other circumstances beyond the employee's control. An employee who fails to return from leave will be deemed to have terminated employment voluntarily and may be entitled to elect COBRA continuation coverage of the City's group health benefits.

B. Life Insurance. An employee who is on unpaid FMLA leave may continue his or her life insurance by paying the full premium cost for coverage. Such employees should consult the Payroll Office regarding the options available to them to pay for continued life insurance.

6.3.7 Job Restoration. Upon returning from FMLA leave, an employee will be restored to his or her original job, or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions. An employee's use of FMLA leave will not result in the loss of any employment benefit that the employee would have been entitled to had the employee not taken leave

6.3.8 Key Employees. Upon requesting FMLA/State FMLA leave, the City will inform the employee if the employee is considered a key employee. The City may inform a key employee while the employee is on FMLA/State FMLA leave that if the employee does not return to work immediately the City will suffer substantial and grievous economic harm. The City will offer the key employee a reasonable opportunity to return to work after giving this notice. The City may deny job restoration to the key employee if the employee does not return to work after receiving such notice. The key employee will then be permanently replaced with no right of job restoration.

6.3.9 Fitness for Duty. Employees on FMLA leave must notify the City at least two weeks prior to the end of the leave of their availability and capacity to return to work. The City requires medical certification of fitness to return to duty before an employee will be permitted to return to work. An employee's failure to return from leave, or failure to contact the City on the scheduled date of return, are grounds for termination.

6.3.10 Employee Notice. Eligible employees seeking to use FMLA leave are required to provide:

- 30-day advance notice of the need to take FMLA leave when the need is foreseeable;
- Notice "as soon as practicable" when the need to take FMLA leave is not foreseeable. Except in the most extraordinary circumstances, this requires you to report your need for FMLA leave before the start of your shift in accordance with the normal absence-reporting procedures;

- Sufficient information for the City to understand that the employee needs leave for FMLA-qualifying reasons (the employee need not mention FMLA when requesting leave to meet this requirement but must provide sufficient information to put the City on notice that the absence may be FMLA-protected); and
- Where the City was not made aware that an employee was absent for FMLA reasons, leave will be retroactively designated as FMLA leave.

6.3.11 Employer Notice. In addition to the information provided in this Handbook, the City has taken the following steps to provide information to employees about FMLA:

- Posted a notice explaining your rights and responsibilities under FMLA-see the Notice of Rights Under FMLA on the bulletin board **in the Human Resources area;**
- Provided a written notice designating the leave as FMLA leave and detailing specific expectations and obligations of an employee who is exercising his/her FMLA entitlements within five business days after we have received the notice of need for leave. If your leave is not FMLA-protected, the notice will inform you of the reason.
- Provided you a notice of eligibility, informing you whether or not the leave you are resting qualified under FMLA. Employees on worker's compensation leave will also be placed on FMLA leave, to the extent the employee is eligible and the absence qualifies under both laws. In such cases, the two types of leave will run simultaneously.

6.3.12 Definitions.

A. Child. Anyone under 18 years who is the employee's biological, adopted, or foster child, stepchild, legal ward, or an adult legally dependent child. This may also include a child for whom the employee has day-to-day responsibility.

B. Continuing Treatment. One or more of the following:

- treatment two or more times by a health care provider. Normally this would require visits to the health care provider or to a nurse or physician's assistant under direct supervision of the health care provider.

- treatment two or more times by a provider of health care services (for example, a physical therapist) under orders of, or on referral by, a health care provider, or treatment by a health care provider on at least one occasion

which results in a regimen of continuing treatment under the supervision of the health care provider (for example, a course of medication or therapy) to resolve the condition.

- continuing supervision of, but not necessarily active treatment by, a health care provider due to a serious long-term or chronic condition or disability which cannot be cured (for example, Alzheimer's, a severe stroke, or the terminal stage of a disease).

C. Health Care Provider.

- a doctor of medicine or osteopathy authorized to practice medicine or surgery by the state;

- a podiatrist, physician's assistant, dentist, clinical psychologist, optometrist or chiropractor (limited to manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist) authorized to practice, and performing within the scope of that practice, under state law;

- a nurse practitioner or nurse-midwife authorized to practice, and performing within the scope of that practice, as defined under state law; or

- a Christian Science practitioner listed with the First Church of Christ, Scientist in Boston, Massachusetts.

D. Key Employee. A salaried employee who is among the highest paid ten percent of the City's employees.

E. Parent. Biological, foster or adoptive parents, stepparents, legal guardians, or someone who plays or has played the role of parent, but does not include parents-in-law.

F. Serious Health Condition. An illness, injury, impairment, or physical or mental condition that involves:

- any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility;

- any period of incapacity requiring absence of more than three calendar days from work, school, or other regular daily activities that also involves either: (i) two in-person visits with a health care provider within seven days of the onset of leave and within a thirty day period thereafter, or (ii) one in-person visit with a health care provider within seven days of the onset of leave and with a regimen of continuing treatment by or under the supervision of, a health care provider;

- continuing treatment of at least two visits per year by or under the supervision of, a health care provider for a chronic or long-term health

condition that is incurable or so serious that, if not treated, would likely result in a period of incapacity of more than three calendar days; or

- prenatal care.

G. Spouse. A legal marital relationship under applicable state law.

6.4 Bereavement Leave. When death occurs in a regular full-time employee's immediate family, s/he shall be eligible for up to five (5) days of bereavement leave with regular pay. For purposes of this bereavement leave policy, "immediate family" shall mean: spouses, parents (including in-laws and step), children (including adopted, step or foster), siblings (including in-laws and step), grandparents, and grandchildren.

6.5 Uniformed Service Leave. A uniformed service leave of absence will be granted to the City employees in accordance with federal and state law. Eligible employees are those called to serve in the uniformed services who have not had more than 5 years of total absence from the City for all uniformed service.

6.5.1 Giving of Notice. Employees must provide as much advance notice of uniformed service as possible. Notice may be given either orally or in writing to the Human Resources Division. Employees will be required to provide copies of military orders or other documents to validate the need for leave.

6.5.2 Length of Leave. The duration of any single uniformed service leave may not exceed six months in a 12 month period. Additionally, an employee may not receive a total amount of uniformed service leave from the City that exceeds five (5) years of cumulative uniformed service leave. An employee who exceeds 6 months of uniformed service leave in a 12 month period will be terminated with eligibility for rehire, but will retain reemployment rights as described below so long as their cumulative uniformed service leave from the City does not exceed five years. All periods of uniformed service leave taken in a twelve month period from October 1 of each year to September 30 of the following year will be included in calculating the total military leave used, including, but not limited to, weekend training exercises.

6.5.3 Return to Work. An employee serving from 1 to 30 days must report to his/her supervisor by the beginning of the first regularly scheduled work day that would fall eight hours after the employee returns home from uniformed service. Uniformed service includes reasonable time for travel to and from the place of service. An employee whose uniformed service lasts from 31 to 180 days must make application for reemployment no later than 14 days after completion of the period of uniformed service. An employee whose uniformed service lasts more than 180 days must make application for reemployment no later than 90 days after completion of the period of uniformed service. Employees returning from service will be required to provide satisfactory documentation: (1) of their period of service, (2) of the timeliness of their

application for reemployment, (3) that their service did not exceed the 5 year limit, and (4) that the character of their service was honorable.

6.5.4 Reemployment Position. An employee serving from 1 to 90 days will be reemployed in the position the employee would have held had the employee remained continuously employed, so long as the employee is qualified for the position or can become qualified after reasonable efforts. An employee serving 91 days or more will be reemployed in (1) the position the employee would have held had the employee been continuously employed, or (2) a position of equivalent status and pay, so long as the employee is qualified for the position or can become qualified after reasonable efforts. If the employee cannot become qualified, the employee will be reemployed in any other position of lesser status and pay that the employee is qualified to perform with full service credit.

6.5.5 Nondiscrimination. No one may discriminate against any employee who is called to serve in the uniformed services. The City prohibits acts of reprisal against returning uniformed service members and those who would testify to discrimination against a uniformed service member. If you are the victim of discrimination on the basis of your uniformed service, you are requested and encouraged to make a complaint to the City. You may complain directly to your Department Manager, the Human Resources Administrator, or the City Manager. The City will promptly and thoroughly investigate any complaint or report of a violation of this policy.

6.5.6 Benefits Continuation During Uniformed Service Leaves

A. Group Health Plan. Employees who experience a loss of coverage under the City's group health plan due to uniformed service may elect to continue such coverage. The maximum period of continuation coverage of the employee and the employee's dependants shall be the lesser of (1) the 18 month period beginning on the date on which the employee's absence begins, or (2) the day after the date on which the employee fails to apply for or return to a position of employment within the time periods specified above. Employees may continue coverage under the City's group health plan regardless of the employee's eligibility for military health care coverage (CHAMPUS/TriCare). Employees serving for 1-30 days may continue health coverage and pay only the employee share of coverage. An employee serving for 31 or more days will be required to pay 102 percent of the full premium under the City's group health plan. An employee whose health coverage terminated due to uniformed services is not required to complete a waiting period for reinstatement to the City's group health plan following reemployment.

B. Other Benefits. An employee on military leave may continue other benefits under the same terms as under any other leave of absence. An employee who returns to employment as specified above, will be reinstated to such other benefits without waiting for an open enrollment period.

6.5.7 Compensation. Employees may take paid leave for up to 16.5 working days per twelve month period for training, instruction, and search and rescue in the U.S. armed forces reserves provided that the employee obtains the approval of the Human Resources Administrator. In addition, five days of paid time off are provided to employees called to active duty by the governor. In all other cases, military leave is unpaid. Employees are permitted, but not required, to run accrued paid time off concurrently with unpaid uniformed service leave.

6.6 Jury and Witness Leave. Regular full-time and part-time City employees shall receive paid leave for purposes of jury duty; or service in court, before an arbitrator, or before another government panel as witness on behalf of the City. The employee shall provide the Department Head with a copy of the court summons or subpoena, and documentation of the requirement of his/her service for the hours claimed. Fees paid by the court other than those for an employee's appearance at anytime outside the employee's regularly scheduled shift, for travel, parking and subsistence allowance, shall be turned in for deposit in the City's general fund. Witness service for any other purpose must be taken as Paid Annual Leave or unpaid, and any fees received for such witness service may be retained by the employee.

6.7 Voting Leave. The City encourages employees to fulfill their civic responsibilities by participating in elections. Generally, employees are able to find time to vote either before or after their regular work schedule. If employees are unable to vote in an election during their non-working hours, the City will grant up to two hours of paid time off to vote. If any employee has two consecutive hours in which to vote, either between the opening of the polls and the beginning of the employee's regular working shift, or between the end of the regular working shift and the closing of the polls, the employee shall be considered to have sufficient time outside working hours within which to vote and will not be entitled to paid time off to vote. If unable to find time to vote before or after regular work schedules, employees should request time off to vote from their supervisor at least two working days prior to the election day. Advance notice is requested so that necessary time off can be scheduled at the beginning or end of the work shift; whichever provides the least disruption to the normal work schedule.

6.8 Leave without Pay. Leave without pay may be granted to an employee upon recommendation of the Department Head and approve of the City Manager, for extraordinary medical or personal needs. Each request for such leave shall be considered in the light of the circumstances involved and the needs of the department. Leave without pay shall not be requested nor granted until the affected employee has used and exhausted all accrued Paid Annual Leave and Sick leave. The City Manager may grant up to three months leave without pay in any calendar year. Unauthorized leave. Any absence not authorized and approved in accordance with provisions of this Handbook shall be grounds for disciplinary action.

6.9 Educational Support and Leave. Leave for education purposes, when the time spent is not work time, must be pre-approved by the City Manager or taken as Paid Annual Leave.

7. PERFORMANCE STANDARDS

7.1 Attendance.

7.1.1 Reporting to Work. Reporting to work when scheduled is an essential function of all City positions.

7.1.2 Notice of Absence or Lateness. Absence, for whatever reason, must be promptly reported to your supervisor when you learn of the need for the absence, and at least two (2) hours in advance of your scheduled reporting time. If your supervisor is not available, do not leave a voicemail message, but contact the Department Head (next), and then the Human Resources Administrator. You are responsible for providing your supervisor with up to date telephone numbers where you can be reached, in case of an emergency situation, or for adjustment of scheduled shifts.

7.1.3 Excessive Absences or Tardiness. Excessive absenteeism, tardiness, and/or abuse of leave policies may result in negative performance evaluation, and/or discipline up to and including immediate termination of employment.

7.1.4 Illness. We reserve the right to send home any employee who reports to work sick, ill, or impaired, and to require them to use accrued Sick Leave and/or Paid Annual Leave if available. An employee who appears to be impaired by the affects of alcohol or drugs may be required to undergo drug/alcohol screening.

7.2 Performance Evaluations. Performance evaluations are prepared in order to communicate regularly about the position requirements, employee strengths and weaknesses, opportunities for improvement and training, and goals for performance. Forms for evaluation shall be developed by the City Manager and tailored to the needs of the position and Department.

7.2.1 Regular Assessments. Written performance evaluations will be provided for regular full-time and regular part-time employees, on an annual schedule, which is usually at or near the anniversary date of employment. The supervisor, Department Head and the employee are responsible for participating in the process, which may include a self-evaluation, and scheduled interview/discussion. The performance evaluation will be filed in the personnel file.

7.2.2 Following Introductory Period. A written evaluation is required before deciding to release an employee at the end of the introductory period or an extension thereof.

7.2.3 Unsatisfactory Rating. An unsatisfactory performance rating may result in loss of step increases in compensation, and may result in discipline up to and including immediate termination.

7.3 Smoke-Free Workplace. In order to provide a smoke-free workplace, smoking is allowed in designated areas only. Smoking is not allowed in the City vehicles.

7.4 Standards of Performance. The City has identified a number of common violations and types of misconduct which may result in disciplinary action. The list provides illustrations only, and other grounds not specifically listed may validly result in personnel action. In addition, an employee's inability or failure to meet performance goals or standards may result in an adverse personnel action (such as, no wage increase, transfer, demotion, dismissal), with or without active misconduct or other grounds for discipline. The following non-inclusive list describes examples of conduct or activities which are unacceptable, and which may result in discipline up to and including immediate termination:

- Excessive absenteeism and/or unauthorized absences, tardiness;
- Unauthorized use of or willful damage of City property;
- Leaving the job without permission while on duty;
- Sleeping on duty;
- Abuse of lunch or rest breaks;
- Discourtesy or disrespect to coworkers;
- Acceptance of gifts or tips;
- Intentional violation of safety rules;
- Fighting;
- Insubordination;
- Dishonesty or theft;
- Time card violations;
- Sabotage or vandalism;
- Falsifying records;
- Illegal behavior or activities;
- Having illegal possession of, being under the influence of, or partaking of intoxicants or controlled substances while on the job;
- Vulgar or abusive language;

- Disclosure of confidential information;
- Failure to comply with departmental or City policies or procedures;
- Disregard of personal conduct standards;
- Smoking in unauthorized areas;
- Falsification or omission of employment application information; or
- Other causes recognized by law, grant requirements, or posted rules.

7.5 Telephones. City telephone lines are available as a priority for medical and emergency purposes only. Receiving or making personal telephone calls should be minimized to avoid distraction, disturbance and noise to others. Personal cell phone ring tones should be turned off in patient care areas.

7.6 Computer, Internet and E-Mail Usage. This Personnel Policy and Procedures describes the City's policy regarding use of the Internet, Email, computer software, voice mail, and all other equipment or facilities owned or leased by the City, including, but not limited to, computers, telephones, fax machines, and photocopiers.

Internet access, Email, computers and computer software, telephones, voice mail, fax machines, photocopiers, and all other equipment owned or leased by the City (collectively referred to in this policy as "such items") are provided to employees for work-related purposes only. **Employees have no privacy interests in the use of such items.** Instead, such items are provided solely for use in work-related transactions or work-related communications for, or on behalf of, the City.

While such items are provided for the conduct of the City business, it is understood that they may be used occasionally for personal use as well. Reasonable occasional personal use is not prohibited, so long as it does not interfere with employees' performance of their job responsibilities. Any questions regarding what constitutes reasonable occasional personal use should be directed to your supervisor or Department Head.

Notwithstanding the above provision regarding the use of such items for reasonable occasional personal use, employees shall not at any time communicate anything that might be construed as discrimination or harassment, or offensive to others based on race, color, marital or veteran status, sex, disability, age, religion, national origin, or other legally protected status, by means of such items. Further, employees shall not use such items at any time to solicit business for a venture not related to work or for other personal gain. Employees shall not at any time use such items for illegal activities, solicitation, or to promote their religious or political beliefs. Finally, employees shall not access such items from home or outside the workplace at any time to communicate personal or private matters, for discrimination or harassment, for a

venture not related to work or for other personal gain, for illegal activities, solicitation or to promote religious or political beliefs.

Employees must exercise special care in handling privileged, proprietary, confidential, or copyrighted information and communications. Any dissemination of such materials must be limited to persons with a legal right to access them. Almost all data and software is copyrighted. Care should be exercised whenever accessing or copying any information that does not belong to you.

Due to the City's limited network and storage capacity, employees shall not download any programs, graphics, video, or audio to the network unless it is necessary for the City business purposes and authorized by the employee's Department Head and the Management Information Systems Division.

All traffic to and from the Internet must travel through the City's approved Internet gateway in order to assure maximum security, virus protection, monitoring, and system management capabilities. Employees will be provided an Internet Email account.

Any executable files, programs or utilities downloaded or received (by Email, floppy disk or other media) from the Internet or other external source must be scanned for viruses and licensed prior to launching. Scan all files with any virus prevention software provided to you by the City. If you require assistance in scanning for viruses or licensing software, please contact the Director of Finance and Administrative Services. Employees are prohibited from using the City's systems for transmission of destructive programs such as viruses or self-replicating code.

Regarding Email and Internet communications, it is important for employees to understand that such communications can be traced to the sender even after they have been "deleted." In addition, the City may be required to produce Email messages, Internet communications, or other communications, in connection with legal proceedings. Further, the City may regularly review, audit, and download Email messages, Internet communications, or other communications that employees sent or received. An employee may not create or send abusive or inappropriate Email or participate in improper activities not related to work utilizing the Internet, such as chat rooms, or download abusive or inappropriate matters from the Internet. Employees are not permitted to print, display, download, or send any sexually explicit images, messages, cartoons, or jokes. If an employee receives such things from another person, he or she must immediately advise the sender that he or she is not permitted to receive such information and not to send it again. If the employee needs assistance in responding to situations such as that described above, he or she must contact his or her supervisor or Department Manager.

In order to provide access to various properties owned or leased by the City, a password may be assigned to an employee and is the property of the City. Assigning a password to an employee does not mean that the employee has a right of privacy in his or her password, or in that item to which the password provides access. For example, assigning an employee a password to log on to a computer does not mean that the

employee's use of that computer is in any way private; the City retains the right, at all times, to access stored and other data on the computer. An employee cannot use unauthorized or secret passwords, and all passwords must be shared with your supervisor, Department Manager, or other management employee upon request.

7.6.1 Additional Policies and Procedures for Use of the Internet. The following policies and procedures are in addition to those described above. The City encourages use of the Internet to disseminate information to the public and the City's employees (collectively called "users") to improve communications with the public and/or to carry out official business when such business can be accomplished consistent with the following guidelines:

A. Departments and employees should base decisions to use the Internet on sound business practices. The conduct of business via the Internet is particularly compelling where costs are reduced and/or the services provided to users are improved in measurable ways.

B. Information and services presented via the Internet should emphasize ease of use for a broad audience, be presented in a friendly manner, and include clear choices, ease of navigation, on-screen instruction, and the like.

