

City and Borough of Yakutat

EMPLOYEE PERSONNEL POLICY MANUAL

Effective Date: January 1, 2015 (Ordinance 14-581)

Revision Date: October 1, 2017 (includes Ordinances 15-591; 16-597; 17-623; and 17-630)

Revision Date: September 17, 2018 (includes Ordinance 18-646)

Revision Date: October 7, 2021 (includes Ordinance 21-687)

INTRODUCTORY STATEMENT

This personnel policy manual is designed to acquaint employees with the City and Borough of Yakutat and provide employees with information about working conditions, employee benefits, and some of the policies affecting their employment. Employees should read, understand, and comply with all provisions of the personnel policy. It describes many of their responsibilities and outlines the programs developed by the City and Borough of Yakutat for their benefit.

No Personnel Policy can anticipate every circumstance or question about employment policy. As the City and Borough of Yakutat continues to grow, the need may arise, for which City and Borough of Yakutat reserves the right, to revise, supplement, or rescind any policy from time to time as it deems appropriate, in its sole and absolute discretion. Employees will be notified of such changes to the personnel policy as they occur. In some cases, individual department policies will be inconsistent with the terms established in this personnel policy. When that occurs, those policies specific to departments that have been approved by the Borough Assembly shall supersede the policies laid out here. If any policy or provision is found to be in conflict or out of compliance with any applicable state or federal rule, regulation, or law, those requirements will take precedent over this policy.

EMPLOYEE ACKNOWLEDGEMENT FORM

This Personnel Policy Manual describes important information about the City and Borough of Yakutat, and I understand that I should consult with the Borough Manager regarding any questions not answered in the personnel policy. Since the information, policies, and benefits described herein are necessarily subject to change, I acknowledge that revisions to the personnel policy manual may occur. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the Borough Assembly of the City and Borough of Yakutat has the ability to adopt any revisions to the policies in this personnel policy manual, except as otherwise provided for herein. Furthermore, I acknowledge that this personnel policy manual and its provisions, does not constitute a contract of employment, nor a guarantee of the continued provision of any policy or benefit set out herein. I have received the personnel policy manual in its entirety, and I understand that it is my responsibility to read and comply with the policies contained in this personnel policy and any revisions made to it.

EMPLOYEE'S NAME (printed): _____

EMPLOYEE'S SIGNATURE: _____ DATE: _____

SUPERVISOR'S SIGNATURE: _____ DATE: _____

TABLE OF CONTENTS

Organization Description and Applicability of Manual	8
--	---

GENERAL PROVISIONS

100 ADOPTION AND ADMINISTRATION.....	10
101 NATURE OF EMPLOYMENT.....	10
102 EQUAL OPPORTUNITY EMPLOYMENT	10
103 <i>(There is no section 103)</i>	
104 CODE OF ETHICS AND CONDUCT	10
104A HIRING OF RELATIVES	11
104B CONFLICTS OF INTEREST	12
105 IMMIGRATION LAW COMPLIANCE.....	13
106 OUTSIDE EMPLOYMENT.....	13
107 PROTECTION FOR WHISTLEBLOWERS.....	13
108 DISABILITY ACCOMMODATION.....	13
109 LIFE THREATENING ILLNESSES IN WORKPLACE.....	14

EMPLOYEE RECRUITMENT AND SELECTION

201 EMPLOYMENT RECRUITMENT AND SELECTION.....	15
202 EMPLOYMENT ADVERTISEMENT	15
203 EMPLOYEE SELECTION PROCESS	15

204 PRE-EMPLOYMENT DRUG TESTING AND MEDICAL EXAMINATIONS	16
---	-----------

GENERAL EMPLOYMENT

301 EMPLOYEE CATEGORIES.....	16
302 PROMOTION.....	18
303 ACCESS TO PERSONNEL FILES	18
304 PERSONNEL DATA CHANGES	18
305 PERFORMANCE EVALUATIONS	18
306 JOB DESCRIPTIONS.....	19

COMPENSATION

401 SALARY ADMINISTRATION	19
402 MERIT INCREASES.....	20
403 TIMEKEEPING FOR NONEXEMPT EMPLOYEES.....	20
404 PAY PERIODS	21
405 PAY ADVANCES.....	22
406 ADMINISTRATIVE PAY CORRECTIONS	22
407 PAY DEDUCTIONS.....	22
408 PAYMENT UPON EMPLOYMENT TERMINATION.....	22
409 BUSINESS TRAVEL EXPENSES	23
410 VEHICLE ALLOWANCE.....	23
411 COLLECTION.....	23