C. Disseminate information that is current, accurate, complete, and consistent with the City policy. Information accuracy is particularly important on the Internet. Where paper-based information is often not current, information presented electronically is expected to be current. Users expect this information to be not only current but often to be the first available.

D. Protect privileged, confidential, copyrighted and proprietary information of the City. Questions regarding any such information should be routed to your supervisor or Department Head.

E. Never make an unauthorized attempt to enter any computer or another site on the Internet from the City's servers (commonly known as "hacking").

F. If you are using information from an Internet site, you should verify the integrity of that information. You should verify whether the site is updated on a regular basis (the lack of revision date might indicate out-of-date information) and that it is a valid provider of the information you are seeking. Just because it is there does not mean that it is accurate or valid

G. Use of Internet Mailing Lists and Usenet News Groups is prohibited unless authorized by a Department Head and the Management Information Systems Division.

7.6.2 Additional Policies and Procedures For Use of Email. The following policies and procedures are in addition to those described above:

A. The representation of yourself as someone else, real or fictional, or a message sent anonymously is prohibited.

B. Email requires extensive network capacity. Sending unnecessary email, or not exercising restraint when sending very large files, or sending to a large number of recipients, consumes network resources that are needed for the City business. When the City grants an individual employee access to the network, it is the responsibility of the employee to be cognizant and respectful of network resources.

C. ELECTRONIC MAIL ON THE INTERNET IS NOT SECURE. Never include in an email message anything that you want to keep private and confidential because email is sent unencrypted and is easily read.

D. Be careful if you send anything but plain ASCII text as email. Recipients may not have the ability to translate other documents, for example, Word documents. Be careful when sending replies – make sure you are sending to a group when you want to send to a group, and to an individual when you want to send to an individual. Check carefully the "To" and "From" before sending mail. It can prevent unintentional errors.

E. Include a signature (an identifier that automatically appends to your email message) that contains the method(s) by which others can contact you. (Usually your email address, phone number, fax number, etc.)

F. Use automatic spell check programs if available.

7.7 Travel Policy

It is the policy of the City to provide costs for expenses or reimburse employees for approved travel and other business/training expenses incurred by them in the official conduct of approved City business while traveling. Per diem is to be requested prior to travel, in writing on Travel Request Forms, and approved by the employee's Department Head and City Manager. To receive reimbursement for other expenses, prior to all travel, training and other expenses must be requested by the employee in writing and approved by the employee's Department Head and City Manager in writing before the commencement of travel. Travel will not be approved unless funds are available in the department travel budget and such travel will be of benefit to the City.

7.7.1 Travel Report. All employees traveling on City business/training are required to submit a report to their Supervisor, which includes the following information: dates of travel, purpose, costs incurred, as well as a brief synopsis of meetings or training. Department Heads are required to file their reports with the City Manager within 5 days of their return.

Weekend Visits Travel authorizations to return to Cordova for the weekend, during authorized business/training travel, are to be requested in writing from the City Manager. Review of requests by the City Manager will be in the best interest and benefit the City if authorized.

Air travel, lodging and car rental should be arranged in the most cost effective and economical manner.

7.7.2 Airfare and Lodging. Airfare and lodging may be charged to a city purchase order or paid for by the employee and reimbursed after approval by the Department Head and the City Manager. All original receipts must be presented for reimbursement. Receipts must be submitted for backup if a purchase order was issued.

7.7.3 Car Rental. Employees must use the most economical class rental car available, unless approved by the City Manager. Car rental may be charged to a city purchase order if accepted by the rental car company or the rental car may be paid for by the employee and reimbursed after approval by the Department Head and City Manager. All original receipts must be presented for reimbursement. Receipts must be submitted for backup if a purchase order was issued.

7.7.4 Meals. All meals must be paid for by the employee out of their \$50.00 per diem. Requests for per diem must be submitted in advance on Travel Request Forms to be approved by the Department Head and the City Manager. Reimbursement for per diem and expenses incurred above the amount of per diem paid will be considered on an individual basis.

7.7.5 Other. Other costs associated with official City travel for City business/training must be approved by the employee's Department Head and the City Manager before submitting for reimbursement. All original receipts must be presented for reimbursement. Receipts must be submitted for backup if a purchase order was issued.

Travel Reimbursement Request Forms for expenses incurred while traveling on City business are to be submitted to the employee's Department Head and the City Manager for approval no later than 30 days after travel has been completed.

8. DRUG AND ALCOHOL FREE WORKPLACE

8.1 Federal Drug Free Workplace Act Policy Statement. This Statement is provided pursuant to the Drug-Free Work Place Act of 1988. The City is required to provide this Statement to its employees because it receives certain **federal grant funds**.

8.1.1 Statement. The City has a policy of maintaining a drug-free workplace. In accord with the Drug-Free Workplace Act of 1988 and to promote drug-free awareness among employees, the City, informs its employees that:

A. Drug abuse in the workplace creates a dangerous environment for the employee engaged in the drug abuse and endangers the health, safety and welfare of all employees and other persons in the workplace.

B. It is the policy of the City to maintain a drug-free workplace. The illegal manufacture, distribution, possession or use of controlled substances in any the City workplace is strictly prohibited.

C. Upon the request of an employee, the employee will be provided with information on a confidential basis about drug counseling or rehabilitation program(s) that might assist the employee.

D. Actions may be taken against employees for violations of the City's policy, up to and including termination of employment.

8.1.2 Policy and Procedures. The unlawful manufacture, distribution, possession, or use of a controlled substance is prohibited on any premises occupied or controlled by the City. Appropriate disciplinary actions, up to and including termination, will be taken against the City employees for violations of this prohibition.

A "controlled substance" for purposes of this Statement means a controlled substance listed in schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. § 812), and as further defined by federal regulations (21 C.F.R. 1308.11 – 1308.15). This list includes, but is not limited to, marijuana, heroin, PCP, cocaine and amphetamines.

A condition of employment for work under certain grants received by the City from the federal government, is that each employee will, as a condition of continued employment:

A. Abide by the terms of this Statement.

B. Notify the City of his or her conviction under a criminal drug statute for any violation occurring in the workplace no later than five days after such conviction.

"Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes.

"Criminal drug statute" means a Federal or non-federal criminal statute involving manufacture, distribution, dispensing, use or possession of any controlled substance.

If the criminal drug statute violation occurred in the workplace a sanction will be imposed on the employee so convicted. Within 30 days after receiving notice of the conviction:

The City will take appropriate disciplinary action against such employee, up to and including termination; or the City will require such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purpose by a Federal, State, or local health, law enforcement or other appropriate agency.

Employees are encouraged to use any resources available to them to address personal drug and alcohol abuse issues. An employee may be entitled to leave under the Family Medical Leave Act ("FMLA") or AS 23.10.500 through AS 23.10.550 ("State FMLA") to address personal drug and alcohol abuse issues. For employees enrolled in the City's

health insurance plan, coverage may be available for a portion of the cost of addressing such issues. Additionally, employees may also be entitled to use accrued Paid Time Off and/or leave without pay other than FMLA or State FMLA to address such issues. The Human Resources Administrator can provide an employee with additional information about these options.

8.2 Drug and Alcohol Testing. All questions regarding this policy should be directed to the Human Resources Administrator for the City.

8.2.1 Purpose. The City is committed to promoting a work environment free of drugs and alcohol and to maintaining the highest standards for the health and safety of its employees and the public at large. Employees who are under the influence of drugs or alcohol pose a serious threat to the safety of the employee, co-workers and the public. Employees may not report to work impaired by drugs and/or alcohol or engage in other prohibited conduct as provided in this policy.

8.2.2 Prohibited Conduct. This policy prohibits certain conduct related to alcohol and controlled substances as described below.

A. Consequences for Prohibited Conduct Related to Alcohol Use. An Employee shall not report for duty while having an alcohol concentration of 0.04 or greater. As used in this policy, “duty” means all time from the time when the Employee begins to work or is required to be in readiness to work, until the time he/she is relieved from work and all responsibility for work.

No Employee shall drink alcohol while on duty. No Employee shall drink alcohol four or less hours before a scheduled shift. No Employee required to take a post-accident alcohol test shall drink alcohol for eight (8) hours following the accident, or until he/she undergoes a post-accident test if the post accident test occurs before the 8 hours has elapsed.

An Employee engaging in any of the prohibited conduct described above will be immediately removed from duty. An Employee shall also be disciplined for engaging in such prohibited conduct, up to and including termination.

B. Consequences for Alcohol Concentration of 0.02 or Greater, But Less Than 0.04. There are different consequences for Employees having an alcohol concentration of 0.02 or greater but less than 0.04. When an Employee has an alcohol concentration of 0.02 or greater, but less than 0.04, the Employee shall be removed from the performance of duties until the start of the Employee’s next regularly scheduled shift, but not less than 24 hours following administration of the test. Again, an Employee may also be disciplined for engaging in this prohibited conduct, up to and including termination.

C. Controlled Substances. No Employee shall report for duty or be on duty with a measurable quantity (as defined in this policy) of drugs in your system.

D. Other On the Job Violations. The unauthorized use, possession, manufacture, distribution or sale of alcohol or an illegal drug, controlled substance or drug paraphernalia on or in the City-owned property (including the City vehicles) or while on the City business, or during working hours.

E. Refusal to Undergo Testing. Refusing to immediately submit to a drug or alcohol test when requested by the City, in accordance with this policy

F. Failing Testing. Testing positive for drugs or alcohol in violation of this policy.

G. Removal from Duties. An Employee engaging in any of the prohibited conduct described above shall be immediately removed from duty. An Employee shall also be disciplined for engaging in such prohibited conduct, up to and including termination.

8.2.3 Categories of Employees Tested. All the City employees who are not required to obtain a Commercial Driver's License are subject to Reasonable Cause testing under this policy. The City employees who hold Safety Sensitive positions and are who are not required to obtain a Commercial Driver's License are subject to Pre-Employment, Post-Accident, Reasonable Cause, and Return to Work testing under this policy. The City shall designate job positions as Safety Sensitive and shall inform the employees who hold such positions of their designated status for purposes of testing under this Policy.

8.2.4 Testing. An Employee will be tested for alcohol/controlled substances use under the following circumstances:

A. Pre-Employment Testing. Prior to the first time an Employee in a Safety Sensitive position is required to report for duty at the start of his or her employment with the City, the Employee must undergo testing for controlled substances.

B. Post-Accident Testing. An Employee in a Safety Sensitive position shall be tested for alcohol and controlled substances after use of equipment or a vehicle by the Employee while on the job in the following circumstances: when a human fatality, bodily injury requiring treatment, or property damage in excess of \$500 results from the Employee's use of the equipment or vehicle.

C. Reasonable Cause Testing. Any City Employee may be subject to testing upon a reasonable and articulable suspicion or belief that the Employee is using a controlled substance or alcohol on the basis of specific, contemporaneous physical, behavioral, or performance indicators of probable drug or alcohol use. Trained supervisors will make the decision whether there is reasonable suspicion to believe an employee has used drugs or alcohol in violation of this policy.

D. Return to Duty Testing. Where an Employee in a Safety Sensitive position engages in conduct prohibited by this policy, he or she will be

required to undergo a return-to-duty test, if the Employee has not already been discharged. With alcohol, the Employee must have an alcohol concentration of less than 0.02 on a return-to-duty test. With controlled substances, the Employee must test negative on a return-to-duty test.

8.2.5 Testing Procedures. Testing for alcohol concentration and controlled substances is conducted in accordance with the same testing procedures that apply to CDL drivers, i.e., in compliance with 49 C.F.R. Part 40 and 49 C.F.R. Part 382. A copy of those regulations is on file at the City offices and is available for your review.

8.2.6 Screening Levels. The City shall test for alcohol and the following drugs using the indicated screening levels:

THC (Marijuana) - 50 ng/ml

Cocaine Metab. - 300 ng/ml

Opiates - 2000 ng/ml

PCP (Phencyclidine) - 25 ng/ml

Amphetamines - 1000 ng/ml

Alcohol - .04 (tested by Evidential Breath Testing Device)

Test results at or above these levels will be considered a positive test.

The City utilizes urine specimen collection procedures for testing for controlled substances. A clean, single-use specimen bottle that is securely wrapped until filled with the specimen is used, as is a clean, single-use collection container that is securely wrapped until it is employed. The City also has a tamperproof sealing system on all bottles to ensure against undetected tampering, a numbering system to ensure proper identification, and it uses a collection site person who is properly trained or qualified. There is a designated collection site where specimens are taken, and where adequate privacy and security measures are in place. Persons collecting samples are trained to maintain the integrity and identity of the specimens. A medical review officer (MRO) examines and interprets test results.

For alcohol testing, a breath alcohol technician (BAT) operates an evidential breath-testing device (EBT). The testing occurs in a location affording privacy, and the BAT utilizes a federally developed Breath Alcohol Testing form to ensure accuracy as to testing results.

There are special testing procedure rules applicable to post-accident testing. If an alcohol test is not administered within two hours following the accident, the City prepares and maintains on file a record stating the reasons the test was not promptly administered. If a test is not administered within eight hours following the accident, the City shall cease attempts to administer an alcohol test and shall prepare and maintain the same record.

If a post-accident test for controlled substances is not administered within 32 hours following the accident, the City shall cease attempts to administer a controlled substances test, and prepare and maintain on file a record stating the reasons the test was not promptly administered. An Employee who is subject to post-accident testing must remain readily available for such testing or may be deemed by the City to have refused to submit to testing. Of course, medical attention for injured people following an accident is of the highest importance, and an Employee may leave the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

8.2.7 Reporting Test Results. The MRO shall review confirmed positive test results prior to the transmission of results to the City. The MRO shall contact the employee within 48 hours and offer an opportunity to discuss the confirmed test result. The MRO will report positive test results resulting from a recommended use of marijuana for a debilitating medical condition pursuant to AS 17.35.010-.070 as positive. If the MRO determines there is another legitimate medical explanation for the positive test result, the MRO shall report the test as negative. Test results that have been caused by duly prescribed medication taken in proper dose will be reported as negative.

An employee may obtain a copy of the written test results only upon written request made within six months of the date of the test. The City will provide the written test results to the employee pursuant to that request within five working days of its receipt.

An employee who would like an opportunity to explain a positive test result in a confidential setting must make such a request in writing within 10 working days of being notified of the test result. An employee who submits such a timely written request will be given the opportunity, within 72 hours after its receipt or before taking adverse employment action, to explain the positive test in a confidential setting.

8.2.8 Requirement to Submit to Testing/Refusals to Submit. An Employee must submit to the testing described above. Refusal to submit to testing shall result in discipline, up to and including termination.

Refusal to submit occurs in the following situations: (1) failure by an Employee to provide a urine sample without genuine inability to provide a specimen (as determined by a medical evaluation) after he or she received notice of the requirement to be tested; (2) failure to provide an adequate breath for testing without a valid medical explanation after receiving notice of the requirement to be tested; and (3) engaging in conduct that obstructs the testing process.

8.2.9 Confidentiality of Results. All records relating to drug and alcohol testing will be maintained in a secure, confidential medical file in the Human Resources Department, separate from personnel files. A communication received by the City's Drug Program Administrator relevant to drug or alcohol test results and received through the City's testing program is confidential and privileged, and will not be disclosed by the City to anyone outside the City except:

- to the tested employee, prospective employee or another person designated in writing by the employee or prospective employee;
- an individual designated to receive and evaluate test results or hear the explanation from the employee or prospective employee;
- as ordered by a court or governmental agency; or
- in any proceeding initiated by or on behalf of the individual and arising from a positive test.

8.2.10 Definitions.

- “Accident,” for purposes of this program, will be defined as an incident involving a vehicle or piece of machinery or equipment operated by a the City employee that causes or is involved with the loss of human life, the issuance of a moving traffic citation under state or local law, medical treatment (other than first aid) administered away from the scene, or significant property damage.
- “Alcohol” means ethanol, isopropanol, or methanol.
- “Breath Alcohol Technician” (BAT) means an individual who operates an EBT and instructs and assists individuals in the alcohol testing process.
- “Detectable or Measurable Quantity” means at or above the levels identified in this policy.
- “Drug(s)” means a substance considered unlawful under AS 11.71 or under federal law, or the metabolite of the substance.
- “Drug Testing” means testing for evidence of the use of a drug.
- “Evidential Breath Testing Device” (EBT) is a device approved by the National Highway Traffic Safety Administration for the evidential testing of breath.
- “Failing A Drug Test” shall mean the test results show positive evidence of the presence of a drug or drug metabolite in an employee’s system in amounts that exceed cutoff levels established by this policy.
- “Medical Review Officer” (MRO) is the licensed physician or doctor of osteopathy who is responsible for reviewing positive laboratory results generated by the City ’s testing program.

- “Prospective Employee” means a person who has been offered a job, whether by oral or written means.
- “Safety Sensitive Functions” are those having a substantially significant degree of responsibility for the safety of the public where the unsafe performance of an incumbent could result in death or injury to self or others.
- “Sample” means urine or breath from the person being tested.
- “Screening Test” or “Initial Test” means an analytic procedure to determine whether an employee may have a prohibited concentration of drugs or alcohol in a specimen.
- “Refusal to Submit” means failure to cooperate and provide a drug or alcohol sample, after receiving notice of the test in accordance with the City Drug and Alcohol Abuse and Testing Policy. A refusal will be treated the same as a positive test result.
- “Under the Influence,” “Affected by,” or “Impaired by Drugs or Alcohol” means the presence of drugs or alcohol at or above the levels specified in this policy.

8.2.11 Effects of Alcohol and Drugs.

A. Health Effects of Alcohol. Alcohol is a central nervous system depressant. Taken in moderate to large quantities it causes not only the euphoria associated with “being drunk” but also adversely affects judgment, the ability to think, and motor functions. The immediate effects of alcohol vary with several factors, making it difficult to predict what will happen when a person drinks.

Long-term overuse of alcohol may cause liver damage, heart problems, sexual dysfunction, and other serious medical problems. In some cases, alcohol use may lead to physical and psychological dependence on alcohol. Alcoholism is a serious chronic disease. Left untreated, it will likely get worse. Approximately 12% of all drinkers will become problem or alcoholic drinkers.

Any one or more of the following signs may indicate a drinking problem: (1) family or social problems caused by drinking; (2) job or financial difficulties related to drinking; (3) loss of a consistent ability to control drinking; (4) “blackouts” or the inability to remember what happened while drinking; (5) distressing physical and/or psychological reactions if you try to stop drinking; (6) a need to drink increasing amounts of alcohol to get the desired effect; (7) marked changes in behavior or personality when drinking; (8) getting drunk frequently; (9) injuring yourself—or someone else—while intoxicated; (10) breaking the law while intoxicated; and (11) starting the day with a drink.

B. Health Effects of Controlled Substances. Marijuana use has a variety of effects. Mild drowsiness may be a side effect of marijuana, and many persons who regularly smoke marijuana tend to become apathetic and may have difficulty in concentrating. Physical inertia may occur, accompanied by altered appetite, loss of weight, and a general lack of concern about physical appearance. For pregnant women, marijuana may be hazardous to the fetus. Continued, frequent use of marijuana may produce physical changes. Physical changes that may result include loss of weight, loss of sex drive, a reduced sperm count, and respiratory and cardiac disturbances. Paranoia is a frequently reported side effect. Space-time perception is altered, making operation of moving equipment dangerous.

Cocaine is a powerful mood-altering drug, and use of the drug may lead to serious physical and/or psychological problems, sometimes resulting in death. Side effects of cocaine use may include a substantial drop in weight because of loss of appetite. Users who intravenously inject cocaine may be at greater risk for contracting infectious diseases, such as AIDS, due to the habit of sharing needles and syringes. Among the potential psychological effects are irritability, sleeplessness, paranoid thoughts and possible full-blown, paranoid psychosis. Cocaine deaths are usually caused by severe disturbances of the heart rhythm (ventricular fibrillation), heart attack (myocardial infarction), repeated convulsions, or depressed of the respiratory center of the brain. Withdrawal of cocaine may cause severe depression.

Prolonged use of opiates may result in psychological and physical dependence, and opiates may have a respiratory depressant effect. Opiates may also be dangerous to those who have lung disease, such as asthma, because of the depressant effect on breathing.

Amphetamines are drugs that stimulate the central nervous system. They may cause a rise in blood pressure, a racing pulse, wakefulness, euphoria, and a loss of appetite. The stimulative effects of amphetamines may lead to abuse and addiction. Abuse may lead to compulsive behavior, paranoia, depression and psychosis.

A major psychiatric hazard of phencyclidine, or PCP, abuse is a psychotic state characterized by extraordinary strength and bizarre behavior. Hypertensive episodes, cardiac arrhythmias, seizures, and abnormal posturing are common side effects.

C. Effects of Alcohol and Controlled Substances on Work and Personal Life. Workers who use alcohol and controlled substances affect everyone. Studies show that compared to alcohol and drug-free workers, substance abusers are far less productive, miss more workdays, are more likely to injure themselves or someone else, and file more worker compensation claims.

The measurable dollar costs of workplace substance abuse from absenteeism, overtime pay, tardiness, sick leave, insurance claims, and workers' compensation can be substantial. However, the hidden costs resulting from diverted supervisory and managerial time, friction among workers, damage to equipment, and damage to the City's public image mean that workplace substance abuse is equally significant.

If alcohol or substance abuse affects an employee's work life, it could lead to job loss and all of the financial problems that would follow. It can also destroy relationships, lead to serious problems with the law, and cause harm to friends and family.

D. Methods of Intervening. When an alcohol or controlled substances problem is suspected, supervisors may utilize different methods of intervention. Available methods include, but are not limited to, confrontation, counseling, and/or referral to management.

9. DISCIPLINE AND DISMISSAL

9.1 Disciplinary Action. Violations of standards will result in disciplinary action. Disciplinary response may range from informal action (counseling, reminder, verbal warning), to more formal action (written reprimand, suspension, dismissal), depending upon the nature and seriousness of the offense. Disciplinary measures may be progressive, but not in all cases. Progressive discipline is not provided for by the City, unless otherwise required under a collective bargaining agreement or employment agreement. Therefore, this policy does not specify the step, or response that must occur at any stage of the disciplinary process. Each individual and circumstance will call for a tailored response at the City Manager's judgment.

9.2 Separation from Employment. All employees are hired at the City for an indefinite period of time and may be discharged with or without reason or notice. Separations generally occur when: an employee is laid off due to lack of work either temporarily or permanently, when an employee is discharged, or when an employee resigns his or her position within the City. The three types of separations are:

9.2.1 Layoff. If it becomes necessary to reduce the workforce, employees affected by the workforce reduction will be given preferential rehire rights.

9.2.2 Discharge. The decision to discharge employees is based not only on the seriousness of the current performance infraction but also on the individual's overall performance record.

9.2.3 Resignation. Employees are requested to give their supervisor two weeks' written notice of their intent to resign. All employees who resign their positions with the City for any reason are asked to participate in an exit interview with the Human Resources Administrator.

9.3 Wage Payment Upon Termination. Where an employee is involuntarily terminated by the City, the employee will be paid within three (3) working days of termination all wages, salary or other compensation due. In cases where an employee voluntarily terminates/resigns, the employee will be paid all wages, salary or other compensation due by the next regular payroll date.

9.4 Return of Property. On their last day of employment, employees are required to return all the City property to their supervisor or designee. Terminating

employees will be notified by the Human Resources Department of their final day of insurance and other pertinent information.

9.5 Promotions and Transfers. It is the City's policy to promote from within the City whenever possible. It is our intent to maintain a highly qualified work force at all times. Current employees who are qualified for and interested in a posted position are required to submit a resume and application to the hiring manager in accordance with the City's hiring procedure. It is the general policy to make all appointments on the basis of merit and fitness for the particular position and to fill vacancies from within the City by promotion when qualified employees are available. However, the City reserves the right in every instance to hire the most qualified candidate for each job position.

9.6 Re-Employment.

9.6.1 Former Employees. If you are re-employed, you will be processed as a new employee. Previous service will not be used to increase the Paid Annual Leave accrual schedule.

9.6.2 Recalled Employees. A "recall" following layoff is an offer of reemployment to the same or equivalent position, which occurs within 90 days of the lay-off, for employees who remain eligible for employment with the City. If an employee is recalled to work, employee will have 3 calendar days to notify the City whether they accept the recall, and a total of 7 business days to return to work from the time of notice of the recall option, unless the City waives the time limits in writing. If the employee does not respond affirmatively, or fails to return as scheduled, all recall opportunities are deemed automatically forfeited.

9.7 References Policy. Reference requests must be directed to the Human Resources Administrator for response. The City furnishes dates of employment, title, rate of pay upon separation, and position(s) held without requiring a written release or authorization from the former employee. A signed employee release of information is required by the City prior to releasing or disclosing any additional information. This policy does not waive any right or privilege of the City under Alaska law regarding responding to reference requests.

10. HEALTH AND SAFETY

10.1 Reporting Employee Workplace Injuries or Illnesses. Employees must report all workplace illness or injury within 24 hours of the injury, to their immediate supervisor. A Report of Occupational Injury or Illness Form must be completed at that time. Fraudulent or intentionally inaccurate statements contained in the Report of Occupational Injury or Illness Form or an unreasonable failure to report an occupational injury or illness is cause for disciplinary action.

10.2 Weapons Prohibited. The City specifically prohibits the possession of weapons or firearms by any employee while working for the City or in any City vehicle or facility.

10.3 Safety Policy.

The City of Cordova actively supports a vital, organized and comprehensive safety effort that protects employees, residents and assets from losses caused by accidents.

Preventing accidents is critical to serving the Community of Cordova. Employees are expected to wholeheartedly support the concept of accident-free performance.

Every employee has the primary responsibility of insuring his or her own safety as well as that of fellow employees, citizens and the assets of the City.

The City Manager has overall responsibility for the direction and leadership for the Safety Program. Department Heads and Supervisors have the greatest influence on safety and are directly accountable for accident prevention results.

10.3.1 Organization and Support Statement

The City of Cordova, as an employer, believes that every employee is entitled to work under the safest possible conditions. Accidents cause needless suffering and property damage. The financial impact of accidents not only affects the City and the accident victim, but the taxpayers of the Community as well. Accidents and the resulting costs must be controlled to the greatest extent humanly possible. One of the most effective means of achieving the goal is by following a comprehensive Safety Program which is actively supported by City Management.

All employees are expected to act responsibly concerning their personal safety and well-being, and the safety of their fellow employees. Ultimate responsibility for the success of the City's safety effort rests with Management; however, success can never be achieved without the total commitment of every City employee preventing accidents.

The City provides general direction and leadership at the highest level of the Safety Program. As far as possible, every administrative component of the program will be written, compiled and available for access by any employee. When required or desirable, training on specific areas of safety will be provided as part of the ongoing Safety Program. In most cases, this training will be mandatory for certain employees.

Effective safety programs are never static, but are continually updated to reflect changes in technology, law and the needs of the organization. Employees are encouraged to actively participate in the administration of the program by submitting suggestions for changes at any time.

10.3.2 General Policies

Department Heads and Supervisors at every level are accountable to City Management for accident prevention. They are responsible for ensuring that every employee has received adequate direction, training and equipment to safely perform all tasks assigned to them. In addition, they have responsibility for thorough knowledge and enforcement of all rules, procedures and policies developed by the City. They are also responsible

for understanding and applying specific Alaska Safety Codes and other state and federal regulations which apply to operations under their control.

All personnel are expected to use good judgment in performing their jobs when personal safety or the safety of others must be considered. If procedures or rules have been developed for specific tasks or activities, they will be followed unless superseded by another statute, code or regulation.

The City places the highest priority on the safety of every employee as well as every member of the Community. Every City employee is responsible at all times for reporting unsafe conditions or behavior to their immediate supervisor.

The City promotes an open door policy and encourages any employee or resident to ensure that any situation that compromises the safety of any individual get an immediate and confidential hearing at the appropriate management level. If an employee believes that his or her immediate supervisor is not responding appropriately to the situation, they are strongly urged to make use of this policy without fear of retribution and to notify management immediately of their actions.

Accident-free performance is considered to be a reasonable expectation for all City employees. Accidents caused by careless behavior or poor judgment on the part of an employee will be taken into account during the employee's performance review.

Any employee who knowingly places themselves or another in a hazardous or potentially hazardous situation or violates any City safety rule, policy, or procedure; the State of Alaska Safety Codes or any other local, state or federal safety regulation may be subject to disciplinary action, up to and including immediate dismissal.

10.4 Hazard Communication Program

The City of Cordova has implemented a Hazard Communication Program to minimize the risk of hazardous materials to our employees.

As a company, we provide information about chemical hazards, and the control of hazards via our Hazard Communication Program. This program will include container labeling, Material Safety Data Sheets (MSDS) and training employees on the hazards and controls while using hazardous materials.

10.4.1 Container Labeling

It is the policy of the City of Cordova that containers of hazardous substances will not be released for use until the following label information is verified:

- Containers are labeled as to their contents;
- Appropriate hazard warnings; and
- The name and address of the manufacturer

The responsibility is assigned to each Department Head, Supervisor or Foreman that works in that department's building. To further ensure that employees are aware of the hazards of materials used in their work areas, it is our practice to label all secondary containers. The Department Head, Supervisor or Foreman in each department will ensure that all secondary containers are labeled with either an extra copy of the original manufacturer's label or with generic labels which have a block for identity and blocks for the hazard warning.

10.4.2 Material Safety Data Sheets (MSDS)

Copies of MSDS for all hazardous substances to which employees of the City may be exposed are kept in the areas for hazardous materials in that building. The Department Head, Supervisor or Foreman is responsible for obtaining and maintaining all MSDS for the City.

Material Safety Data Sheets are reviewed for completeness by the Department Head, Supervisor or Foreman.

If an MSDS is missing or obviously incomplete, a new MSDS will be requested from the manufacturer. OSHA will be notified if a complete MSDS is not received.

Material Safety Data Sheets are available to all employees in their work area for review during each work shift. If MSDS is not available or new hazardous substance(s) in use do not have MSDS, contact the Department Head, Supervisor or Foreman responsible for that building's operations.

10.4.3 Employee Information And Training

Employees will, as part of their orientation, receive information on the following:

- A summary of the OSHA Hazard Communication Regulation, including the employee's rights under the Regulation;
- Where hazardous substances are present;
- Location of the written hazard communication program;
- Physical and health effects of the hazardous substances and how to lessen or prevent exposure to these hazardous substances;
- Steps that have been taken to lessen or prevent exposure to these substances;
- First aid procedures to follow if employees are exposed to hazardous substances; and
- How to read labels and review MSDS to obtain appropriate hazard information.

It is critically important that all of our employees understand the training. If you have any additional questions, please contact your Department Head, Supervisor or Foreman.

When new hazardous substances are introduced, Department Heads, Supervisors and Foremen will review the above items as they are related to the new hazardous material.

10.4.4 Hazardous Non-Routine Tasks

Periodically, employees may be required to perform hazardous non-routine tasks. Each affected employee will be given information by their Department Head, Supervisor or Foreman about the hazards to which they may be exposed during such an activity.

This information will include:

- Specific hazards, related to non-routine tasks;
- Required protective/safety measures; and
- Measures the City has taken to lessen the hazards, including ventilation, respirators, presence of another employee and emergency procedures.

10.4.5 Hazardous Substances In Unlabeled Pipes

To ensure that our employees who work on unlabeled pipes have been informed as to the hazardous substances contained within, the following policy has been established.

Prior to starting work on unlabeled pipes, employees are to contact the Department Head, Supervisor or Foreman for the following information:

- The hazardous substance in the pipe;
- Potential Hazards; and
- Controls.

10.4.6 Informing Contractors

To ensure that outside contractors work safely in our buildings, it is the responsibility of the Department Head, Supervisor or Foreman to provide the following information:

- Hazardous substances to which they may be exposed while on the jobsite; and
- Precautions the employees may take to lessen the possibility of exposure by usage of appropriate protective measures.

If anyone has questions about this plan, they should contact their supervisor. Our plan will be monitored by each Department Head to ensure that the policies are carried out and that the plan is effective.

ACKNOWLEDGEMENT OF RECEIPT OF HANDBOOK

I, _____, acknowledge that on this date I have received my copy of the City of Cordova Personnel Policies and Procedures Handbook. I acknowledge that it is my responsibility to read, understand and adhere to the policies provided for in the Handbook. I understand that the Handbook is not a contract and is not intended to constitute or imply a contract between the City and me or any other employee either for employment or for the provision of any benefits. I understand that I am employed at will and, as such, the City or I may terminate my employment relationship at any time, with or without cause, and with or without prior notice, for any reason at any time. I understand that no one at the City has the authority to alter my at-will status. By my signature below, I affirm that I have read, understand and agree to this statement.

A copy of this acknowledgement page will be retained as part of my personnel file.

Employee Signature

Date Signed

TITLE 4 PERSONNEL

Chapters:

- [Chapter 4.04 - GENERAL PROVISIONS](#)
- [Chapter 4.08 - PERSONNEL BOARD](#)
- [Chapter 4.12 - RECRUITMENT](#)
- [Chapter 4.16 - APPOINTMENTS AND PROMOTIONS](#)
- [Chapter 4.20 - CLASSIFICATION PLAN](#)
- [Chapter 4.24 - EMPLOYEE DEVELOPMENT PROGRAM](#)
- [Chapter 4.28 - PERFORMANCE EVALUATION](#)
- [Chapter 4.32 - DISCIPLINARY ACTION—SUSPENSION AND DEMOTION](#)
- [Chapter 4.36 - TERMINATION](#)
- [Chapter 4.40 - GRIEVANCE PROCEDURE](#)
- [Chapter 4.44 - SALARY ADMINISTRATION](#)
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- [Chapter 4.52 - RETIREMENT—INSURANCE—MEDICAL BENEFITS](#)
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Chapter 4.04 GENERAL PROVISIONS

Sections:

- [4.04.010 Authority.](#)
- [4.04.020 Purpose.](#)
- [4.04.030 Scope.](#)
- [4.04.040 Police Standards Act.](#)
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- [4.04.100 Employee responsibility.](#)
- [4.04.110 Personnel records and general personnel files.](#)
- [4.04.120 Definitions.](#)

4.04.010 Authority.

The following policies and procedures are promulgated under the authority of the city of Cordova, as a general law municipality, pursuant to Alaska State Statutes.

(Ord. 685 (part), 1991).

4.04.020 Purpose.

- A. It is the purpose of this manual to establish a system of uniform personnel policies and procedures that shall improve the quality of personnel administration consistent with such merit principals as:

1. Recruiting, selecting and advancing employees on the basis of their relative ability, knowledge and skills, including open consideration of qualified applicants for initial appointment;
 2. Providing equitable and adequate compensation;
 3. Training employees, as needed, to assure high quality performance;
 4. Retaining employees on the basis of the adequacy of their performance, and separating employees whose inadequate performance cannot be corrected;
 5. Assuring fair treatment of applicants and employees in selection, promotion, training and all other aspects of personnel administration without regard to political affiliation, race, national origin, sex, age, religious creed or disability and with proper regard for their privacy;
 6. Assuring that employees are protected against coercion for partisan political purposes and are prohibited from using their official authority for the purpose of interfering with or affecting the result of an election or a nomination for office.
- B. Proper organization and delegation of authority are essential to effective and efficient city government administration and management. The responsibilities and authorities delineated in this title are intended to establish clear understanding of the role that each segment of city government must play in order to create and administer a sound personnel program.
- C. It shall be the policy of the city to preserve confidentiality in matters touching on the reputation of all employees of the city and to protect each employee's right to privacy. To this end, personnel records shall be confidential and shall not be disclosed by an officer or employee of the city except as may be required by law. Nothing in this subsection, however, shall abridge the right of any employee to the right to disclose the contents of his/her copies of personnel records, to representation in any proceeding before the personnel board or to waive his/her rights as a party to have any proceeding before the personnel board to be heard in private. Each named employee of the city in a proceeding before the personnel board shall be considered a party.

(Ord. 712 § 1, 1993; Ord. 685 (part), 1991).

4.04.030 Scope.

The scope of this policy includes a compilation of policies for personnel administration of all nonelected employees of the city except for employees covered under an individual employment agreement. Only the city manager and the city clerk may be subject to individual employment agreements. The employment agreements for the city manager and city clerk shall be approved by the city council. Independent contractors, including professional services contractors, are not covered by the personnel policies of the city.

All employees hired prior to November 2, 1991, the effective date of these personnel policies, shall not be penalized for any changes in vacation accrual rates.

These policies are not applicable to the employees and staff of the Cordova Community Medical Center, which shall have a separate personnel policy adopted under Chapter 14.28.

(Ord. 910, 2002; Ord. 820 (part), 1999; Ord. 712 § 2, 1993; Ord. 685 (part), 1991).

4.04.040 Police Standards Act.

In addition to these policies and procedures, the Department of Public Safety shall observe all rules and regulations in the Police Standards Act, July 7, 1972 for personnel so applicable.

(Ord. 685 (part), 1991).

4.04.050 Amendments.

Amendments to this code of personnel policies and procedures shall be made by ordinance only. The pages so affected shall be typed by the city clerk upon passage of each ordinance, and copies distributed to each

employee for insertion and/or replacement in their copy of the personnel policy.

(Ord. 685 (part), 1991).

4.04.060 City council responsibility and authority.

The city council shall have overall responsibility and authority regarding personnel matters including, but not limited to the following:

- A. Make appointments to the personnel board;
- B. Assign such additional duties to the personnel board as it deems appropriate;
- C. Approve the city's budget including requests for personnel management funds;
- D. Approve personnel policies and procedures reviewed by the city manager and the personnel board;
- E. Approve individual employment agreements for the city manager and city clerk.

(Ord. 685 (part), 1991).

4.04.070 City manager responsibility and authority.

The city manager shall have the responsibility and authority to:

- A. Administer the personnel policies and procedures adopted by the personnel board and approved by the city council;
- B. Establish and maintain records of all employees in their service, which shall include the class title, pay and other pertinent data;
- C. Develop and administer an affirmative action program to provide for equal opportunity in all aspects of city personnel administration;
- D. Foster and develop, in cooperation with appointing authorities and others, programs for the improvement of employees' effectiveness and productivity including training, safety, health, counseling and welfare;
- E. Maintain the classification and pay plans;
- F. Administer recruitment and selection programs;
- G. Insure uniformity in the application of discipline;
- H. Authorize the appointment and dismissal of employees;
- I. Prepare and adopt such forms, reports and procedures as may be necessary to carry out the city's personnel program;
- J. Approve or disapprove the recommendations of the department heads in regards to the appointment and dismissal of all personnel except those appointed by the city council;
- K. Ensure that each new employee, on the date of their hire, is issued a copy of the current personnel policy;
- L. Approve work rules established for the efficient operation of their work force;
- M. The city manager may, in writing, delegate certain authorities and responsibilities to designated department heads. That delegation shall clearly state to whom the authority is given and shall also be for a specific period of time but must have council approval if said period exceeds thirty days;
- N. Unclassified Positions. Employees in the following unclassified positions serve at the pleasure of the city manager:
 - 1. Financial director,
 - 2. Police chief,
 - 3. Fire marshal,
 - 4. Information services director,
 - 5. Parks and recreation director,

6. Public works director,
 7. Water and sewer superintendent,
 8. Refuse foreman,
 9. Harbor master,
 10. Planner,
 11. Administrative assistant to the public works director,
 12. Human resources/grant assistant,
 13. Public works superintendent;
- O. Management takes overall responsibility for the direction and leadership of the safety policy of the city of Cordova.