BENEFITS AND LEAVE

501 EMPLOYEE BENEFITS	24
502 PAID TIME OFF BENEFITS	24
503 HOLIDAYS	26
504 HEALTH INSURANCE	26
505 BENEFITS CONTINUATION	27
506 LIFE INSURANCE AND AFLAC	27
507 RETIREMENT	28
508 WORKERS' COMPENSATION INSURANCE	28
509 LEAVE WITHOUT PAY	28
510 BEREAVEMENT LEAVE.....	29
511 JURY DUTY.....	29
512 TIME OFF FROM WORK IN CONNECTION WITH COURT CASE OR ARBITRATION	30
513 EDUCATIONAL BENEFITS.....	30
514 FAMILY LEAVE.....	31
515 PREGNANT EMPLOYEES.....	32
516 MILITARY LEAVE.....	33

WORK SCHEDULES

601 WORK SCHEDULES	33
---------------------------------	-----------

602 REST AND MEAL PERIODS.....	34
603 OVERTIME	34
604 ON-CALL STATUS AT THE YAKUTAT POLICE DEPARTMENT	35

SAFETY AND SECURITY

701 SAFETY.....	35A
702 VISITORS IN THE WORKPLACE.....	35A
703 WORKPLACE MONITORING.....	36
704 WORKPLACE VIOLENCE PREVENTION	36
705 EMERGENCY CLOSING.....	37
706 SECURITY INSPECTIONS	37

EMPLOYEE CONDUCT AND WORK RULES AND STANDARDS

801 USE OF TELEPHONE AND MAIL SYSTEMS.....	37
802 CELLULAR TELEPHONE USE.....	38
803 SMOKING	38
804 USE OF EQUIPMENT AND VEHICLES.....	38
805 COMPUTER, INTERNET AND EMAIL USAGE	39
806 EMPLOYEE GENERAL WORK STANDARD RESPONSIBILITIES.....	42
807 DRUG AND ALCOHOL USE.....	42
808 SEXUAL AND OTHER HARASSMENT	42
809 ATTENDANCE AND PUNCTUALITY	43

810 PERSONAL APPEARANCE	43
811 RETURN OF PROPERTY	44
812 PERSONAL TOOLS AND EQUIPMENT	44
813 GENERAL CONFIDENTIALITY OBLIGATIONS	44

EMPLOYEE DISCIPLINE AND TERMINATION OF EMPLOYMENT; GRIEVANCES

901 DISCIPLINE.....	45
902 BASIS FOR DISCIPLINE.....	46
903 LAYOFFS	46
904 RESIGNATION.....	47
905 REINSTATEMENT	47
906 GRIEVANCES.....	47

APPENDICES

APPENDIX A – PAY SCHEDULES	49
APPENDIX B – TRAVEL POLICY.....	51
APPENDIX C – USE OF LEAVE ACCRUED PRIOR TO ADOPTION OF THIS MANUAL	53
APPENDIX D – HEALTH INSURANCE COVERAGE EMPLOYEE MONTHLY CONTRIBUTION.....	54
APPENDIX E – HEALTH INSURANCE OPT-OUT POLICY	55
APPENDIX F – MILITARY LEAVE- USERRA.....	56
APPENDIX G – DRUG AND ALCOHOL POLICY	58

Organization Description and Applicability of Manual

I. General Purpose.

The purpose of these policies is to promote the following goals:

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

II. Applicability.

These policies shall apply to nonexempt employment with the City and Borough of Yakutat. There shall also be an exempt group to which the personnel policies shall apply with the exception of those specifically denoted provisions.

The following positions are in the exempt service:

- a) Borough Clerk
- b) Finance Director
- c) Public Works Director
- d) (*reserved*)
- e) Planning & Natural Resources Director
- f) Police Chief
- g) Any other position so designated by the Borough Assembly

Employees in the exempt service shall also serve under such terms and conditions as the Assembly may from time to time specifically provide.

These policies do not apply to the Borough Manager, except as otherwise set out in a writing agreed to by the Borough Assembly and the Manager.

If a contract of employment has been entered into between the Borough and an employee, the provisions of that contract will supersede these provisions. Additionally, the nature of certain positions may dictate terms of hire which are an exception to these general rules. The employee will be fully informed of these exceptions at the time of hire.

III. History.

The City and Borough of Yakutat is a home rule borough, with an Assembly – Manager form of government. There is a seven member Borough Assembly, including an elected Mayor. Yakutat was incorporated as a home rule city in October 1960. The City was dissolved and the area incorporated as a Borough on September 22, 1992.

General Provisions

100 Adoption and Administration

The purpose of these policies is to establish a personnel system that will recruit, select, develop and maintain an effective and responsible work force for the City and Borough of Yakutat. The Borough Assembly will establish personnel policies and rules, including the employee classification and pay plans, and the office hours, workdays and holidays to be observed by the various offices and departments of the City and Borough of Yakutat. The Borough Manager shall be responsible for assisting in the preparation and maintenance of the position classification plan and the pay plan, and shall, acting as the Personnel Director, perform such other duties in connection with a modern personnel program as are required. The Borough Manager may delegate some or all of the duties of Personnel Director. All matters dealing with personnel shall be routed to the Borough Manager, who shall maintain a complete system of personnel files and records. The Borough Manager may perform any or all of these duties and responsibilities or assign them to staff employees.