(Ord. 1018 § 1, 2008; Ord. 1010 § 1, 2008; Ord. 772, 1996; Ord. 712 § 3, 1993; Ord. 685 (part), 1991).

4.04.075 City clerk responsibility and authority.

The duties of the city clerk are detailed in the City Charter, [Section 2-6](#). In addition, the city clerk shall have the responsibility and authority to appoint and evaluate the deputy clerk, whose position shall be an unclassified position of the city.

(Ord. No. 1022, § 1, 5-21-2008)

4.04.080 Department head responsibility and authority.

Department heads shall have the responsibility and authority to:

- A. Enforce the personnel policy and administer the merit system in their departments;
- B. Keep employees in their departments informed of current personnel policies and procedures;
- C. Participate in the grievance procedures as specified;
- D. Appoint employees to vacant positions within their respective departments in accordance with established personnel rules and procedures, subject to the approval of the city manager;
- E. Develop training programs for employees within their respective departments;
- F. Administer discipline within their respective departments and delegate such authority to supervisory personnel as deemed appropriate;
- G. Conduct orientation for all new employees. Such orientation shall include issuing position descriptions which outline job duties, introductions to fellow workers, work standards, safety regulations, break periods, supplies, etc.;
- H. Appoint and dismiss all employees under the department head's jurisdiction, subject to the approval of the city manager;
- I. Formulate in writing and post department rules and regulations;
- J. Department head are directly accountable for accident prevention results. They are responsible for insuring that every employee has received adequate direction, training and equipment to safely perform all tasks assigned to employees. They have responsibility for thorough knowledge and enforcement of all rules, procedures and policies developed by the city. They are also responsible for understanding and applying specific Alaska Safety Codes and other state and federal regulations which apply to operations under their control. Accidents caused by careless behavior or poor judgment on the part of an employee will be taken into account during the employee's performance review.

(Ord. 712 § 4, 1993; Ord. 685 (part), 1991).

4.04.090 Supervisory personnel responsibility and authority.

Supervisory personnel shall have the responsibility and authority to:

- Implement personnel policies, rules and regulations in the units under their supervision;
- B. Administer discipline to employees under their supervision and recommend termination of employment;
- C. Train new employees and participate in the development of other employees;
- D. Evaluate employee performance;
- E. Participate in the grievance procedures as specified;
- F. Supervisory personnel are directly accountable for accident prevention results. They are responsible for insuring that every employee has received adequate direction, training and equipment to safely perform all tasks assigned to employees. They have responsibility for thorough knowledge and enforcement of all rules, procedures and policies developed by the city. They are also responsible for understanding and applying specific Alaska Safety Codes and other state and federal regulations which apply to operations under their control. Accidents caused by careless behavior or poor judgment on the part of an employee will be taken into account during the employee's performance review.

(Ord. 712 § 5, 1993; Ord. 685 (part), 1991).

4.04.100 Employee responsibility.

- A. Employees of the city shall be presented with a copy of these personnel rules on the date of hire and shall have the responsibility to:
 1. Read and understand these rules and ask their immediate supervisor to explain these rules if questions arise;
 2. Understand the function of the department assigned and how that function relates to the total mission of the city and all of its departments;
 3. Discuss with the immediate supervisor any questions relating to the interpretation or application of these rules, either informally or formally, through the grievance procedure;
 4. Bring to the attention of the immediate supervisor any change in duties as outlined in the position description;
 5. Submit in writing recommended changes to these rules to the personnel board for its consideration following the proper chain of command.
- B. Employees whose position is subject to an employment agreement as provided herein shall be provided copies of the appropriate agreement, as well as a copy of these policies.
- C. Every employee has the primary responsibility of insuring his own safety as well as that of fellow employees, citizens and the assets of the city. All employees are expected to act responsibly concerning their personal safety and well being, as well as that of their fellow employees. All personnel are expected to use good judgment in performing their jobs when personal safety or the safety of others must be considered. If procedures or rules have been developed for a specific task or activity, they will be followed unless superseded by another statute, code or regulation. Accidents caused by careless behavior or poor judgment on the part of an employee will be taken into account during the employee's performance review.

(Ord. 712 § 6, 1993; Ord. 685 (part), 1991).

4.04.110 Personnel records and general personnel files.

The city manager shall provide for the maintenance of a records system which shall consist of two types of matter.

- A. Personnel Records. The personnel records are those documents which reflect an individual's complete status as an employee from hiring to termination.
 1. The personnel record includes, but is not limited to, the employee's application, reports of medical examinations, reports of results from employment investigations, reports of work performance, progress and disciplinary actions, personnel actions, employee withholding

- exemption certificates and survivor benefits forms.
2. Employee Access to Personnel Records. An individual employee shall have access to his or her personal record or to any information pertaining to him or her which is maintained in the personnel record at any reasonable time in conference with the city manager or his/her designee. Such personnel records shall be held confidential. Personnel records are otherwise considered confidential and shall be open to inspection by any person outside the staff of the personnel office only with the written consent of the applicant or employee.
 3. Personnel records will not be used as private dossiers on employees, nor shall they contain any materials which the employee has not seen and had the opportunity to comment upon.
 4. Except for oral reprimands, a record of disciplinary actions must be contained in the employee's personnel file.
 5. Any authorized persons examining personnel records shall sign for the personnel record, and the signature shall be dated.
 6. Review of Personnel Records. Review of all personnel records shall be conducted in the presence of or by the city manager, or his/her designee and no documents shall be removed without the specific approval of the city manager and employee.
- B. General Personnel Files. The general personnel files are all other matters dealing with, but not limited to, recruiting, placement, benefits administration, classification and pay plans, investigative correspondence, files, statements, reports, correspondence and other data in connection with, and relating to, investigations of violations of these rules and examination materials, questions, data and examinations papers, applications, and reports relating in any way to competitive examinations and tests conducted and held by the personnel office.
- C. Confidentiality of General Personnel Files of the Personnel Office. The general personnel files shall be held confidential.

(Ord. 685 (part), 1991).

4.04.120 Definitions.

Administration. See [Section 4.20.040](#).

Administrative Leave. This leave is granted by the city manager without the loss of longevity, sick leave, annual leave or pay. See Sections [4.56.130](#), [4.56.140](#), and [4.56.150](#).

Allocation. The original assignment of a position to the proper class on the basis of duties performed and the authority and responsibility exercised. See [Section 4.20.040](#) A.

Amendments. See [Section 4.04.050](#).

Anniversary Date. The date on which any employee completes one full year of employment within a given position with the city.

Annual Leave. See [Chapter 4.56](#). Appeal. A procedure followed by an employee to challenge a perceived violation of these policies and/or disciplinary actions. See [Chapter 4.40](#). Applicant. Any person who applies for any authorized vacant position. See [Section 4.12.030](#).

Appointing Authority. The city manager or other city officials who have authority to appoint individuals to positions in the city service. See [Section 4.12.020](#).

Appointment. The official act of designating a person to an authorized position after successful completion of an appropriate probationary period.

Authorized Position. A position which is funded and allocated to an appropriate class. See [Section 4.20.040](#).

Bereavement Leave. See [Section 4.56.240](#).

Break In Service. Results from a full-time employee resigning, retiring, being terminated, dismissed, laid off or going on leave without pay for more than thirty calendar days.

Calendar Year. Twelve month period beginning January 1, and ending December 31.

Change of Status. See [Chapter 4.16.040](#).

City. City of Cordova.

City Council. The council of the city of Cordova.

City Manager. The chief administrative officer and the head of the administrative branch of the city government who is directly responsible to the city council for the proper administration of all affairs of the city.

Class Specification or Position Description. A written description of a class containing the title of the position, a statement of the nature of work indicating the duties and responsibilities, representative examples of work and general minimum recruiting qualifications. See [Chapter 4.20](#).

Classification Plan. The grouping of positions into appropriate classes which are sufficiently similar with respect to duties and responsibilities. Each class shall be designated by a descriptive title and defined by class specifications. See [Chapter 4.20](#).

Classified Employees. Full-time and permanent part-time employees. All positions with the exception of elected officials, city manager, city clerk, or others employed under individual employment agreements. See [Chapter 4.20](#).

Classified Service. All positions in the city service subject to appointing authority of the city manager. See [Chapter 4.20](#).

Compensation Date. The date of an employee's last salary adjustment. This date is used to compute when their next salary review and/or annual step increase is applicable. See [Section 4.44.060](#).

Date of Hire. The date on which a new employee is placed on the city payroll.

Date of Pay Change. See [Section 4.20.040 F](#).

Demotion. The assignment of an employee from a position of one class to a position of another class with a lower pay range. See Sections [4.32.040](#) and [4.32.050](#).

Department Head. A city official with the designated responsibility for the operation of a city department. See [Section 4.04.080](#).

Discharge or Dismissal. The involuntary termination of an employee from city service by an appointing authority for disciplinary reasons. See [Chapter 4.36](#).

Disciplinary Action. Imposition of certain personnel actions i.e., reprimand, warning, suspension, dismissal, demotion as a result of conduct detrimental to the city. See [Chapter 4.32](#).

Disciplinary Action Memo. A standard form on which disciplinary action is documented. See [Chapter 4.32](#).

Eligible. A person whose name has been placed on an eligible list of qualified candidates for a position in accordance with recruiting and examining procedures.

Emergency. A critical situation over which employee has no control. A sudden, unexpected occurrence demanding immediate action. Life threatening.

Employee. Any person in the employ of the city who is subject to personnel regulations.

Employment of Family Members. See [Section 4.60.040](#).

Employment Selection. See [Chapter 4.12](#).

Examination. All tests that are applied to determine eligibility of applicants for positions in any class in the city service. See [Chapter 4.12](#).

FLMA. Family Leave Medical Act. See [Section 4.56.230\(D\)](#).

FLSA. The Federal Fair Labor Standards Act, 29 U.S.C. Section 201, et seq., and the regulations thereunder, as they may be amended from time to time.

FLSA Eligible. A position is FLSA eligible if the FLSA entitles an employee in that position to overtime pay for hours worked in excess of forty in a work week.

FLSA Exempt. A position is FLSA exempt if it is classified as an executive, administrative or professional position that is not eligible for overtime pay under the FLSA.

Fringe Benefits. Any employment benefits not required by law (FICA, ESC) such as health insurance, paid holidays, vacation, sick leaves, etc.

Full-Time Classified Employees. Those employees who are full-time, and permanent part-time.

Full-Time Employee. An employee who has been retained in a full-time or permanent part-time position after the completion of a probationary period.

General Personnel File. A file which reflects an individual's complete status as an employee from hiring to termination. See [Section 4.04.110\(A\)](#).

Gifts and Gratuities. See [Section 4.60.020](#).

Hospital Administrator.

Hourly. An employee who is compensated on the basis of an hourly record of work.

Immediate Family. Persons related to an employee by blood or marriage, or legal adoption as follows: spouse, father, mother, grandfather, grandmother, brother, sister, son, daughter, father-in-law, mother-in-law, grandfather-in-law, grandmother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, step-parents and step-children; and any persons for whose financial or physical care the employee is principally responsible. See Sections [4.56.240](#) and [4.60.040 B](#).

Layoff. The involuntary cessation of employment because of the lack of work, lack of funds, or abolishment of a position. See [Section 4.36.030](#).

Leave of Absence. Time off from work for reasons within the scope and purpose of these rules and regulations upon prior approval of the employee's supervisor, department head or city manager. See [Chapter 4.56](#). Leave Without Pay. A break in service not covered by annual or sick leave for which employee is not paid. See [Section 4.56.150](#).

Length of Service Date. The date of original hire to city service except adjusted by regulations on leave without pay and time not worked between separation and reinstatement, or reappointment. This date is used for annual and sick leave accrual, retirement benefits and longevity.

Open Competitive Examination. An examination which permits the competition for a class of position, and is not restricted to persons currently employed in the city service. See [Section 4.12.080](#).

Oral Admonitions. A verbal warning intend to correct behavior/action. Includes consequences more severe than corrective instructions.

Outside Employment. See [Section 4.60.030](#).

Overtime. Time worked in excess of regularly scheduled workday or workweek. See [Section 4.48.020](#).

Part-Time Employee. An employee who is employed for less than the regular number of working hours on a continuous basis. See [Section 4.44.070](#).

Part-Time Position. A position requiring the services of an employee for less than a regular work week on a continuous basis.

Pay Plan. The schedule of pay ranges and rates for all classes of positions in the city service, fringe benefits and appropriate rules and regulations. See [Chapter 4.44](#).

Pay Range. The minimum, standard and variable, intermediate and maximum rates of pay established for each class of position.

Pay Rate. The specific dollar amount within a pay range paid to an employee for a class of work performed. Does not include overtime, longevity, leadworker or other financial benefits.

Performance Evaluation Report. A standard form on which employee performance is evaluated. See [Chapter 4.28](#).

Personnel Action. Any action taken with reference to appointment, compensation, promotion, transfer, layoff, dismissal or other action affecting the status of employment.

Police Standards Act. The department of public safety shall observe all rules and regulations in the Police Standards Act, July [7](#), 1972 for personnel so applicable.

Position. A group of specific duties, tasks and responsibilities assigned or delegated by the appointing authority to be performed by an employee. A position may be part-time, or full-time, and temporary, occupied or vacant. See [Chapter 4.20](#).

Position Description. A standard form, prescribed by the city manager, which supervisors or employees elaborate on the duties and responsibilities of an existing or proposed position. See [Chapter 4.20](#).

Probationary Employee. An employee who is serving a probationary period and is employed in either a regular full-time or part-time position. See [Chapter 4.16](#).

Probationary Period. A working test period which is part of the examination process when an employee demonstrates fitness and ability to perform the work of the position. See [Chapter 4.16](#).

Promotion. A change in status of a full-time employee from a position of one class to another class, with a higher maximum rate of pay. See [Chapter 4.16](#).

Reallocation or Reclassification. A change in classification of a position by raising to a higher class, reducing it to a lower class, or changing it to another class at the same level. See [Chapter 4.20](#).

Reinstatements. The return of an employee to a position of the same class previously occupied after layoff, military leave or at any time after successful appeal of a suspension, demotion or termination. See Sections [4.12.110](#), [4.44.080](#) or [4.56.130](#).

Resignation. A voluntary action by an employee of terminating employment in the city service. See [Chapter 4.36](#). Salaried. An employee who receives an equal amount each pay period except when on leave of absence.

Salary. Compensation for employment, generally. See also salaried, and hourly. Salary for employees covered by an individual employment agreement is set forth in such agreement.

Separation. The removal of an employee from the payroll for either voluntary or involuntary reasons, to include dismissal, resignation, layoff, retirement or death. See [Chapter 4.36](#).

Suspension. An enforced unpaid leave of absence for disciplinary reasons or pending investigation of charges made against an employee. See [Chapter 4.32](#).

Supervision. See [Section 4.04.090](#).

Temporary Appointment. A short-term appointment not to exceed six months for an individual who meets qualification requirements. See [Section 4.16.020](#).

Temporary Assignment. The temporary or acting assignment of an employee to perform the duties and responsibilities of a position other than the position regularly assigned. See [Section 4.44.090](#).

Temporary Employee. An employee who has been appointed for a specific limited period which does not exceed six months or one thousand forty regular hours of employment in any given calendar year. A temporary employee is not eligible for employee benefits. See [Section 4.16.020](#). A temporary employee has no right to expect continued employment whatsoever.

Terminal Leave. See [Section 4.56.110](#).

Termination. The cessation of employment with the city. See [Chapter 4.36](#).

Transfer. The movement of an employee from one position to another in the same or comparable class within the city service. See [Section 4.44.080](#).

Unauthorized Leave. See [Section 4.56.170](#).

Unclassified Position. An unclassified position is filled by a person who serves at the pleasure of the appointing authority and whose term of employment is determined by the appointing authority. Employees serving in unclassified positions serve at the pleasure of the city manager. Those employees have no expectation of continued service with the city of Cordova.

Workday. The regularly scheduled workday shall be eight hours as provided in [Section 4.48.010](#).

Workweek. The regularly scheduled workweek shall be five consecutive scheduled workdays consisting of forty hours a week as provided in [Section 4.48.010](#).

(Ord. 1018 § 2, 2008; Ord. 1010 § 2, 2008; Ord. 712 § 19, 1993; Ord. 685 (part), 1991).

Cordova, Alaska, Code of Ordinances >> [Title 4 - PERSONNEL](#) >> Chapter 4.08 PERSONNEL BOARD >>

Chapter 4.08 PERSONNEL BOARD

Sections:

[4.08.010 Organization of personnel board.](#)

[4.08.020 Personnel board responsibility and authority.](#)

[4.08.025 Absences to terminate membership.](#)

[4.08.030 Employee election process.](#)

4.08.010 Organization of personnel board.

The personnel board shall consist of five members which are bona fide electors of the community and who have some prior personnel experience. Three of the members shall be appointed by the city council and two appointed by the city employees.

- B. Terms for the electors shall begin on February 15th and expire on February 14th of each year. They shall be overlapping and three years in length with an approximate equal number expiring each year. Candidates shall not be employees of the city, nor have been employees of the city for one year just preceding an appointment, nor hold any other public or official position with the city. A member of the board may be removed from office by the council for incompetence, dereliction of duty, four unexcused consecutive absences from official meetings, or other good cause after being given a copy of the charges and an opportunity to be heard publicly on such charges before the council.

(Ord. 962 § 6(part), 2004: Ord. 685 (part), 1991).

4.08.020 Personnel board responsibility and authority.

The personnel board shall have the responsibility and authority to:

- A. Advise the city council and city manager on matters concerning personnel administration in writing after each official personnel board meeting;
- B. Recommend changes to the policies and procedures manual to the city council for consideration. The city will provide the necessary staff;
- C. Hear and process any grievances by employees in accordance with the established grievance procedure. (See [Chapter 4.40](#));
- D. Make investigations pertinent to grievances or employees' written requests which it may consider desirable concerning personnel administration in the city service and report to the city council its findings, conclusions, and recommendations;
- E. Perform other related duties as may be necessary to fulfill its responsibilities or as may be assigned by the city council;
- F. Shall hold official personnel board meetings at least once per quarter as deemed necessary, giving city employees at least five working days notice prior to meeting, to accomplish the above outlined responsibilities and authority;
- G. The personnel board shall furnish written minutes of these required meetings for the city files and one copy to each department for posting;
- H. Hear and process any appeals by employees regarding the allocation of positions within the classification plan. (See [Section 4.20.040](#) of this title.)

(Ord. 685 (part), 1991).

4.08.025 Absences to terminate membership.

- A. If a board member is absent from more than one-half of all the regular meetings of the personnel board held within the period of one year, without being excused from attending such meetings, the chair of the board shall declare the board member's seat vacant. The board shall determine whether any absence is excused.
- B. For purposes of this section, an absence will be considered excused if due to the following causes and shall require approval by the board at the next regularly scheduled meeting:
 - 1. The illness or injury of the board member or a family member;
 - 2. The death of a family member;
 - 3. An employment-related commitment;
 - 4. A commitment for city business; or
 - 5. Other good cause approved by the board.
- C. Whenever possible, absences should be noticed to the board chair prior to the meeting for purposes of securing a quorum at the meeting.

D. A board member may participate in a board meeting by teleconference.

(Ord. 962 § 6(part), 2004).

4.08.030 Employee election process.

- A. The city employees shall each elect two board members and an alternate in accordance with the following procedures. The alternate shall serve in the absence the elected board member due to unavoidable absences, resignation or removal from the position.
1. Step 1: Each department shall elect a representative for the purpose of selecting a personnel board member.
 2. Step 2: Recommendations for the board position will be solicited from the organization's employees.
 3. Step 3: Thirty days after the close of solicitation of nominees, the employee's representatives from each department shall vote by secret ballot for two board members. The election process will be administered by the city clerk.
- B. Board members will serve in a noncompensatory status.

(Ord. 685 (part), 1991).

Cordova, Alaska, Code of Ordinances >> **Title 4 - PERSONNEL** >> Chapter 4.12 RECRUITMENT >>

Chapter 4.12 RECRUITMENT

Sections:

[4.12.010 Policy of recruitment.](#)

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[4.12.030 Job announcements and publicity.](#)

[4.12.040 Application form.](#)

[4.12.050 Rejection of applicants.](#)

[4.12.060 Selection devices.](#)

[4.12.070 Security.](#)

[4.12.080 Open competitive selection.](#)

[4.12.090 Promotional selection.](#)

[4.12.100 Method of ratings.](#)

[4.12.110 Reemployment lists.](#)

4.12.010 Policy of recruitment.

It shall be the policy of the city to recruit and select the most qualified persons for positions in the city's service. It shall be the responsibility of the city manager to insure that this policy is carried out. The city manager shall:

- A. Conduct recruitment and selection in an affirmative manner to insure open competition;
- B. Provide equal employment opportunity;
- C. Prohibit discrimination because of race, age, political affiliation, religion, sex, national origin, or any other nonmerit factors.

(Ord. 712 § 7, 1993; Ord. 685 (part), 1991).

4.12.020 Recruitment.

The city manager and/or his/her representative shall develop and conduct an active recruitment program designed to meet current and projected personnel needs. Recruitment will be tailored to the various classes of positions to be filled and will be directed to all sources likely to yield qualified candidates.

4.12.030 Job announcements and publicity.

In order to ensure an adequate number of candidates for present or anticipated vacancies and to permit successful competition with other employees, the city manager will have issued job announcements and otherwise publicize vacancies through such media which will include, but not be limited to, the local newspaper. All job announcements shall be clear and readable. They shall include the job title, salary range, job qualification requirements, examination information including the time, place and manner of completing applications, and other pertinent information. Publicity for all regular full-time and regular part-time job vacancies shall be conducted for a sufficient period of time in the same manner to ensure reasonable opportunity for persons to apply and be considered for employment. When a job vacancy exists for a regular full-time position, regular part-time position, temporary full-time or temporary part-time position, written notice shall be posted for ten working days. At the close of the ten day advertisement period, the city will first consider only city applications submitted by regular full-time or regular part-time city employees who submitted an application during the first five days of the advertisement period. If the vacancy is not filled by a regular full-time or regular part-time city employee who submitted an application during the first five days of the advertisement period, the city will consider all other applications made during the advertisement period.

(Ord. 898, 2001; Ord. 729 § 1, 1994; Ord. 707 (part), 1993; Ord. 685 (part), 1991).

4.12.040 Application form.

All applications for employment shall be made on forms and received in a manner prescribed by the city manager. Such forms shall require background information to include training, experience and other pertinent information. All applications must be signed and the city manager or designee may require proof of statements. Application forms shall not elicit any information concerning race, political affiliation, sex, age, religion, national origin or disability and current law.

(Ord. 712 § 8, 1993; Ord. 685 (part), 1991).

4.12.050 Rejection of applicants.

The city manager or representative may reject any application which indicates that the applicant does not have the minimum qualifications established for the position.

- A. Applications may also be rejected if the applicant:
 - 1. Has deliberately falsified any information on the application form;
 - 2. Is unable to meet the physical and other requirements which have been demonstrated as required to perform the work of the position;
 - 3. Does not meet the legal age limits or other requirements established by state law;
 - 4. Has established an unsatisfactory employment record of such nature as to demonstrate unsuitability for the position.
- B. Whenever an application is rejected, notice of such rejection shall be promptly made in writing to the applicant.

(Ord. 712 § 9, 1993; Ord. 685 (part), 1991).

4.12.060 Selection devices.

The city manager shall be responsible for determining the selection device or devices to be used to obtain the best qualified candidates for each class of positions. Selection devices shall be utilized separately or in various combinations as appropriate to the class and to available personnel resources. Such selection devices may include work sample of performance tests, practical written tests, individual physical examinations,

fingerprinting, background and reference inquiries, and evaluation of training and experience. Pre-employment medical examinations may be conducted after a conditional job offer has been made and the city shall pay for the examination.

(Ord. 712 § 10, 1993; Ord. 685 (part), 1991).

4.12.070 Security.

Selection material shall be known only to the city manager and to other individuals designated by the city manager. Every precaution shall be exercised by all persons participating in the development and maintenance of selection materials to maintain the highest level of integrity and security.

(Ord. 685 (part), 1991).

4.12.080 Open competitive selection.

Job vacancies not filled by promotion or reassignment shall be filled through open competitive selection devices as determined by the city manager. The city manager shall provide for the holding of open competitive selection procedures as often as necessary to meet current or anticipated manpower needs.

(Ord. 685 (part), 1991).

4.12.090 Promotional selection.

Promotional selection shall be open to all city employees in the classified service who meet the prescribed minimum qualifications for the position. Open positions for promotional consideration shall be posted in-house for five working days to all departments. After five working days the department head may select a candidate(s) according to [Section 4.12.100](#). If a classified employee is not promoted, the position may be advertised according to [Section 4.12.030](#).

(Ord. 712 § 11 1993; Ord. 707 (part), 1993; Ord. 685 (part), 1991).

4.12.100 Method of ratings.

In all selection procedures, the minimum ratings of which eligibility may be achieved shall be set up by the city manager. A minimum or passing rating shall be established for all devices used in the selection process. The final rating shall be determined for applicants with passing ratings in accordance with the weight established for each device as contained in the job announcement.

(Ord. 685 (part), 1991).

4.12.110 Reemployment lists.

Full-time employees who are involuntarily separated from the city service as a result of layoff or reduction in the force shall be placed on a reemployment list for the class they occupied at the time of separation. Names shall be ranked on reemployment lists based on performance and length of service with the city. The eligibility of an individual to remain on the reemployment list shall expire two years from the date of separation from the city.

(Ord. 712 (part), 1993; Ord. 685 (part), 1991).

Sections:

[4.16.010 Probationary periods.](#)

[4.16.020 Temporary appointments.](#)

[4.16.025 Temporary "on-call" "as-needed" appointments.](#)

[4.16.030 Emergency appointments.](#)

[4.16.040 Change of status.](#)

[4.16.050 Residency requirement.](#)

[4.16.060 Continuation in the service of the city under Charter Section 4-3.](#)

4.16.010 Probationary periods.

All full- or part-time appointments are subject to a probationary period. Employees shall serve a six-month probationary period except for any police officer or unclassified employee, they shall serve a twelve-month probationary period. Probationary periods may be extended after the interim three-month evaluation or after the six-month probationary period. The employee must be notified in writing of the extension of the probationary period before the end of the three-month interim evaluation and before the end of the six-month probationary period. Probationary employees shall not exceed twelve months, except police officers or department heads who are required to serve a twelve-month probationary period. The city manager must approve all extensions of initial six-month probationary period. The probationary period shall be stated in the job description. Probationary employees must obtain at least a satisfactory performance rating at the completion of their probationary period in order to obtain full-time status. Hires in probationary status may be terminated at any time during their probationary period without recourse to the grievance procedure. No employee recruited from open competitive lists may base a grievance on alleged violation of [Section 4.36.040](#), [4.36.050](#) or [4.36.060](#) of this title while in probationary status. All employees, regardless of probationary status, may appeal an alleged violation of any other provision of this title. All promoted employees are subject to a probationary period of six months from the date of promotion.

- A. Probationary Promoted Employees. When it becomes clear that an employee serving a promotional probationary period is not performing adequately he or she shall be so informed in writing with a copy to the city manager. All promoted probationary employees shall be evaluated in accordance with [Section 4.28.030](#)(A) and (B).
- B. Reinstated Employee Probationary. An employee reinstated within two years of termination shall not be required to serve a probationary period unless rehired into a different class than previously served or previous probationary period was not completed.

(Ord. 1018 § 3, 2008; Ord. 712 §§ 12—14, 1993; Ord. 685 (part), 1991).

4.16.020 Temporary appointments.

If a department head or the city manager determines that there is temporarily no full-time employee available to fill a position and that there is a need to have the parties' duties performed, a temporary employee may be appointed. Temporary appointments are for short term periods, not to exceed six months. A temporary appointment shall be for a specific length of time with the ending date of the appointment to be recorded in the employee's personnel file on the date of hire. Prior to appointment of a temporary employee, the department head or the city manager shall document in writing, the need and justification of such appointment. At the end of the appointment the employee shall be terminated. The employee may then be rehired as a probationary employee if a permanent position is available after advertising for the position per [Section 4.12.030](#).

Termination of a temporary hire may occur at any time without prior notice. A temporary employee is not entitled to any expectation of continued employment whatsoever. A person hired for a temporary appointment or hired temporarily to replace absent employees, shall not be entitled to any fringe benefits. Probationary periods shall not be served, no probationary increases shall be awarded. Temporary employment may not be counted toward probationary periods, nor shall time be credited for such service toward anniversary or length of service dates, if temporary employees are later appointed to regular positions. However, time served in temporary

capacity may be counted toward experience requirement in minimum qualifications for class of position concerned. Temporary employees have no recourse to the city's grievance procedure.

(Ord. 712 § 15, 1993: Ord. 685 (part), 1991).

4.16.025 Temporary "on-call" "as-needed" appointments.

If the city manager determined that there is a need for a "pool" of temporary employees to fill certain positions where there is not a full-time or temporary employee available, the positions will be advertised per [Section 4.12.030](#) and applicants will be notified of their employment on an "on-call" "as-needed" basis. These employees will not be entitled to the grievance procedure or to any city benefits but will serve on a short term basis for specific duties (i.e., full-time employee on extended sick leave, leave without pay, vacation, heavy work load). These positions will be used to support a department only on a short term, no longer than three months, and/or on an emergency basis. The "pool" will be kept current by accepting employment applications during recruitment periods at the end of each quarter. Employment applications will be kept until June 30th of each year, and applicants must contact Human Resources to inquire of application status. Job duties will be as described in a current job description or may be similar to duties currently performed in that class. Hourly pay will be at entry level for that class. If a class does not exist for the position, the city manager shall determine the rate of pay.

(Ord. 826 (part), 1999: Ord. 712 § 16, 1993).

4.16.030 Emergency appointments.

Emergency appointments not to exceed thirty calendar days may be authorized by the city manager without recourse to usual certification procedures. Such appointments shall be made only in case of an unforeseen emergency and when necessary to prevent impairment of city services. Emergency appointments are not entitled to any fringe benefits.

(Ord. 685 (part), 1991).

4.16.040 Change of status.

When an employee's status is changed from one category to another the employee will be given a copy of the status change by the department head. A dated copy of this written notification will then be placed in the employee's personnel file on the date of the change.

(Ord. 685 (part), 1991).

4.16.050 Residency requirement.

Officers and employees of the city shall reside in the city limits within six months from the date of hire or appointment.

(Ord. 788, 1997).

4.16.060 Continuation in the service of the city under Charter Section 4-3.

For the purpose of the last sentence of the first paragraph of [Section 4-3](#) of the Charter of the City of Cordova, which provides that the prohibition on nepotism in that section does not prohibit an officer or employee from continuing in the service of the city, a city employee in the classified service continues in the service of the city when transferred or promoted to another classified position.

(Ord. No. 1027, § 1, 6-4-2008)

Chapter 4.20 CLASSIFICATION PLAN

Sections:

[4.20.010 Classification plan.](#)

[4.20.020 Class specification.](#)

[4.20.030 Purpose of classification plan.](#)

[4.20.040 Development and administration.](#)

[4.20.050 Status of incumbents in reclassified positions.](#)

4.20.010 Classification plan.

- A. The classification plan is the grouping of positions into appropriate classes which are sufficiently similar with respect to duties and responsibilities. Each class in the classification plan shall be designated by a descriptive title and defined by a class specification. The classification plan is established by resolution of the council and periodically updated as necessity dictates or as required in [Section 4.20.040](#) of this chapter.
- B. The city may, by ordinance, designate confidential or managerial unclassified positions. Grant funded positions may be exempted from personnel regulations if the terms of the grant are inconsistent with these policies.

(Ord. 1018 § 4, 2008; Ord. 685 (part), 1991).

4.20.020 Class specification.

Class specifications are written descriptions of positions of each class included in the classification plan. Specifications shall include a class title, a general statement of duties and responsibilities, typical examples of duties performed, and minimum qualification requirements for entrance into a class. Special requirements, where appropriate, such as required licenses or certifications, shall also be included.

(Ord. 685 (part), 1991).

4.20.030 Purpose of classification plan.

The classification plan is an administrative tool that provides a system of standardized titles and common job language and is critical to the effective administration of personnel activities such as:

- A. Personnel planning and budgeting;
- B. Establishing job performance standards;
- C. Establishing fair and equitable pay;
- D. Developing valid selection and recruitment programs;
- E. Establishing appropriate career lines.

(Ord. 685 (part), 1991).

4.20.040 Development and administration.

The city manager shall have authority for the overall administration of the classification plan. In developing the classification plan, the city manager shall consult the department heads, key staff, employees, and other technical resources as appropriate.

- A. Allocation of Positions. The city manager shall analyze and evaluate the duties, responsibilities and qualifications required of each position in the classified service and then allocate each position to

the appropriate class. Any employee who believes the allocation of their position to be incorrect may request a review by the city manager. If still dissatisfied after the city manager's decision is rendered, the employee may appeal under the grievance procedure.

B. Maintenance of the Classification Plan. The city manager shall annually review the classification plan. The city manager shall make an annual report to the personnel board and city council. The purposes of such review shall be:

1. To ascertain whether or not the plan accurately reflects existing conditions;
2. To determine the accuracy of class specifications;
3. To assure that positions are properly classified.

The city manager shall recommend to the council changes needed in the classification plan to keep it current.

C. Position Descriptions. Position descriptions shall be supplied in writing and kept current by each city department head for each position under the department's jurisdiction.

D. New Position. When a new position is proposed or established, the department head shall provide a written position description to the city manager who shall determine the proper classification or prepare a new classification description, if an appropriate classification does not exist.

E. Reorganization of Department. Whenever reorganization of a department, or action of the city council causes the duties of a position to change, the city manager shall investigate the duties of the position and assign the position to the appropriate class. Reclassification shall not be used to avoid the provisions of the personnel rules dealing with layoffs, demotions, promotions or dismissals.

F. Effective Date of Change. Classification actions shall be effective on the first day of the pay period following a classification determination.

(Ord. 685 (part), 1991).

4.20.050 Status of incumbents in reclassified positions.

In all cases of reclassification, the employee in the position shall be entitled to examine and compete for the reclassified position. If the incumbent is ineligible to continue in the position and is not transferred, promoted or demoted, the provisions of these rules regarding separation shall apply.

(Ord. 685 (part), 1991).

Cordova, Alaska, Code of Ordinances >> **Title 4 - PERSONNEL** >> Chapter 4.24 EMPLOYEE DEVELOPMENT PROGRAM >>

Chapter 4.24 EMPLOYEE DEVELOPMENT PROGRAM

Sections:

[4.24.010 Purpose of employee development program.](#)

[4.24.020 Development and administration.](#)

4.24.010 Purpose of employee development program.

The purpose of the employee development program shall be to foster and promote the training and development of employees in order to:

- A. Improve the quality of services rendered to the city;
- B. Equip employees for career advancement within the city service;
- C. Provide a reservoir of occupational skills necessary to meet current and future employment needs.

(Ord. 685 (part), 1991).

4.24.020 Development and administration.

- A. The city manager shall have overall responsibility for the development, administration and coordination of the employee development program and shall provide for the following:
1. Assist the department heads in developing and implementing employee development programs to meet the current and future needs of their departments and to increase employee efficiency;
 2. Conduct or coordinate employee development programs to meet the common needs of all departments;
 3. Maintain a file of current information and materials on job requirements, training opportunities, employee development manuals and other employee development literature;
 4. Maintain a record of all training conducted and insure that authorized employee development programs are properly administered;
 5. Periodically analyze and evaluate the overall development needs of employees within the city service;
 6. Assure that all employees receive consideration for appropriate training opportunities;
 7. Assure that employee personnel files are updated upon successful completion of any employee development activities to insure maximum consideration for placements, transfers and promotions;
- B. Department heads shall provide active leadership in developing the employees under their supervision. In this capacity they shall:
1. Cooperate closely with the city manager in determining the current and future employee development needs in the department;
 2. Participate with the city manager in developing and implementing employee development programs;
 3. Budget sufficient funds to secure needed career development programs;
 4. Assess the effectiveness of completed career development programs and make recommendations for improvement where appropriate;
 5. Assure that employees are provided with sufficient time to participate in career development programs.

(Ord. 685 (part), 1991).

Cordova, Alaska, Code of Ordinances >> [Title 4 - PERSONNEL](#) >> Chapter 4.28 PERFORMANCE EVALUATION >>

Chapter 4.28 PERFORMANCE EVALUATION

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4.28.010 Administration.

The city manager shall be responsible for overall administration of the employee performance evaluation program. The city manager shall advise and assist employee rating officers and review officers to assure that performance evaluation procedures are handled in accordance with the provisions stated in this chapter.

4.28.020 Purpose of employee performance evaluation program.

- A. The primary purpose of the employee performance evaluation program is to inform employees how well they are performing and to offer constructive criticism on how they can improve their work performance. Performance evaluation shall also be considered in decisions, order of layoff, order of reemployment, placement, and training needs.
- B. Accident free performance is considered to be a reasonable expectation for all city employees. Accidents caused by careless behavior or poor judgment on the part of the employee may be taken into account during the employee's performance review depending on the severity of the accident.

(Ord. 712 § 17, 1993; Ord. 685 (part), 1991).

4.28.030 Periods of evaluation.

- A. Interim Period. Each employee shall be evaluated midway through the initial probationary period. Performance areas needing improvement shall be noted. If additional time is needed in the probationary period, the department head or supervisor will inform employee during the evaluation. Written notice will be given to the employee and a specific additional probation period will be indicated.
- B. End of Probationary Period. Each employee shall be evaluated ten days prior to the completion of the six-month probationary period. The employee must have an over all evaluation of at least satisfactory in order to become a full-time employee. The employee may receive, upon satisfactory evaluation, a one-time, five percent increase from their base pay after the six month probationary period is completed. If additional probationary time is needed beyond the initial six-month probationary period, written notice will be given to the employee, with approval from the city manager, of the extended length of the probationary period. The probationary period shall not exceed twelve months except for police officers and department heads who are required to serve twelve-month probationary periods.
- C. Annual. Each employee shall receive an annual performance evaluation one month prior to his or her anniversary date. The employee's performance must have been at least satisfactory in order to receive a step increase.
- D. Special. A special performance evaluation shall be completed whenever:
 - 1. There is a significant change either upward or downward in the employee's performance;
 - 2. A supervisor permanently leaves his/her position. The department head may require the supervisor to complete a performance report on each employee under his/her supervision who has not been evaluated within six months prior to the date the supervisor is to leave his/her position.

(Ord. 712 § 18, 1993; Ord. 685 (part), 1991).