101 Nature of Employment

This personnel policy manual is intended to provide employees with a general understanding of borough personnel policies. Policies set forth in this personnel policy are not intended to create a contract, nor should they be construed to constitute contractual obligations of any kind or a contract of employment between the City and Borough of Yakutat and any of its employees. In order to retain necessary flexibility in the administration of policies and procedures, the City and Borough of Yakutat expressly reserves the right to change, revise, or eliminate any of the policies and/or benefits described in this personnel policy, and have those amendments apply to both existing and new employees, to the extent legally permissible.

102 Equal Employment Opportunity

The City and Borough of Yakutat provides equal opportunity in all of its employment practices to all qualified employees and applicants without regard to race, religion, gender, national origin, age, disability, marital status, sexual orientation or any other category protected by federal, state and local laws. This policy applies to all aspects of the employment relationship, including recruitment, hiring, compensation, promotion, transfer, disciplinary action, layoff, return from layoff, training, and social and recreational programs. All such employment decisions will be made without unlawfully discriminating on any prohibited basis.

103 (There is no section 103)

104 Code of Ethics and Conduct

The continued success of the City and Borough of Yakutat is dependent upon its citizens' trust and the City and Borough of Yakutat is dedicated to preserving that trust. Employees owe a duty to the

City and Borough of Yakutat, its customers, and the public to act in a way that will merit continued trust and confidence. The City and Borough of Yakutat will comply with all applicable local, state, and federal laws and regulations and expects its employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct. In general, the use of good judgment, based on high ethical principles, will guide employees with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed openly with an immediate supervisor and, if necessary, with the Borough Manager for advice and consultation. Compliance with this policy of ethics and conduct is the responsibility of every City and Borough of Yakutat employee. Disregarding or failing to comply with this policy of ethics and conduct could lead to disciplinary action, up to and including possible termination of employment.

104A Hiring of Relatives

The employment of relatives or individuals involved in a romantic relationship in the organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried over into day-to-day working relationships. For purposes of this policy, a relative is any person who is related by blood or marriage within the third degree, or whose relationship with the employee is similar to that of persons who are related by blood or marriage. This policy applies to all employees without regard to gender or sexual orientation.

The City and Borough of Yakutat may hire relatives or romantic partners of employees where there are no potential problems of supervision, safety, security or morale, or real, apparent or potential conflicts of interest. It is the responsibility of both the applicant and the employee to disclose the relationship. An employee may not be in a position that checks, processes, audits, verifies or receives the work of a relative or romantic partner, nor may an employee be entrusted with money received from or by a relative or a romantic partner. An employee may not directly supervise, or be directly supervised by, a relative or individual with whom he or she has a romantic relationship.

The City and Borough of Yakutat reserves the right to take prompt action if a situation arises involving employee relatives or romantic partners where the employment is creating a conflict or affecting morale or the effective operations of the Borough, including reassignment, transfer or termination from employment.

If a relative or romantic relationship is established after employment between employees, or already exists as of the adoption of this policy, it is the responsibility and obligation of both employees involved in the relationship to disclose the existence of the relationship to a department director or the Borough Manager. Management will decide if any action is required, including reassignment, transfer or termination from employment.

A relative or romantic partner of the Borough Manager cannot be hired for a position with the Borough. If an employee is currently working for the City and Borough of Yakutat and a relative or romantic partner is hired as the Borough Manager, that person cannot continue their employment with the Borough.

104B Conflicts of Interest

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which the City and Borough of Yakutat wishes the business of its employees to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact the Borough Manager for more information or with questions about conflicts of interest. Transactions with all firms must be conducted within a framework established and controlled by the Borough Manager, consistent with this policy.

A borough employee shall not accept a gift, gratuity, consideration or extraordinary favor from any person or entity doing business, or likely to do business, with the borough and shall immediately report to his or her department director any offer, promise or suggestion that such a gift be made. In the event that an offer is made to a department director, he or she shall report the same to the Borough Manager. Any person either offering or receiving such a gift, gratuity, consideration or extraordinary favor is subject to criminal penalties prescribed under state statutes. This section does not apply to the giving of ceremonial gifts of nominal value, or gifts received from an employee's family or ordinary circle of friends when not offered for a corrupt purpose.

Business transactions or dealings by the Borough with an outside business entity or individual may not result in unusual personal gains for any borough employee or for the outside entity or individual. Unusual gain refers to bribes, 'kickbacks', product bonuses, special fringe benefits, unusual price breaks, special consideration and other windfalls designed to ultimately benefit the employee or the outside entity, or both. Promotional plans that could be interpreted to involve unusual gain require Borough Manager approval.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative or romantic partner of the employee as a result of the City and Borough of Yakutat's business dealings. This includes business entities which are owned in whole or part by the employee, or a relative or romantic partner of the employee. No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if an employee has any influence on transactions involving purchases, sales, contracts or leases to or from, or other business dealings with, an outside party which is a relative or romantic partner of the employee, or a business entity in which the employee, or relative or romantic partner of the employee, has an interest, it is imperative that the employee refrain from participation in the transaction and disclose the relationship to his or her supervisor, department

director or the Borough Manager soon as possible so that safeguards can be established. Employees are prohibited from participating in any borough action in which the employee has a conflict of interest.

105 Immigration Law Compliance

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. This documentation will be photocopied and attached to the Employment Verification form I-9. Former employees who are rehired must also complete the form if they have not completed an I-9 with the City and Borough of Yakutat within the past three years, or if their previous I-9 is no longer retained or valid.

106 Outside Employment

A borough employee may hold outside work as long as such outside work does not constitute or create a conflict of interest, and the employee meets the performance standards of their job with the City and Borough of Yakutat. All employees will be judged by the same performance standards and will be subject to the City and Borough of Yakutat's scheduling demands, regardless of any existing outside work requirements. If the City and Borough of Yakutat determines that an employee's outside work creates a conflict of interest or interferes with performance or the ability to meet the requirements of the City and Borough of Yakutat as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain employed with the City and Borough of Yakutat.

107 Protection for Whistleblowers

The City and Borough of Yakutat, per statute as a public employer, provides protection for whistleblowers. In accordance with, and subject to the limitations of, A.S. 39.90.100-.150, the City and Borough of Yakutat may not and will not discharge, threaten or otherwise discriminate against an employee regarding the employee's compensation, terms, conditions, location, or privileges of employment due to an employee's good faith report to a public body on a matter of what the employee reasonably believes is or is about to become a matter of public concern, or an employee's participation in a court action, investigation, hearing, or inquiry held by a public body on a matter of what the employee reasonably believes to be public concern.

108 Disability Accommodation

The Americans with Disabilities Act (ADA) and the ADA Amendments Act (ADAAA), are federal laws that prohibit discrimination in employment practices against qualified individuals with disabilities, including applicants and employees, and require reasonable accommodations of a known disability of a qualified applicant or employee. It is the policy of the City and Borough of Yakutat to comply with all applicable federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the

Equal Employment Opportunity Commission (EEOC). Furthermore, it is borough policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

If an applicant or employee is currently disabled or an employee become disabled during employment, that individual should contact the personnel director or his or her department director to discuss reasonable accommodations that may enable the employee to perform the essential functions of the employee's job. The Borough is not required to provide an accommodation that could cause the Borough an undue hardship, or which would pose a direct threat to the health, safety and wellbeing of the applicant or employee, or others in the workplace, as defined by law.

The Americans with Disabilities Act defines "disability" as: (1) a physical or mental impairment that substantially limits one or more of the major life activities of such individual; (2) a record of such an impairment; or (3) being regarded as having such an impairment. "Major life activities" include caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. A 'qualified individual with a disability' is a person who meets legitimate skill, experience, education or other requirements of an employment position that she or he seeks or holds, and can perform the essential functions of the position with or without reasonable accommodations.

109 Life-Threatening Illnesses in the Workplace

Employees with life-threatening illnesses, such as cancer, heart disease, and AIDS, often wish to continue their normal pursuits, including work, to the extent allowed by their condition. The City and Borough of Yakutat supports these endeavors as long as employees are able to meet acceptable performance standards and there is no threat to the health, safety and wellbeing of the employee or workplace. As in the case of other disabilities, the City and Borough of Yakutat will make reasonable accommodations in accordance with all legal requirements, to allow qualified employees with life-threatening illnesses to perform the essential functions of their jobs. Medical information on individual employees is treated confidentially. The City and Borough of Yakutat will take reasonable precautions to protect such information from inappropriate disclosure. Managers and other employees have a responsibility to respect and maintain the confidentiality of employee medical information. Anyone inappropriately disclosing such information is subject to disciplinary action, up to and including termination of employment. Employees with questions or concerns about life-threatening illnesses are encouraged to contact the Borough Manager for information and referral to appropriate services and resources.

Employee Recruitment and Selection

201 Employment Recruitment

The City and Borough of Yakutat provides equal employment opportunity to all applications on the basis of demonstrated ability, experience, and training. As positions become available within the Borough, prior to outside recruitment, the Borough Manager shall determine the availability of qualified candidates within the Borough.

202 Employment Advertisement

Recruitment for outside applications will be conducted through advertisement. The Borough Manager or Personnel Director will determine what means of advertising to use to acquire the desired number of qualified applicants. The length of advertisement may depend on the urgency to fill the allocated position. Temporary positions may be filled without advertising if the Borough Manager or Personnel Director deems it necessary. The Borough Office bulletin board will display all current openings.

203 Employee Selection Process

Selection of candidates for all positions will follow the City and Borough of Yakutat's Equal Opportunity Policies.