4.28.040 Performance evaluations.

- A. Rating Officer. The rating officer shall be the employee's immediate supervisor. The rating officer shall be responsible for completing a performance evaluation report at the time prescribed for each employee under his/her supervision.
- B. Review Officer. The reviewing officer shall be the rating officer's immediate supervisor. The reviewing officer shall review the performance evaluation report completed by each rating officer under his/her jurisdiction before the report is discussed with the employee. The reviewing officer shall consider the performance evaluations completed by the rating officer when evaluating the rating officer's performance.
- C. In the case where the rating officer is the department head, the reviewing officer shall be the city manager. In the case where the city manager is the rating officer, there is no personnel evaluation review.

(Ord. 685 (part), 1991).

4.28.050 Review of performance report.

- A. The rating officer shall discuss the performance evaluation report with the employee before the report is made part of the employee's permanent record.
- B. If the rating officer plans to recommend the denial of a step increase, the report must be discussed with the reviewing officer prior to review with the employee.

(Ord. 685 (part), 1991).

4.28.060 Unsatisfactory evaluation.

Employees who receive an overall rating of unsatisfactory on their annual evaluation shall not be eligible to receive a step increase, and may be subject to progressive discipline, demotion or termination.

(Ord. 685 (part), 1991).

4.28.070 Employee appeal procedure.

Refer to [Chapter 4.40](#) of this title, grievance procedure.

(Ord. 685 (part), 1991).

4.28.080 Special merit awards.

The city manager may, upon recommendations of his/her department head grant at any time a lump-sum special award or a one step increase to an employee in recognition of (1) outstanding service, (2) special acts of accomplishment, or (3) special recognition. The amount of the award shall not exceed five percent of the employee's annual salary.

(Ord. 685 (part), 1991).

Cordova, Alaska, Code of Ordinances >> [Title 4 - PERSONNEL](#) >> Chapter 4.32 DISCIPLINARY ACTION—SUSPENSION AND DEMOTION >>

Chapter 4.32 DISCIPLINARY ACTION—SUSPENSION AND DEMOTION

Sections:

[4.32.010 Disciplinary action.](#)

[4.32.020 Disciplinary action procedure.](#)

[4.32.030 Suspension without pay.](#)

[4.32.040 Demotion for disciplinary reasons.](#)

[4.32.050 Demotion without prejudice.](#)

[4.32.060 Employees in unclassified position.](#)

4.32.010 Disciplinary action.

All employees shall be informed of expected standards of performance and personal conduct. Employees shall be acquainted with the various provisions of disciplinary action regulations. All employees shall have access to an up-to-date personnel policy book. A copy is always available at the city clerk's or city manager's office at city hall.

(Ord. 685 (part), 1991).

4.32.020 Disciplinary action procedure.

- A. All disciplinary actions, excluding oral reprimands, shall be documented on a disciplinary action memo, a

copy of which shall be given to the employee and another copy inserted into the employee's personnel file. If the employee is not available to receive the disciplinary action memo, the department head shall mail the disciplinary action memo by registered mail, return receipt requested, to the employee's last known address. The employee shall be given a chance to read the memo. It shall then be reviewed with the employee and a sincere effort shall be made to obtain agreement by the employee that: (1) the facts of the memo are stated correctly and fairly; (2) the inappropriate or incorrect behavior did occur; (3) it did represent behavior that should be disciplined; (4) the discipline is appropriate; and, (5) that the behavior will not be repeated. If errors are found, the disciplinary action memo shall be rewritten and again reviewed. Comments of the employee shall be entered under that heading.

- B. The employee shall be requested to sign the memo and be informed that his/her signature indicated only his/her agreement that it accurately records the discussion. If the employee refuses to sign the memo, the following statement shall be entered: "Employee's name—read the contents on—date—and refused to sign." This refusal to sign shall be witnessed by the signature of a third party. One copy of each completed disciplinary action memo shall be forwarded immediately to the city manager's office for review and shall be included in the employee's personnel file. Upon request, a copy shall be given to the employee. The supervisor may, if necessary, complete reviews of the employee's progress in correcting the cause of the original action at three, six and nine months or any other intervals the supervisor deems appropriate. These reports shall be made on the personnel evaluation form.
- C. Twelve months from date of the action concerned, the city manager shall review the disciplinary action and if no subsequent report of similar violations has been made, the department head shall be notified to forward department and division copies to the employee. The original shall be sealed in a confidential folder and replaced in the employee's personnel file in the personnel office. It shall not be referred to again unless there is a serious occurrence of a major infraction which may result in discipline more severe than written reprimands.

(Ord. 685 (part), 1991).

4.32.030 Suspension without pay.

A department head may, at any time, suspend an employee for cause, such as habitual tardiness, being jailed, drug/alcohol abuse on the job, violence, insubordination, gross negligence in use of city equipment, or unsafe acts endangering persons or property, for a period not to exceed ten working days in any calendar year. Employees against whom charges are preferred may, at the discretion of the department head, with concurrence of city manager, be suspended from duty pending final disposition of charges. A suspension shall be recorded on a disciplinary action memo. A personnel evaluation report form shall be completed for any suspended employee. Both documents shall be reviewed with the employee immediately after preparation, if possible. Following this, a copy of each shall be given to the employee and a copy of each forwarded immediately to the city manager to be placed in the employee's personnel file. An employee may appeal a suspension without pay under the grievance procedure, [Chapter 4.40](#).

(Ord. 685 (part), 1991).

4.32.040 Demotion for disciplinary reasons.

An appointing authority may demote an employee for disciplinary reasons in accordance with other provisions of these regulations. Demotion is considered as a more appropriate penalty for performance related problems than dismissal and may be offered in lieu thereof as approved by the city manager when mitigating circumstances warrant such leniency.

(Ord. 685 (part), 1991).

4.32.050 Demotion without prejudice.

Demotion without prejudice shall not be considered a punitive action. An appointing authority may demote

an employee in accordance with other provisions of these regulations for any of the following reasons:

- A. Inability to perform duties adequately for reasons that are not the fault of the employee such as physical or functional disability, lack of necessary qualifications, or lack of aptitude;
- B. Layoff because of lack of work or funds, or abolition of positions. When employees are laid off, the appointing authority shall consider advisability of demoting to vacant positions in lower classes for which they are qualified.

(Ord. 685 (part), 1991).

4.32.060 Employees in unclassified position.

Employees in unclassified positions may, at the discretion of the city manager, be terminated, suspended or demoted upon such terms or conditions as the city manager deems appropriate without regard to cause so long as the city manager's discretion is exercised in good faith. In the event of such an action, the employee is entitled to grieve the city manager's determination pursuant to [Section 4.40.030\(E\)](#).

(Ord. 1018 § 5, 2008; Ord. 685 (part), 1991).

Cordova, Alaska, Code of Ordinances >> [Title 4 - PERSONNEL](#) >> Chapter 4.36 TERMINATION >>

Chapter 4.36 TERMINATION

Sections:

[4.36.010 Resignation.](#)

[4.36.020 Failure to give adequate notice.](#)

[4.36.030 Layoffs.](#)

[4.36.040 Dismissal for disciplinary reasons.](#)

[4.36.050 Dismissal without prejudice.](#)

[4.36.060 Dismissal notice or severance pay.](#)

[4.36.070 Dismissal during probation.](#)

4.36.010 Resignation.

- A. A classified employee shall give prior written notice of resignation to his/her supervisor. At least two weeks written notice is required. This requirement may be reduced or waived, in writing, by the department head. A copy of the employee's written notice of resignation shall become part of the personnel file.
- B. A thirty-day notice of resignation is required for department heads or other employees of the city answering directly to the city manager.
- C. An employee may withdraw his/her resignation at any time prior to effective date of resignation with the written approval of his/her department head.

(Ord. 685 (part), 1991).

4.36.020 Failure to give adequate notice.

Failure to give adequate notice shall be noted on the employee's separation personnel documents and prevents the employee from preferential consideration for future employment.

(Ord. 685 (part), 1991).

4.36.030 Layoffs.

- A. Effective Date of Termination. The effective date of termination pursuant to a written notice of resignation

shall be the last day on which the employee works.

- B. Examples of Layoffs. Layoffs may occur due to:
1. Abolition of a position or shortage of work or funds;
 2. End of a substitute appointment upon return of the incumbent when the substitute's transfer to another position has not been achieved;
 3. Failure of an employee to successfully complete the probationary period following promotion;
 4. Material change in the duties of the position for which the employee lacks the necessary skills, knowledge, or aptitude;
 5. Completion of seasonal work for seasonal employees.
- C. Layoff Procedures. When it is necessary to reduce the number of employees because of lack of work or funds, or abolition of positions, the department head concerned shall thoroughly investigate the situation, shall decide which employee(s) shall be laid off, and report his/her findings and decision to the city manager prior to layoff notices. The department head shall consider the types of activities to be curtailed, the class(es) of position affected and then select employee(s) to be released. The following factors shall be used in the selection of employee(s) to be laid off. The employee's job responsibilities in relation to the continued, overall efficient operation of the department as determined by the department head. Consideration will be given to the employee's skill level, efficiency and length of service. Employees laid off through no fault of their own shall be given preferential re-hire status.
- D. A ninety-day written layoff notice will be provided to department head or employee answering directly to the city manager whenever possible. A minimum of thirty days written notice will be guaranteed to all employees.

(Ord. 712 §§ 20, 22, 1993; Ord. 685 (part), 1991).

4.36.040 Dismissal for disciplinary reasons.

A department head with concurrence of city manager may dismiss an employee for just cause, including but not limited to inefficiency, insubordination, habitual tardiness or the use or influence of intoxicating beverages or nonprescribed drugs while on duty, or accidents caused by careless behavior or poor judgment depending on the severity of the accident. The department head shall verbally report the dismissal action to the city manager immediately. A written report shall follow in accordance with the time requirements established in the grievance procedure (4.40.030) setting forth the circumstances of the case.

(Ord. 712 § 21, 1993; Ord. 685 (part), 1991).

4.36.050 Dismissal without prejudice.

A department head may dismiss an employee without prejudice for reasons that are not directly the fault of the employee, but result in unsatisfactory job performance. These reasons must be documented in writing in the employee's personnel file and may include:

- A. Lack of necessary knowledge, skill, ability, understanding or aptitude;
- B. Illness or injury that may interfere with successful performance of duties or that may cause so much absence from the job that work is seriously impaired.

(Ord. 685 (part), 1991).

4.36.060 Dismissal notice or severance pay.

When a classified employee is dismissed without prejudice, the employee shall receive two weeks notice or a maximum of two weeks severance pay. Department heads shall receive one month's notice or a maximum of thirty days severance pay.

(Ord. 685 (part), 1991).

4.36.070 Dismissal during probation.

Hires in probationary status may be terminated at any time, without cause, during their probationary period, and without recourse to the grievance procedure in accordance with [Chapter 4.40](#).

(Ord. 712 § 23, 1993; Ord. 685 (part), 1991).

Cordova, Alaska, Code of Ordinances >> [Title 4 - PERSONNEL](#) >> Chapter 4.40 GRIEVANCE PROCEDURE >>

Chapter 4.40 GRIEVANCE PROCEDURE

Sections:

[4.40.010 Policy.](#)

[4.40.020 Definition of a grievance.](#)

[4.40.030 Grievance procedure.](#)

[4.40.040 Mediation and arbitration procedure.](#)

[4.40.050 Disciplinary action.](#)

[4.40.060 Violation of grievance procedure.](#)

4.40.010 Policy.

- A. It is the policy of the city of Cordova to treat all employees equitably and fairly in matters affecting their employment. Each employee of the city shall have the opportunity to respond and resolve those matters affecting their employment which are a violation of these policies and procedures. The employee shall have the right to present any grievance without fear of reprisal. The rights of all employees of the city to confidentiality as provided in [Section 4.04.020](#) C of this title shall be respected by the personnel board and every other employee of the city.
- B. Temporary employees, emergency appointments and casual and as-needed employees, are not included in this grievance procedure and their employment is solely covered in [Section 4.16.020](#) of this title to dismissal or demotion.

(Ord. 712 § 24, 1993; Ord. 685 (part), 1991).

4.40.020 Definition of a grievance.

A grievance is a written complaint by an employee or group of employees challenging the interpretation, application or alleging a violation of a specific section or sections of the personnel policy, or departmental rules and regulations which pertain to the terms of conditions of their employment.

(Ord. 685 (part), 1991).

4.40.030 Grievance procedure.

- A. Step 1. Any employee having a problem regarding employment shall first discuss the problem with the immediate supervisor. If the problem is not settled, and it can be defined as a grievance as set forth in [Section 4.40.020](#) of this chapter, the employee has the right to present the grievance in accordance with the following procedures and time frame.
- B. Step 2. If the grievance is not settled informally, the employee(s) shall document, in detail, the section or sections of the personnel policy, or department rules and regulations alleged to be misinterpreted, misapplied or violated. This formal grievance shall be dated, signed and submitted to the department head within five working days from the date of receipt of a disciplinary action memo by employee, in person, or by mailing pursuant to [Section 4.32.020](#) or of the violation which is the subject matter of the employee's

complaint. If acceptance of the letter is refused transmitting a disciplinary action memo, or the letter is not picked up within ten working days of posting, the employee will be deemed to have waived his or her rights to grieve. The department head shall reply to the written grievance in writing within five working days of receipt of the written grievance. A determination made by the department head that the form of the grievance is insufficient, may be appealed to the city manager.

- C. Step 3. Upon receipt of the department head's response, the employee shall have five working days to appeal the decision in writing to the city manager, or in his/her absence, the acting city manager. If the employee fails to appeal the department head's decision within five days, such failure to respond will serve to declare the grievance as settled based upon the department head's decision. The city manager or in his/her absence, the acting city manager shall reply in writing within five working days of the date of presentation of the grievance. The date of presentation is not included in the five working days.
- D. Step 4. Upon receipt of the city manager's response or failure of the city manager to respond, the employee shall have five days to request in writing that the personnel board review the grievance for mediation or arbitration. If the employee fails to file a written request for mediation or arbitration within the five days, such failure will serve to declare the grievance as settled based upon the city manager's decision.
- E. Subsections A through D of this section do not apply to employees in unclassified positions. The procedure for a grievance of an employment problem for these positions shall be to first discuss the problem with the city manager. The city manager will have five working days after the discussion to render a written final decision which shall be given to the employee. Upon receipt of the city manager's final decision, the employee may present his/her position on the city manager's decision to the city council by submitting the position in writing to the city clerk within five working days from receipt of the city manager's decision. The city council shall investigate the merits of the dispute at its next scheduled meeting. The city council may, if reasonably necessary, continue its consideration of the grievance in order to gather facts or seek legal guidance. The city council must render an advisory opinion within three regularly scheduled council meetings after the matter is brought to its attention. If the city council determines that additional facts are necessary to investigate the dispute, the employee shall be entitled to two weeks notice, to be represented by counsel, to call and cross-examine witnesses and present evidence. All proceedings concerning the investigation shall be, at the election of the employee, held in executive session. A record of all proceedings shall be kept. The city council's decision is advisory only.

(Ord. 1018 § 6, 2008; Ord. 685 (part), 1991).

4.40.040 Mediation and arbitration procedure.

- A. Within ten days upon the receipt of a request for mediation or arbitration, the personnel board shall schedule a meeting with the parties involved to attempt to resolve the differences through informal mediation. This is a nonbinding good faith attempt to resolve differences. Neither party shall be entitled to any additional representation. If resolved at this informal meeting, the decision shall be reduced to writing, signed and copies distributed to all parties.
- B. If the grievance is not resolved through informal mediation within ten working days, the aggrieved employee(s) may request arbitration of the dispute, as provided for below.
- C. 1 The personnel board and aggrieved employee(s) shall select, within five days, a mutually acceptable competent Alaskan arbitrator who can commit to scheduling a hearing and rendering a decision in an expeditious manner. Should the personnel board and the aggrieved employee be unable to agree upon the appointment of an arbitrator, they shall select an arbitrator, by the striking method, from a list of seven qualified Alaskan arbitrators supplied by the Federal Mediation and Conciliation Service (FMC).
- 2. The personnel board and the aggrieved employee(s) shall alternatively strike one name from such list, and the sole remaining name shall be appointed as the arbitrator. The arbitrator shall conduct a hearing in accordance with generally accepted standards and procedures for grievance or arbitration and in as expeditious manner as possible.
- D. Any decision by the FMC's arbitrator shall be final and binding upon the parties concerned. The arbitrator

has the power to decide all issues, including awards of back pay if appropriate. It is understood and agreed that the arbitrator shall not have any power to add to or amend any of the provisions of these policies or rules. Each party in the proceeding will pay the cost of presenting their case. The arbitrator's fee will be paid by the city, unless it is found by the arbitrator that the grievance has been frivolous or not in good faith. In such an event, the employee shall pay the arbitrator's fees.

- E. The time limits referred to in this section must be strictly adhered to, but may be waived or modified by mutual agreement in writing. It is the intent that all procedures set forth herein shall be complied with as expeditiously as practicable. If the employee shall fail to comply with the limits imposed within this section the grievance shall be deemed waived. If the department head or city manager shall fail to meet the time limits imposed within this section, a disciplinary action which forms the basis of the employee's grievance shall be suspended during the period of noncompliance with the time limits and the employee will continue to accrue all pay and benefits as if the disciplinary action had not occurred.

(Ord. 685 (part), 1991).

4.40.050 Disciplinary action.

All appeals from suspensions of more than three days, disciplinary demotion and termination shall be initiated at the third step of the grievance procedure.

(Ord. 685 (part), 1991).

4.40.060 Violation of grievance procedure.

The grievance procedures of this section are the sole and exclusive remedies of the employees of the city contesting violations of these policies and/or disciplinary actions. An employee must fully exhaust these remedies prior to filing any lawsuit or other administrative action.

(Ord. 685 (part), 1991).

Cordova, Alaska, Code of Ordinances >> **Title 4 - PERSONNEL** >> Chapter 4.44 SALARY ADMINISTRATION >>

Chapter 4.44 SALARY ADMINISTRATION

Sections:

- [4.44.010 Pay plan.](#)
- [4.44.020 Standards for development of the pay plan.](#)
- [4.44.030 Development of the pay plan and pay schedule.](#)
- [4.44.040 Administration of the pay plan.](#)
- [4.44.050 Entrance pay rate.](#)
- [4.44.060 Step increases.](#)
- [4.44.070 Permanent part-time employment.](#)
- [4.44.080 Pay rate adjustments.](#)
- [4.44.090 Compensation during acting appointments.](#)
- [4.44.100 Changing pay range assignments.](#)
- [4.44.110 Calculating pay rates.](#)
- [4.44.120 Pay periods.](#)

4.44.010 Pay plan.

The pay plan shall include the pay schedules of all classes of positions, both hourly and monthly computations of salary. The pay plan and pay schedule will be set by the city council by resolution. The objectives of the pay plan shall be:

To provide an appropriate salary structure to recruit and retain an adequate supply of competent employees;

- B. To provide appropriate pay incentives for high employee productivity.

(Ord. 685 (part), 1991).

4.44.020 Standards for development of the pay plan.

The pay plan shall be developed to support the classification plan and shall be based on the principle of equal pay for equal work. Pay ranges within the pay plan shall be determined with due regard to such factors as:

- A. The relationship between classes;
- B. The skills, training, and level of responsibility required to perform the work;
- C. The ability to recruit and retain employees;
- D. The prevailing rates of pay in both public and private sectors in the appropriate recruiting market;
- E. The cost of living and other economic factors;
- F. The availability of funds.

(Ord. 685 (part), 1991).

4.44.030 Development of the pay plan and pay schedule.

- A. The city manager shall be responsible for the development of the pay plan and pay schedule in accordance with the standards described in [Section 4.44.020](#). The city manager shall present his/her proposals before the council for adoption by resolution.
- B. The city manager shall cause to be created an annual cost of living rate and the city salary schedule will be changed to reflect the change in cost of living from the previous year, based on a pre-determined formula.

(Ord. 685 (part), 1991).

4.44.040 Administration of the pay plan.

The city manager shall be responsible for administering the pay plan and keeping it current through periodic reviews and comparative studies of pertinent factors affecting levels of pay.

(Ord. 685 (part), 1991).

4.44.050 Entrance pay rate.

The entrance pay rate shall normally be the minimum rate in the pay range prescribed for the class. A department head, with the written approval of the city manager may make an appointment above the entrance pay rate if qualifications and experience of the individual substantially exceed the education and experience required for that position and equally qualified applicants are not available at the minimum entrance rate. In no instances shall an appointment be made above Step D, except at the department heads level. Also, in no instance will an appointment be made above the minimum step when equally qualified applicants are available at the minimum entrance rate.

(Ord. 685 (part), 1991).

4.44.060 Step increases.

- A. Annual. Each employee shall receive an annual performance evaluation one month prior to his or her anniversary date. The employee's performance must have been at least satisfactory in order to receive a step increase.
- B. Merit Increases. The granting of a merit increase is in no way automatic. It is a merit increase based upon an objective evaluation of the employee(s) work performance during the past year recorded on a

performance evaluation report(s). When the report(s) show(s): (1) an above average or higher rating; and (2) when it is shown that the employee has demonstrated meritorious performance of a progressively greater value to the city, the department head may recommend a merit increase. The city manager shall review the recommendation and must approve or deny the increase in advance.

(Ord. 685 (part), 1991).

4.44.070 Permanent part-time employment.

Permanent part-time employees shall be compensated on an hourly basis at a rate equivalent to the hourly rate established for full-time employment. Permanent part-time employees shall be in probationary status for a period equivalent to the probationary period for that class. A six month probationary period is equivalent to one thousand forty hours and one year probation period is equivalent to two thousand eighty hours. Upon completion of probation, permanent part-time employees may be considered for a step increase.

(Ord. 712 (part), 1993; Ord. 685 (part), 1991).

4.44.080 Pay rate adjustments.

The following personnel actions shall affect the pay status of an employee in the manner described:

- A. Transfers. When an employee is transferred from one position to another with a common pay range, he or she shall continue to receive the same pay rate.
- B. Promotion. When an employee is promoted from one class to another, the employee shall enter at Step A of the new range or if the employee's current rate of pay is greater than Step A of the new range, the pay shall be adjusted to the pay step in the new range which is immediately above his/her current rate of pay. Anniversary date shall change to the effective date of promotion.
- C. Demotion. When an employee is demoted for cause, or for administrative purposes, the pay shall be adjusted to the closest step in the new range to the employee's existing step, but not to exceed the maximum of the new range.
- D. Reinstatement.
 1. Reinstatement of Employees Who Have Resigned. No preferential pay treatment will be given to reinstated employees who had previously resigned. The principals of job classification and equal work, which includes work experience, shall apply as if to a new employee.
 2. Employees granted resignation of a special nature such as, but not limited to, family illness, or education leave for up to one year and with prior approval of the city manager have reinstatement rights according to arrangements in writing at the time of resignation and job availability, if the arrangements are in concurrence with these rules.
 3. Reinstatement of Veteran. A city employee who after being activated while employed by the city and who returns from military service thirty days after separation from active military service shall be entitled to be restored to such position as he/she had when he/she left the city on military leave, other than a temporary position, or to a position of like seniority, status and pay as set forth in accordance with Title 38, United States Code, §§ 2021 and 2024. A veteran shall be reinstated to the same position or one as nearly like it as is available, at the same step he/she had when separated. His or her anniversary date shall be adjusted by the number of days and months that he or she was on military leave. A probationary period shall not be required unless one was not completed in last previous employment, in which case only the incomplete portion need be served upon reinstatement. No probationary pay increase shall be granted unless one was not received in the employee's last previous employment.
 4. Layoff. When a laid off employee is reemployed in the same class from which he or she was laid off, he or she shall be placed in the same pay step that he or she occupied at the time of

layoff. His/her anniversary date shall be adjusted by the number of months and/or days laid off. A probationary period shall be required only if one was not completed in last previous employment, in which case only the incomplete portion need be served in new employment. When the employee is reemployed in a different class, his/her rate of pay shall be assigned according to standard principles of job classification.

5. Reinstatement as Result of Successful Appeal. An employee reinstated as a result of successful appeal is entitled to all rights previously established, including the same pay or step, and the same anniversary date, unless otherwise directed by the body hearing the grievance appeal. A probationary period shall not be required and a probationary increase shall not be awarded unless one was not completed in employment just previous to the appeal, in which case only the incomplete portion need be served in the new employment.

(Ord. 685 (part), 1991).

4.44.090 Compensation during acting appointments.

- A. When a full-time employee is temporarily assigned to a position with a higher pay range and assumes all duties of the higher position in situations such as vacancies, he or she shall be paid at the first step of the higher pay range, or he/she shall be granted a one step pay increase, whichever is higher, for the full period worked in the temporary assignment. An employee who is temporarily assigned to a position with a lower pay range, for any period, shall not receive a reduction in pay. Such acting appointments shall not exceed six months.
- B. An employee in an FLSA exempt position shall be eligible for overtime compensation based upon the employee's regular hourly rate for overtime hours worked while temporarily assigned to an FLSA eligible position with the city manager's approval.

(Ord. 1010 § 3, 2008; Ord. 712 (part), 1993; Ord. 685 (part), 1991).

4.44.100 Changing pay range assignments.

When a pay range for a classification is changed, the new rate for employees occupying positions in that class shall be as follows:

- A. Changed to Higher Range. If the class is changed to a higher pay range, all employees in positions affected shall have their base rates increased in accordance with each pay range advanced, not to exceed the maximum of the new range.
- B. Changed to a Lower Pay Range. If the class is changed to a lower pay range, all employees in positions affected shall not receive reductions in their base rate salary. Employee's base rates exceeding the maximum rate of the new pay range will remain unchanged until the pay range is amended and includes the base rates within the range.

(Ord. 685 (part), 1991).

4.44.110 Calculating pay rates.

Full-time employment is equivalent to two thousand eighty hours a year. Hourly pay is calculated by dividing the annual salary by two thousand eighty and rounding to the nearest cent. Monthly pay is calculated by dividing the annual salary by twelve and rounding to the nearest dollar.

(Ord. 685 (part), 1991).

4.44.120 Pay periods.

Pay periods shall normally end on every other Friday at 11:59 p.m. and pay checks shall be due on the following Thursday. With reasonable notice given to the employees, the city manager may change the pay periods.

Chapter 4.48 HOURS OF WORK—CITY HOLIDAYS

Sections:

[4.48.010 Hours of work.](#)

[4.48.020 Overtime policy.](#)

[4.48.030 Recording time for FLSA exempt employees.](#)

[4.48.040 Recognized city holidays.](#)

[4.48.050 Holiday pay.](#)

[4.48.060 Holiday observation.](#)

[4.48.070 Holiday during annual or medical leave.](#)

[4.48.080 Holiday between two days of leave without pay.](#)

4.48.010 Hours of work.

- A. Unless as otherwise provided in subsection B of this section or stated in the job description, regular working hours of city employees shall consist of a five-day work week, eight hours a day, forty hours a week. The standard work day shall consist of the period from midnight to midnight and the standard work week shall consist of the period from midnight Friday to midnight Friday.
- B. The department head, with the approval of the city manager, may establish different schedules to meet departmental operating needs. The department head, with the approval of the city manager, also may establish, with the necessary agreement of any affected employee, a flexible work hour plan in accordance with AS 23.10.060. Temporary rescheduling of an employee's working hours to meet routine needs may be done as necessary upon the department head's approval.
- C. Lunch Period. Department heads may authorize a one-hour or one-half hour unpaid lunch period to meet operational staff requirements. Such periods shall normally be taken at mid-shift. If the employee is required to work during the lunch period, the employee shall be paid for that period.

(Ord. 1010 § 4, 2008; Ord. 685 (part), 1991).

4.48.020 Overtime policy.

- A. An employee shall be paid overtime pay only if the employee is in a position that is FLSA eligible. An employee in a position that is FLSA exempt shall not be paid overtime pay. The city will advise an employee whether the employee's position is FLSA eligible when the employee is hired, transferred or promoted into the position.
- B. An employee in a position that is FLSA eligible shall receive one and one-half times the employee's regular rate of pay for hours actually worked in excess of forty in a work week. Hours worked on a recognized city holiday and compensated as provided in [Section 4.48.050\(A\)](#), and absences covered by paid or unpaid compensatory leave, holiday leave, annual leave, sick leave, military leave or jury duty leave are not included in hours actually worked for the purpose of computing overtime pay.
- C. Overtime work by an employee in a position that is FLSA eligible is subject to the following policies:
 - 1. A supervisor may assign or approve overtime work only when the supervisor is convinced that overtime work is essential to meet established schedules or deadlines. A frequent requirement for overtime work may indicate that additional personnel are required in a department. All assignments or approvals of overtime by a supervisor are subject to the approval of the supervisor's department manager.
 - 2. As a condition of employment, every employee is expected to work assigned overtime. An employee

will be given advance notice of assigned overtime whenever possible, but overtime may be assigned without advance notice when conditions require it. An employee must inform the employee's supervisor as soon as possible if the employee is unable to work assigned overtime, and of the reasons for that inability. An employee must have a compelling reason to be released from assigned overtime without being disciplined. A pattern of unwillingness to work assigned overtime without a compelling reason may subject the employee to disciplinary action up to and including discharge.

3. No supervisor may allow an employee in a position that is FLSA eligible to work overtime without overtime compensation. No employee in a position that is FLSA eligible may work overtime without first notifying the employee's supervisor, even if the employee does not intend to be compensated for the overtime. Each supervisor of an employee in a position that is FLSA eligible shall inform the employee that unauthorized overtime is not allowed, even if the employee does not intend to be compensated for the overtime. An employee or supervisor who does not comply with these policies may be subject to disciplinary action up to and including discharge.
4. A time sheet for each employee in a position that is FLSA eligible must be submitted to the payroll department in a timely manner to allow adequate time for payroll processing.

(Ord. 1010 § 5, 2008; Ord. 685 (part), 1991).

4.48.030 Recording time for FLSA exempt employees.

An employee in a position that is FLSA exempt shall complete and submit time sheets to assist in accounting for annual leave, sick leave, and other forms of leave.

(Ord. 1010 § 6, 2008; Ord. 729 § 2, 1994; Ord. 712 § 25, 1993; Ord. 685 (part), 1991).

4.48.040 Recognized city holidays.

The following days shall be recognized as holidays with pay for all employees in full-time and permanent part-time positions who are in pay status the day before and the day following such days:

New Year's Day
Martin Luther King Day, 3rd Monday in January
President's Day, 3rd Monday in February
Seward's Day, last Monday in March
Memorial Day, last Monday in May
Independence Day, July 4th
Labor Day
Alaska Day
Veteran's Day, November 11
Thanksgiving Day and the day after
Christmas Day
Employee's birthday.

And any legally required holiday proclaimed by the President of the United States or Governor of the State of Alaska.

(Ord. 1010 § 8, 2008; Ord. 712 § 27, 1993; Ord. 685 (part), 1991).

4.48.050 Holiday pay.

- A. An employee in an FLSA eligible position shall receive two times the employee's regular rate of pay for hours actually worked on a recognized city holiday.
- B. An employee in a position that is FLSA exempt and who is required to work on a recognized city holiday

shall, at the city manager's discretion, receive either one extra day's pay or one compensatory day off.
(Ord. 1010 § 9, 2008).

4.48.060 Holiday observation.

- A. Observed Days. When a recognized holiday falls on a Saturday, the preceding Friday shall be recognized as the holiday. When a recognized holiday falls on a Sunday, the Monday following shall be recognized as the holiday. When a recognized holiday falls on an employee's regularly scheduled day off, the observed holiday shall be the work day closest to the recognized holiday. When an employee's birthday falls on another recognized holiday, or if an employee's duties prevent the employee from taking the employee's birthday off, the employee may elect any day in the week in which the holiday occurs as his or her birthday holiday.
- B. Compensation for Holidays Not Worked. A full-time employee not required to work on a recognized holiday shall be paid eight hours of holiday pay at the employee's regular rate of pay. A part-time employee not required to work on a recognized holiday shall be paid at the employee's regular rate of pay for the number of hours the employee is normally scheduled to work.

(Ord. 1010 § 10, 2008; Ord. 712 § 26, 1993; Ord. 685 (part), 1991).

4.48.070 Holiday during annual or medical leave.

A recognized city holiday, occurring during an employee's annual or sick leave shall not be counted as a day of annual or sick leave.

(Ord. 685 (part), 1991).

4.48.080 Holiday between two days of leave without pay.

A holiday occurring between two days of leave without pay shall not be paid.

(Ord. 685 (part), 1991).

Cordova, Alaska, Code of Ordinances >> [Title 4 - PERSONNEL](#) >> Chapter 4.52 RETIREMENT—INSURANCE—MEDICAL BENEFITS >>

Chapter 4.52 RETIREMENT—INSURANCE—MEDICAL BENEFITS

Sections:

[4.52.010 Retirement.](#)

[4.52.020 Insurance and medical benefits.](#)

4.52.010 Retirement.

Full-time employees are required to participate in the state of Alaska Public Employees Retirement System (PERS). The city will contribute an amount as determined by the state's retirement actuaries. All employees are required to participate and must enroll immediately upon accepting full-time permanent employment with the city. Part-time employees who work at least fifteen hours per week must also enroll in the Alaska PERS. There will be no retirement benefits for federally or state funded positions including JTPA and elderly programs which regulations prohibits participants under PERS. Official enrollment becomes effective six months after date of hire except if the employee has been a previous member of PERS in another municipality or agency, then PERS enrollment is effective on date of hire.

(Ord. 712 § 28, 1993; Ord. 685 (part), 1991).

4.52.020 Insurance and medical benefits.

- A. All full-time and all part-time employees of the city will be enrolled in the city's health and life insurance program. Each eligible employee, his or her spouse and unmarried dependent children shall be covered by the group policy at no expense to the employee. All benefits, limitations, exclusions and other coverage provisions will be subject to the terms and conditions of the health insurance contract that is in effect and issued to the city. Benefits, limitations, exclusions and other coverage provisions are provided to the employee in their health insurance booklet. Part-time employees will have the cost of their insurance coverage pro-rated according to hours worked.
- B. When a full-time or part-time employee is on leave without pay, the employee is responsible for payment of all health and life insurance premiums.
- C. The Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1984 and all pertinent amendments thereto govern the rights of employees to health insurance after termination of employment.

(Ord. 712 § 29, 1993; Ord. 685 (part), 1991).

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Chapter 4.56 LEAVE

Sections:

- [4.56.010 Annual leave entitlement.](#)
- [4.56.020 Annual leave accrual rate.](#)
- [4.56.030 Administrative procedure.](#)
- [4.56.040 Leave accrual for employees on paid leave.](#)
- [4.56.050 Computation of leave accrual for permanent part-time employees.](#)
- [4.56.060 Leave accrual for temporary employees.](#)
- [4.56.070 Maximum of two hundred forty hours that can be accumulated.](#)
- [4.56.080 Annual leave use.](#)
- [4.56.090 Exceptions.](#)
- [4.56.100 Annual leave cash-in possibilities.](#)
- [4.56.110 Separation leave.](#)
- [4.56.120 Reinstated employee leave.](#)
- [4.56.130 Military leave.](#)
- [4.56.140 Jury leave.](#)
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- [4.56.160 Change of anniversary date because of leave without pay.](#)
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- [4.56.200 Medical leave accrual.](#)
- [4.56.210 Purpose of medical leave.](#)
- [4.56.220 Use of leave during probationary period.](#)
- [4.56.230 Use of medical leave.](#)
- [4.56.240 Death in immediate family.](#)
- [4.56.250 Medical leave bank.](#)

4.56.010 Annual leave entitlement.

Full-time and permanent part-time employees shall be entitled to leave accrual benefits except during the period when leave without pay exceeds ten consecutive work days in any calendar year. Temporary employees

are not entitled to accrue leave.

(Ord. 685 (part), 1991).

4.56.020 Annual leave accrual rate.

- A. The annual leave accrual shall be as follows:
1. Eight hours per month for zero to two years' service (2.4 weeks/year).
 2. Twelve hours per month for two but less than three years' service (3.6 weeks/year).
 3. Sixteen hours per month for three but less than six years' service (4.8 weeks/year).
 4. Twenty hours per month for six years or more service (six weeks/year).
- B. Annual leave shall accrue beginning with the date of appointment and shall be based on regular hours of work. Overtime and leave without pay hours will not be included in annual leave calculations.

(Ord. 685 (part), 1991).

4.56.030 Administrative procedure.

All department heads shall submit a leave request form to the payroll clerk one week prior to granting leave to any employee, including leave for themselves, in order to verify availability of the amount of leave requested. The payroll clerk will initial the leave slip and file it in the employee's payroll records. If the employee requesting leave is a department head, the payroll clerk will submit a copy of the leave slip to the city manager. If the employee does not have sufficient leave accrued, the department head or city manager will be advised immediately.

(Ord. 685 (part), 1991).

4.56.040 Leave accrual for employees on paid leave.

Leave continues to accrue during the period of time an employee is on paid leave. Leave does not accrue during period of leave without pay.

(Ord. 685 (part), 1991).

4.56.050 Computation of leave accrual for permanent part-time employees.

Permanent part-time employees shall accrue leave on a proportional basis as full-time employees. Leave shall be computed based on the actual hours worked in proportion to the number of normal duty hours in a pay period.

(Ord. 712 (part), 1993; Ord. 685 (part), 1991).

4.56.060 Leave accrual for temporary employees.

Temporary employees shall not accrue leave.

(Ord. 685 (part), 1991).

4.56.070 Maximum of two hundred forty hours that can be accumulated.

The maximum annual leave that may be accumulated is two hundred forty hours, and leave accumulated in excess of this amount at December 31st of each year will be written off unless an additional carry over is authorized by the city manager due to unusual circumstances as specified in [Section 4.56.090](#) of this title.

(Ord. 685 (part), 1991).

4.56.080 Annual leave use.

- A. Timing of Use. Annual leave may be used upon satisfactory completion of probationary period. However, the city manager may grant an employee early annual leave benefits due to extraordinary circumstances.
- B. Use of Annual Leave. Annual leave may be used for any purpose desired by the employee. Employees shall be allowed to use any amount of accrued leave at the time they desire given that the department head determines their absence will not be detrimental to the operation of the department.
- C. Amount of Annual Leave That Must Be Taken Yearly. At least eighty hours of annual leave must be used each calendar year after the first anniversary date and every anniversary date thereafter. It is the responsibility of the department head to insure that work planning is so scheduled that each employee has the opportunity to use their leave at a time that most nearly meets their desires.

(Ord. 685 (part), 1991).

4.56.090 Exceptions.

- A. Whenever, in the opinion of the city manager, or designee, it is not feasible nor in the best interest of the city service to grant earned leave to an employee, such employee shall not lose bona fide earned annual leave but shall receive a suspension of the limitation of accrued leave accumulation. The city manager shall decide the future expenditure of such leave.
- B. Whenever, in the opinion of the department head and city manager, it is not feasible nor in the best interests of the city service to suspend the annual leave accumulation limits, the city manager may authorize cash in lieu of leave not to exceed twenty working days in any fiscal year.