Job-related duties and qualifications, as listed on the position requisition, will provide the basis for initial screening of applications. Initial screening for the minimum qualifications will be conducted to select those individuals to be interviewed for the position. The Borough Manager or Personnel Director and the position supervisor may jointly conduct the interviews. Only job-related questions or ones which assess the candidate's experience, skill, and training will be asked. An interview summary sheet will be filled out for each applicant interviewed.

Some positions will require skills for which a known level of competence must exist; for example, typing, mathematics, and keypunch. Under these circumstances, the personnel director may request applicants to demonstrate these skills by completing an exercise involving the job-related work sample.

The Borough Manager, Personnel Director or designee will be responsible for verification of employment information provided by the applicant if the information is needed in making a candidate selection. The applicant should be advised that this information will be verified. This verification of information should be documented and will become part of the data used in the selection process.

The City and Borough of Yakutat relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

204 Pre-employment Drug Testing and Medical Examinations

To help ensure that employees are able to perform their duties safely, drug testing (and a medical examination when determined to be necessary) will be required of all new employees. After an offer has been made to an applicant entering a designated job category, a drug test will be required at the City and Borough of Yakutat's expense by a health professional of the City and Borough of Yakutat's choice, in accordance with the Borough's Drug and Alcohol Policy (see, section 807 of this manual) and a medical examination may be required, provided that all individuals who will be working in that job category must also take the examination. The offer of employment and assignment to duties is contingent upon satisfactory completion of these requirements.

Information on an employee's medical condition or history will be kept separate from other employee information and maintained confidentially. Access to this information will be limited to those who have a legitimate need to know.

General Employment

301 Employment Categories

It is the intent of the City and Borough of Yakutat to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. An employee who is assigned to a position that is defined below is not entitled to work or be paid for any minimum or maximum number of hours in a day, week or other period. The number of hours an employee works in any period is dependent upon the City and Borough of Yakutat's needs and will be determined by management.

Each employee is designated as either NONEXEMPT (overtime eligible) or EXEMPT (overtime ineligible) from federal wage and hour laws. NONEXEMPT employees are entitled to overtime pay under the specific provisions of federal wage and hour laws. EXEMPT employees are not entitled to overtime pay and are excluded from specific provisions of federal wage and hour laws. The classification of an employee as exempt must meet the applicable requirements and definitions under federal law. Due to the nature and scope of EXEMPT positions, a certain amount of work beyond the normal workweek is expected as organizational demands require. EXEMPT employees are expected and required to work the amount of time required to complete assigned duties.

Additionally, each employee will belong to one of the following employment categories:

REGULAR FULL-TIME employees are those who are not in a temporary status and who are regularly scheduled to work the City and Borough of Yakutat's full-time schedule of at least 35

hours per week, or at least 40 hours in the case of employees who work at the Yakutat Public Safety Department. Generally, they are eligible for the City and Borough of Yakutat's benefit package, subject to the terms, conditions, and limitations of each benefit program.

REGULAR PART-TIME employees are those who are not assigned to a temporary or probationary status and who are regularly scheduled to work less than the full-time work schedule. Regular part-time employees are not eligible for the City & Borough of Yakutat's benefit package, except as required by federal and state law.

PROBATIONARY employees are those whose performance is being evaluated to determine whether further employment in a specific position or with the City and Borough of Yakutat is appropriate. Probationary employees may be terminated at any time with or without cause, without prior notice and without a right to a hearing or appeal on the termination. The probationary period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The City and Borough of Yakutat uses this period to evaluate employees' capabilities, work habits, and overall performance; the City and Borough of Yakutat may establish longer probationary periods for designated positions. All new and rehired employees work on a probationary basis for the first 180 calendar days after their date of hire. If the City and Borough of Yakutat determines that the designated probationary period does not allow sufficient time to thoroughly evaluate the employee's performance, the probationary period may be extended for up to an additional 90 days. Any significant absence will automatically extend a probationary period by the length of the absence. Upon successful completion of the probationary period, employees would enter the "regular" employment classification.

Employees who are promoted or transferred within the City and Borough of Yakutat must also complete a new probationary period of the same length with each reassignment to a new position. In cases of promotions or transfers within the City and Borough of Yakutat, an employee who, in the sole judgment of management, is not successful in the new position can be removed from that position at any time during the new position's probationary period. If this occurs, the employee may be allowed to return to his or her former job or to a comparable job for which the employee is qualified, depending on the availability of such positions and the City and Borough of Yakutat's needs. An employee removed or terminated from a new position prior to successful completion of the probationary period has no right to a hearing or appeal of this decision. An employee may be dismissed during the probationary period for any reason that, in the sole judgment or belief of management, is sufficient to indicate that the employee may not be completely satisfactory in the position. Management may, but need not, provide its reason for dismissing such an employee. Employment benefit status is not changed during the probationary period that results from a promotion or transfer within the City and Borough of Yakutat.

TEMPORARY employees are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project or projects. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified in writing of a change. While temporary employees receive all legally mandated benefits (such as workers' compensation insurance and Social Security), they are ineligible for all of the City and Borough of Yakutat's other benefit programs and may be terminated at any time with or without cause, without prior notice and without the right to a hearing or appeal on the termination.

302 Promotion

When well-qualified individuals are available, appointments to fill vacancies shall be by promotion from within the Borough services.

303 Access to Personnel Files

The City and Borough of Yakutat maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance appraisals and salary increases, and other employment records. Personnel files are the property of the City and Borough of Yakutat, and access to the information they contain is restricted, subject to any applicable public records law. Generally, only supervisors and management personnel of the City and Borough of Yakutat who have a legitimate reason to review information in a file are allowed to do so. An employee, in the presence of the Borough Manager or his or her designee, shall have the right to see and copy any information placed in his/her personnel file. An employee may submit a rebuttal or clarification statement regarding letters of warning or reprimand which shall remain as part of the employee's permanent record.

304 Personnel Data Changes

It is the responsibility of each employee to promptly notify the City and Borough of Yakutat of any changes in personnel data. Personal mailing addresses, telephone numbers, numbers and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishment, and other such status reports should be accurate and current at all times. If any personnel data has changed, notify the Finance Director.

305 Performance Evaluations

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Formal performance evaluations are conducted at the end of an employee's probationary period. This allows the supervisor and the employee to discuss the job responsibilities, standards, and performance requirements of the new position. Additional formal performance evaluations are conducted to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals. Performance evaluations are scheduled approximately

every 12 months, coinciding generally with the anniversary of the employee's original date of hire.

306 Job Descriptions

The City and Borough of Yakutat makes every effort to create and maintain accurate job descriptions for all positions within the municipality. Each description includes the job title, department/site where work is performed, supervisor, salary grade, distinguishing career features, essential duties and responsibilities, knowledge and skills, abilities, physical demands, education and experience, licenses and certificates, and working conditions. Some job descriptions may contain additional requirements and information. The City and Borough of Yakutat maintains job descriptions to aid in orienting new employees to their jobs, to identify the requirements of each position, to establish hiring criteria, to set standards for employee performance evaluations, and to establish a basis for making reasonable accommodations for individuals with disabilities and to determine if transitional work opportunities exist. The Borough Manager and/or Personnel Director prepare job descriptions, which are adopted by the Borough Assembly when new positions are created. Existing job descriptions are also reviewed and revised in order to ensure that they are up to date. Job descriptions may also be rewritten periodically to reflect any changes in the position's duties and responsibilities. All employees will be expected to help ensure that their job descriptions are accurate and current, reflecting the work being done. Employees should remember that job descriptions do not necessarily cover every task or duty that might be assigned, and that additional responsibilities may be assigned as necessary. Employees should contact their department director if they have any questions or concerns about their job description.

COMPENSATION

401 Salary Administration

The City and Borough of Yakutat pay schedules were created to achieve consistent pay practices, mirror the Borough's commitment to Equal Employment Opportunity, and offer competitive salaries within the labor market. Although every effort will be made to offer borough employees competitive wages, local economic conditions are also a factor in setting wages or granting step increases. Compensation for every position is determined by several factors, including job analysis and evaluation, the essential duties and responsibilities of the job, and salary survey data on pay practices of other employers. Step increase pay adjustments may be awarded in conjunction with the performance evaluation process.

The current pay schedules are attached hereto as Appendix A. These schedules may be modified, from time to time, at the discretion of the Assembly.

The entry wage rate for new hires in the job classification shall generally be Step 1, though above

grade appointments may be made in recognition of recruiting difficulties or upon a finding by the Borough Manager that the employee possesses exceptional qualifications and experience.

When an employee is promoted or transferred to a higher grade, the employee will be placed in the first step of the new grade that provides a wage increase of at least two percent (2%). In the event the employee returns to his/her original job within an allowed time, he/she will return to his or her original pay status prior to moving and at the same status as if the move did not occur.

When it is necessary to pay a salaried employee an hourly rate, the rate shall be determined by taking the monthly salary X (multiplied by) 12 divided by 1820 hours, or divided by 2080 hours if the employee is assigned to the Yakutat Department of Public Safety, or other position in which the normal workweek is at least 40 hours.

The department director shall be responsible for assignment of positions when changes and responsibilities justify such action, all subject to the approval of the Borough Manager.

With the employee's consent, an employee may be assigned to duties of a higher classification for purposes of training or a demonstration of skill for a period of up to six months without change of classification for pay purposes. This should not be construed, however, to prevent a department director from assigning an employee to duties of a higher classification for temporary periods to cover for an employee on leave.

All regular employees who are temporarily assigned to perform the work of a higher rated classification to fill in a vacant position or for an absent employee shall be paid for time worked, at the higher rate classification, determined by their length of employment. At the completion of the temporary assignment, the employee will be returned to his or her prior classification. In the event an employee is temporarily directed by his or her department director to fill a position at a lower rated classification, he or she will be paid their current rate of pay for all time worked in the lower position, except in the case of a demotion made for disciplinary or budgetary reasons.