(Ord. 685 (part), 1991).

4.56.100 Annual leave cash-in possibilities.

In addition to the provision in [Section 4.56.090](#) B of this chapter, cash in lieu of accrued annual leave may be obtained under emergency conditions outlined in writing and approved by the city manager. Emergency is defined as a critical situation over which the employee has no control.

(Ord. 685 (part), 1991).

4.56.110 Separation leave.

Upon separation, during the initial probationary period, annual leave shall not be granted nor paid to the employee. In other separations, accrued leave shall be paid in a lump sum. The salary or hourly rate(s) to be used in computing the cash payment shall be that rate which was received by the employee during the current period.

(Ord. 685 (part), 1991).

4.56.120 Reinstated employee leave.

Reinstated employees hired within two years of termination who have had at least one year of total service, and who have successfully completed their probationary period in previous service, shall be permitted to use their accrued leave as it accrues.

(Ord. 685 (part), 1991).

4.56.130 Military leave.

Any full-time employee participating as a member of a United States reserve component, either in active military duty or in training, is authorized up to ten working days leave for such purpose in the case of the

employee who has completed probationary service. The city manager will be provided with a copy of the individual's orders to duty. The absence will be recorded, during the first ten working days, as administrative leave without charge to annual leave. During such leave, the city will pay the difference between the amount paid by the military, excluding allowances, and the sum the employee would have received for city work during the same period at the regular rate.

(Ord. 712 (part), 1993; Ord. 685 (part), 1991).

4.56.140 Jury leave.

Jury duty shall be treated as approved leave, without loss of annual leave or pay. Service in court when subpoenaed as witness on behalf of the city, or when called as an expert on a matter of city concern or relating to a municipal function, will be treated the same as jury duty. In order to be entitled to jury leave, the employee shall provide the department head with written proof of the requirement of his or her presence for the hours claimed. Fees paid by the court other than those for an employee's appearance at anytime outside the employee's regularly scheduled shift, for travel, parking and subsistence allowance, shall be turned in for deposit in the city's general fund. Witness service for the purposes other than just described will be covered by annual leave, or leave without pay, and any fees received in this connection may be retained by the individual.

(Ord. 685 (part), 1991).

4.56.150 Leave without pay.

Purpose and Conditions. Leave without pay may be granted to an employee upon recommendation of the department head and approval of the city manager. Each request for such leave shall be considered in the light of the circumstances involved and the needs of the department. Leave without pay shall not be requested nor granted until such time as all accrued annual leave has been exhausted, except when an employee is absent and drawing worker's compensation pay. The city manager and department head may grant no more than ten consecutive working days' leave without pay. Additional leave without pay may be granted only upon approval of the city council.

(Ord. 685 (part), 1991).

4.56.160 Change of anniversary date because of leave without pay.

If an employee uses more than thirty calendar days of leave without pay during the leave year the anniversary date shall be advanced by the number of days such leave without pay exceeds thirty.

(Ord. 685 (part), 1991).

4.56.170 Unauthorized leave.

Any absence not authorized and approved in accordance with provisions of these regulations shall be without pay for the period of absence and shall be grounds for disciplinary action.

(Ord. 685 (part), 1991).

4.56.180 Education leave with or without pay.

Leave with or without pay, not to exceed three months may be authorized for employees to complete advance training programs.

(Ord. 685 (part), 1991).

4.56.190 Medical leave with pay.

- A. Leave With Pay. Regular full-time and regular part-time employees shall be granted paid leave during periods of approved requested leave to be paid out of accrued annual and sick leaves.
- B. Leave Without Pay. A medical leave without pay may be granted after all sick and annual leave has been used with approval of the city manager to an employee, upon recommendations from the treating physician with information on the nature of the disability and an estimated date when the employee will be able to return to employment. Medical leave without pay shall be granted only after sick and annual leave has been exhausted and may not exceed three months. If medical leave without pay continues beyond three months and the employee has not returned to work, employment will be terminated.
- C. Return to Work. Upon return to work with the written approval of the attending physician the employee will be restored to the previous departmental classification without loss of seniority if the employee returns within the approved period of time not to exceed three months. This leave shall be charged to sick leave while employee is in the hospital or other sick days due to complications after hospitalization as verified by physician. All other time will be charged to annual leave and then to leave without pay for the balance of the disability period.

(Ord. 729 § 3(3), 1994; Ord. 685 (part), 1991).

4.56.200 Medical leave accrual.

Medical leave accrues separately from annual leave on an annual basis at the rate of fifteen days per year. Regular annual leave may always be used as sick leave when the sick leave account balance is zero. As an incentive for the employee to keep himself or herself physically well and to promote employee longevity, sick leave may be cashed-in on the following basis:

Upon separation under favorable terms and completion of five years service, fifty percent of the sick leave balance accrued (up to a total of five hundred twenty hours) can be cashed in for pay at the employee's current rate of pay. This cash-in pay is subject to all taxation and contributions required of all payroll compensation.

(Ord. 685 (part), 1991).

4.56.210 Purpose of medical leave.

Accumulation of sick leave is allowed primarily for the purpose of providing an employee with an economic cushion to be used in event of the employee's illness or quarantine. However, it may also be used for other purposes as set forth in Sections [4.56.230](#) and [4.56.240](#) of this chapter.

(Ord. 685 (part), 1991).

4.56.220 Use of leave during probationary period.

Accrued sick leave may be used for sick leave purposes during the probationary period.

(Ord. 685 (part), 1991).

4.56.230 Use of medical leave.

- A. Sick Leave. An employee may use accrued sick leave for absence due to illness, injury, exposure to contagious disease or due to illness or death in the employee's immediate family requiring the employee's personal attendance. Doctor or dental appointments shall be included as cause for sick leave. An employee who is absent shall inform his or her immediate supervisor of the fact and reason therefore as soon as possible, and failure to do so within a reasonable time may be cause for disciplinary action. Extended absence on sick leave, three or more consecutive work days due to illness, hospitalization, medical observation, or treatment may be required to be certified by a physician, surgeon, psychiatrist, dentist or other such licensed professional person.
- B. Sick Leave to Supplement Worker's Compensation. The employee may use sick and annual leave or a

combination thereof to supplement worker's compensation payments to the extent that the employee receive no more than one hundred percent of the employee's current take-home pay. While on annual and sick leave, the employee would retain his or her worker's compensation and all fringe benefits. After all annual and sick leave has expired, the employee will receive only worker's compensation benefits. Should the employee exhaust all annual leave, sick leave and worker's compensation leave, the department head and city manager may grant the employee leave without pay. (See [Section 4.56.150](#)). This situation may remain in effect until a doctor's statement is submitted to the city advising that the employee is physically fit and capable to perform the full duties of the position.

- C. Worker's Compensation Procedures. There will be in effect worker's compensation procedures. These procedures will outline and address specific steps that will be taken by the city, supervisor and employee with each worker's compensation claim that is filed. These procedures will be posted at each employee's worksite and made available to each employee when a claim is filed.
- D. Leave Without Pay. Leave without pay shall be granted in accordance with the Federal Family and Medical Leave Act (FMLA) and pursuant to the following additional terms:
 - 1. An employee requesting unpaid FMLA leave must give thirty days advance notice to his/her need to take such leave, and must state the reason for requesting such leave. If it is not reasonable or practicable, under the circumstances, for the employee to provide such advance notice, then the employee must notify his/her supervisor as soon as practicable of the need to take unpaid FMLA leave.
 - 2. An employee requesting unpaid FMLA leave must (a) complete the "Employee Application for FMLA" form; (b) have a qualified health care provider complete the "Certification of Physician or Health Practitioner" form; and (c) submit both forms to his/her supervisor within fifteen calendar days of informing his/her supervisor of the need for such leave. However, if it is not practicable, under the circumstances, to submit the completed forms within such time, then completed forms shall be submitted as soon as practicable.
 - 3. If an employee is granted a request for unpaid FMLA leave for reasons of birth or because of placement of a child for adoption or foster care, then the employee must take such leave in a single block of time.
 - 4. If an employee is granted a request for FMLA leave for any reason, then accrued paid vacation or personal leave to which the employee is entitled must be submitted. Accrued paid family leave must be substituted when FMLA leave is taken because of birth, placement of a child for adoption or foster care, or to care for a spouse, child or parent with a serious health condition. Accrued paid medical or sick leave must be substituted when FMLA leave is taken because of the serious health condition of the employee or of the employee's spouse, child or parent. Accrued paid leave which the employee must substitute will be counted against the employee's twelve-week entitlement to FMLA leave.
 - 5. If an employee takes FMLA leave because of the employee's own serious health condition, then the employee must obtain certification from a health care provider that the employee is able to resume work. Such certification will only be required as to the health condition that caused the need for FMLA leave and need only be a simple statement of the employee's ability to return to work. The employee must present such certification to his/her supervisor before he or she will be allowed to return to work.

(Ord. 729 § 3(4), 1994; Ord. 712 § 30, 1993; Ord. 685 (part), 1991).

4.56.240 Death in immediate family.

A full-time employee is eligible for bereavement leave, not to exceed five days, upon the death of members of his or her immediate family (family members shall be described as follows: parents-in-laws, spouse, father, mother, siblings (brother, sister), children (son, daughter, step-children), step-parents, and grand-parents). Bereavement leave will not be deducted from any chargeable leave account.

(Ord. 712 (part), 1993; Ord. 685 (part), 1991).

4.56.250 Medical leave bank.

An employee may voluntarily donate unused sick leave he or she has accrued to another city employee who is seriously ill or injured, requires absence from work for more than twenty consecutive days, has exhausted all his or her annual and sick leave, and is under the care of a physician. The city manager must approve the use of such sick leave.

(Ord. 685 (part), 1991).

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Chapter 4.60 MISCELLANEOUS PROVISIONS

Sections:

[4.60.010 Tuition refunds.](#)

[4.60.020 Gifts and gratuities.](#)

[4.60.030 Outside employment.](#)

[4.60.040 Employment of family members.](#)

[4.60.050 Standard operating procedure.](#)

[4.60.060 Individual employment agreements.](#)

[4.60.070 Development of procedures and policies.](#)

4.60.010 Tuition refunds.

A tuition refund application will be completed and submitted to the city manager. An employee who successfully completes course work considered to be of benefit to the city, may be reimbursed up to one hundred percent of the tuition expense. In order to receive this reimbursement, the employee must, prior to enrollment, obtain the written concurrence of his or her department head that the proposed course is related to the employee's present duties and that successful completion of the course will be of mutual benefit to the city and himself/herself. The employee also shall sign an agreement that the reimbursed tuition will be returned to the city in the event he or she leaves city employment within twelve months from date of completion of the course. He or she must also agree to repay the cost of the course to the city if he or she does not satisfactorily complete the course. Upon successful completion of the course, the employee shall furnish evidence of successful completion and amount of course fee. Upon approval of the city manager the reimbursement cost will be drawn from funds in the department's budget. The city may pay direct billings from colleges or universities for courses approved in advance by the department head and city manager in accordance with this policy as part of a curriculum leading to a specific college degree.

(Ord. 712 § 32, 1993; Ord. 685 (part), 1991).

4.60.020 Gifts and gratuities.

It shall be the responsibility of each city employee to remain free from indebtedness or favors which would tend to create a conflict of interest between personal and official interests, or might reasonably be interpreted as affecting the impartiality of the individual employee. If an employee is tendered or offered a gift or gratuity which would, in the eyes of the public, or in the eyes of public officials, be construed to be an attempt to bribe, influence or to encourage special consideration with respect to municipal operations, such offer shall be reported without delay to the employee's immediate superior who in turn will inform the department head or city manager. If there should be any doubt whether a gift or gratuity is of such significance as to create undue influence upon the employee, the matter shall be reported to the department head concerned. Any employee who knowingly accepts any gift or gratuity without approval by the department head or city manager in violation of this section may be

disciplined and/or dismissed from the city service as determined by the city manager.

(Ord. 685 (part), 1991).

4.60.030 Outside employment.

No employee shall engage in any other employment, whether public, private or self-employment during scheduled work hours, nor outside scheduled work hours if such employment conflicts with the city's interests or adversely affects the employee's availability and usefulness. Management personnel are responsible for informing all subordinates of the provisions of this regulation and for enforcing it. Employees are urged to discuss any outside employment intentions with their supervisor prior to assuming such employment, and complete and return to the department head a "Request for Approval for Secondary Employment" form. Examples of other employment considered contrary to the city's interests and to adversely affect the availability and usefulness of employees are:

- A. Preparing financial reports subject to city audit or review;
- B. Holding the position of department head or comparable level while serving as an officer or director of any union or association of city employees;
- C. Directly or indirectly participating in any business or organization that has, or is attempting to obtain funds or business from the city;
- D. Using or having access to information or data pertinent to other employment;
- E. All employees shall file a "Notice of Potential Conflict" with the city manager should they suspect that they or any member of their family by blood, law or marriage might benefit directly or indirectly from any city contract or disbursement other than wages. Upon the filing of Notice of Potential Conflict the city manager may waive the conflict; provided, that no other person or entity with comparable experience and competence is comparable at a similar price. In the case of department heads and the city manager, the city council must approve such waiver.

(Ord. 712 § 33, 1993; Ord. 685 (part), 1991).

4.60.040 Employment of family members.

- A. No person may be employed in a position supervised by a family member; provided, this will not prevent continued employment with the city of persons who are presently employed at the adoption hereof. Additionally, family members shall not be placed in a position such that one member is required or authorized to review the work, personnel documents, expense account or the records of another family member.
- B. Family members shall be described as follows: in-laws, spouse, father, mother, siblings (brother, sister), children (son, daughter, step-children), step-parents, and grandparents.

(Ord. 685 (part), 1991).

4.60.050 Standard operating procedure.

The city manager may require each department to establish and maintain standard operating procedures for use by employees in daily operations.

(Ord. 685 (part), 1991).

4.60.060 Individual employment agreements.

Any individual employment agreement between the city, the city manager, and the city clerk which has been approved by the city council supersedes the provisions of this title except that within an individual employment agreement specific sections of this title be may be incorporated by reference.

(Ord. 685 (part), 1991).

4.60.070 Development of procedures and policies.

- A. The city will from time to time develop and implement certain procedures and rules that will apply to employee's safety and welfare and federal or state regulations that effect employees: for example; drug free work place, Americans with Disabilities Act, sexual harassment, safety plan, workers' compensation procedures. These procedures will be in addition to the personnel policy and will be made available and posted at each employee's workplace upon approval of the city manager and department heads.
- B. In addition it shall be understood that "manual" "policy" and/or "personnel policy book" are all the one and same document and all references to this document shall be personnel policy and changes shall be made throughout the entire personnel policy as necessary for document conformance. Changes shall be made in all sections where language is not consistent.

(Ord. 712 § 34, 1993).

Pending agenda:

Second meetings of the month plan – July, and Aug, 2013?

Providence Review/Evaluation of Management - discussion

Saw Mill Avenue Extension Project – P&Z options/recommendations

2nd July Meeting (i.e. 7/17/13), P&Z to have results of South Fill forums from Agnew & Beck

Capital Priorities List Meeting –**September 2013, December 2013, March 2014, June 2014**

Discussion of City Auditor RFP – **September 4, 2013** Regular Meeting

Based on the Interim Manager’s exit interview/report, does Council want to add anything to this pending agenda?

Committees:

Cordova Center Committee: Tim Joyce, Sylvia Lange, Dan Logan, Mark Lynch, Sam Greenwood, Moe Zamarron, Dave Reggiani, Cathy Sherman

Fisheries Advisory Committee: David Reggiani, PWSAC; Ken Roemhildt, Seafood Sales; Jim Holley, AML; Torie Baker, Marine Advisory Program Coordinator; John Bocci; and Jeremy Botz, ADF&G

Cordova Trails Committee: Elizabeth Senear, VACANCY, Jim Kallander, Toni Godes, and David Zastrow

Public Services Building Design Committee: David Reggiani - Chairman, Chief George Wintle, vacancy, Jim Kacsh, Dick Groff, Mike Hicks, Tom Bailer

E-911 Committee: Chief George Wintle – Chairman, Bret Bradford, Gray Graham, Dick Groff, Mike Hicks (and/or Paul Trumblee), David Allison, George Covel

City Manager Assessment Committee: Cindy Bradford, Mark Frohnapfel, Don Sjostedt, Kelly Weaverling, EJ Cheshier, James Kacsh, Dave Reggiani

Calendars:

3 months of calendars are attached hereto
July 2013; August 2013; Sept 2013

July 2013

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
Location Legend CH-City Hall Conference Room LMR-Library Mtg Rm HSL-High School Library	<i>1</i>	<i>2</i>	<i>3</i> time tbd HSB LMR 7:30 reg mtg LMR	<i>4</i> Independence Day Offices Closed Street Party—First Street/Cordova Center front yard	<i>5</i>	<i>6</i>
<i>7</i>	<i>8</i> 5:30 Parks & Rec LMR	<i>9</i> 6:30 P&Z LMR	<i>10</i> 7:00 Sch Bd HSL 7:00 Hrbr Cms CH	<i>11</i>	<i>12</i>	<i>13</i>
<i>14</i>	<i>15</i>	<i>16</i>	<i>17</i> 7:15 pub hrg (maybe) LMR 7:30 reg mtg LMR	<i>18</i>	<i>19</i> ——Clerk vaca——	<i>20</i>
<i>21</i>	<i>22</i> ——Clerk vaca——	<i>23</i> ——Clerk vaca——	<i>24</i> ——Clerk vaca——	<i>25</i> ——Clerk vaca——	<i>26</i> ——Clerk vaca——	<i>27</i>
<i>28</i>	<i>29</i> ——Clerk vaca——	<i>30</i> ——Clerk vaca——	<i>31</i>			Location Legend CH-City Hall Conference Room LMR-Library Mtg Rm HSL-High School Library

August 2013

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
				<i>1</i>	<i>2</i>	<i>3</i>
<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i> 7:15 pub hrg (maybe) LMR 7:30 reg mtg LMR	<i>8</i>	<i>9</i>	<i>10</i>
<i>11</i>	<i>12</i> 5:30 Parks & Rec LMR	<i>13</i> 6:30 P&Z LMR	<i>14</i> 7:00 Sch Bd HSL 7:00 Hrbr Cms CH	<i>15</i>	<i>16</i>	<i>17</i>
<i>18</i>	<i>19</i>	<i>20</i>	<i>21</i> 7:15 pub hrg (maybe) LMR 7:30 reg mtg LMR	<i>22</i>	<i>23</i>	<i>24</i>
<i>25</i>	<i>26</i>	<i>27</i>	<i>28</i>	<i>29</i>	<i>30</i>	<i>31</i>

September 2013

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
<i>1</i>	<i>2</i> Labor Day City Hall Offices Closed	<i>3</i>	<i>4</i> 7:15 pub hrg (maybe) LMR 7:30 reg mtg LMR	<i>5</i>	<i>6</i>	<i>7</i>
<i>8</i>	<i>9</i> 5:30 Parks & Rec LMR	<i>10</i> 6:30 P&Z LMR	<i>11</i> 7:00 Sch Bd HSL 7:00 Hrbr Cms CH	<i>12</i>	<i>13</i>	<i>14</i>
<i>15</i>	<i>16</i>	<i>17</i>	<i>18</i> 7:15 pub hrg (maybe) LMR 7:30 reg mtg LMR	<i>19</i>	<i>20</i>	<i>21</i>
<i>22</i>	<i>23</i>	<i>24</i>	<i>25</i>	<i>26</i>	<i>27</i>	<i>28</i>
<i>29</i>	<i>30</i>					Location Legend CH-City Hall Confer- ence Room LMR-Library Mtg Rm HSL-High School Li- brary