402 Merit Increases Merit increases may be made at any time to recognize outstanding performance of duty based on written recommendations of the department director and approved by the Borough Manager.

403 Timekeeping for NonExempt Employees

Accurately recording time worked is the responsibility of every employee, and employees are required to maintain an accurate record of all of the employee's work hours in the manner designated by the Borough (i.e. handwritten time cards, time clock, computerized timekeeping program).

Time worked is all the time actually spent on the job performing assigned duties. It is essential to

also record all leave time, including paid time off, leave without pay, family leave, and jury duty.

Overtime work must always be approved before it is performed.

Employees should review and confirm the accuracy of their time records before submitting them to their supervisor. If an employee needs to make a change on those records to correct an error, the correction should be made before it is submitted for processing. When the employee signs and submits the time record, it constitutes a certification that the record is complete and accurately reflects all hours worked.

Employees are responsible for maintaining their own time records. The supervisor will review and then initial the time record before submitting it for payroll processing. Employees are prohibited from signing another employee in or out, except that a department director or supervisor may submit a timesheet on behalf of an absent employee; any necessary changes shall be made promptly upon the employee's return with the Finance Director, and approved by the supervisor.

It may occasionally be necessary to submit timesheets prior to the time period having ended. When this happens, employees will put down the shifts they are scheduled to work and then submit any corrections based on the actual hours immediately after the pay period has ended.

Altering, falsifying or tampering with time records, or recording time on another employee's time record is prohibited and may result in disciplinary action, up to and including termination of employment.

Changes made on time sheets by a supervisor or the Finance Department that involve an employee's rate of pay or hours worked shall be brought to the attention of the employee involved. Copies of an employee's time sheet shall be made available for inspection if requested by the employee.

404 Pay Periods

Employees will be paid twice a month with paydays falling on the last working day before the 15th of the month and the last working day before the end of the month and/or within 5 working days of each pay period.

Each paycheck will include earnings for all work performed through the end of the previous payroll period. Employees should review their paycheck to be sure all wages and deductions are correct. If an employee has any questions concerning their paycheck, they should contact the Finance Director.

If a regular payday falls during an employee's paid time off or other leave, the employee may

request to receive his or her earned wages before departing for leave, on a written request form submitted at least one week prior to departing. This is not considered a pay advance under section 405.

Eligible employees may have paychecks directly deposited into their bank accounts if they provide advance written authorization to the City and Borough of Yakutat. Employees will receive an itemized statement of wages and deductions when the City and Borough of Yakutat makes a direct deposit.

405 Pay Advances

In the event of a personal emergency, employees may submit a written request for a pay advance to their supervisor or the Borough Manager, indicating the nature of the emergency involved. The supervisor or Borough Manager will evaluate the request and determine whether a pay advance can be granted. Pay advances will be limited to time worked based on net pay through the day the pay advance is being paid. Pay advances are limited to one request per calendar year.

406 Administrative Pay Corrections

The City and Borough of Yakutat takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday. In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Finance Department so that corrections can be made as quickly as possible. If the employee was overpaid, deduction may be made from the following paycheck(s) issued to the employee.

407 Pay Deductions

The City and Borough of Yakutat shall make all deductions required by law from every employee's compensation. This may include court ordered deductions. The City and Borough of Yakutat offers certain programs and benefits, and eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs. If an employee has questions concerning why deductions were made from their paycheck or how deductions were calculated, the employee should contact the Finance Department.

408 Payment upon Employment Termination

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

- Resignation: Voluntary employment termination initiated by an employee.
- Termination: Involuntary employment termination initiated by the borough
- Layoff: Involuntary employment termination initiated by the borough for non-disciplinary reasons

- Retirement: Voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from the borough.

Employees shall be paid in full within three working days after the final day of work unless other arrangements have been agreed to by the employee and Finance Director. The City and Borough of Yakutat may schedule exit interviews at the time of employment termination. The exit interview will afford an opportunity to discuss such issues as employee benefits, conversion privileges, repayment of outstanding debts to the City and Borough of Yakutat, or return of the City and Borough of Yakutat-owned property. All accrued, vested benefits that are due and payable at termination will be paid. Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

409 Business Travel Expenses

The City and Borough of Yakutat will reimburse employees for reasonable business travel expenses incurred while on assignments away from the normal work location. The Borough's specific rules for travel authorization and reimbursement of travel expenses are described in more detail in Appendix B to this manual, which may be amended from time to time, at the discretion of the Assembly.

410 Vehicle Allowance

If an employee is requested to use his or her personal vehicle on Borough business, compensation shall be made at the rate of seventy five cents (\$.75) per mile for such usage. Use of personal vehicles for Borough business is authorized only in the event of emergency, or no Borough vehicle being available.

411 Collection

All City and Borough of Yakutat employees must remain current on all sums owed the City and Borough of Yakutat. If an employee has an obligation to the City and Borough of Yakutat that is more than thirty (30) days overdue, the City and Borough of Yakutat may make deductions from the employee's paychecks equal to up to twenty-five percent (25%) of that which would otherwise have been the employee's take home pay, until the entire sum is paid.

This section applies to all City and Borough of Yakutat employees, whether full-time or part-time, and whether exempt or nonexempt.

Notwithstanding anything to the contrary herein contained, no action shall be taken pursuant to this ordinance that would constitute a violation of any law applicable to the City and Borough of Yakutat relating to minimum wages or other wage and hour matters.

Nothing contained herein shall preclude the City and Borough of Yakutat from exercising any other remedies it may have with respect to sums owed to the City and Borough of Yakutat by employees of

the City and Borough of Yakutat.

Benefits and Leave

501 Employee Benefits

Eligible employees at the City and Borough of Yakutat are provided a wide range of benefits. A number of the programs (such as workers' compensation and unemployment insurance) cover all employees in the manner prescribed by law. Eligibility for most other benefits depends upon a variety of factors, including employee classification. Details of many of these programs can be found elsewhere in the Personnel Policy.

In addition to other benefits set out in this policy, the following benefit programs are available to certain full-time employees:

- * AFLAC
- * PERS Deferred or Defined Compensation
- * Health Insurance
- * Paid Time Off
- * Life Insurance
- * Bereavement Leave
- * Holidays
- * Leave without Pay

and the following benefits are available to certain full-time and part-time employees:

- * Jury Duty Leave
- * Family Leave

Some benefit programs require contributions from employees, but many are fully paid by the City and Borough of Yakutat. Each employee should ask about benefits or programs they are interested in to be sure their benefit options are maximized.

502 Paid Time Off Benefits

All Regular full-time employees shall be eligible to receive paid time off as follows:

Paid Time Off (PTO) provides eligible employees with paid time away from work that can be used for vacation, personal time or sick time. The PTO policy takes the place of the Borough's previous Annual Leave and Sick Leave policy. When an eligible employee is absent from work for any reason, other than approved leave, the time is deducted from the employee's PTO Bank. Leave

accrued under the Borough's annual and sick leave provisions in effect prior to adoption of this manual, shall be used in accordance with the provisions set out in Appendix C.

Length of service with the City and Borough of Yakutat determines the rate at which eligible employees accrue PTO. Effective January 1, 2015, PTO accrues at the following rates:

Length of Continuous Service	PTO Days Accrued Annually
0 through 24 months	22 days
25 through 60 months	30 days
61 through 108 months	36 days
109 through 168 months	40 days
Beginning at 169 months	42 days

"PTO Days" are based upon an employee's regular work day. The annual PTO shall accrue at a pro rata hourly rate each month.

The length of eligible service is calculated on the basis of a "benefit year." This is the 12-month period that begins when the employee starts to earn paid time off. An employee's benefit year may be extended for any significant leave of absence except military leave of absence. Military leave has no effect on this calculation.

During the probationary period PTO shall accrue, but may not be taken prior to six months of continuous satisfactory service without approval of the Borough Manager.

PTO can be used in minimum increments of one-half hour. To use paid time off, employees should request advance approval from their supervisors. Requests will be reviewed based on a number of factors, including business needs and staffing requirements. PTO is paid at the employee's base pay rate at the time of use. It does not include overtime or any special forms of compensation such as incentives, commissions, bonuses, or shift differentials.

Employees are encouraged to use available PTO for rest, relaxation, and personal pursuits. All PTO must be earned before being taken.

In the event that available PTO is not used by the end of the fiscal year, employees may carry unused time forward to the next fiscal year, as follows: An employee may accumulate up to a maximum of not more than 30 days as of June 30th of each year, inclusive of the current year's accrual. If an employee has accrued more than the maximum 30 days at year's end, any hours or days over that limit will be forfeited and the maximum allowable 30 days of PTO will roll over into the new year.

For the purpose of this section, all PTO must be requested in writing prior to the start of the PTO unless an exception is approved by the Borough Manager. In the event more than one employee

requests the same PTO period, and it is determined by the department director that too many employees would be gone in a given department, the employee(s) with the most department seniority shall be given preference; except however in no case shall a less senior employee's approved PTO be pre-empted by a more senior employee's subsequent PTO request.

Upon termination of employment, employees will be paid for unused paid time off. There shall be no pay in lieu of accrued PTO except upon termination of an employee.

Donation of Personal Time Off: The Borough recognizes that employees may experience family medical emergencies, resulting in a need for additional PTO in excess of their accrued leave. To address this need, eligible employees will be allowed to donate accrued PTO from their unused balance to their eligible co-workers, in accordance with the policy outlined below. This policy is strictly voluntary. Nothing in this policy will be construed to limit or extend the maximum allowable absence under the Family and Medical Leave Act.

1. Employees must have successfully completed their probationary period in order to be eligible to donate PTO or receive donated PTO.
2. In order to receive donated PTO, the recipient employee must be experiencing a *medical emergency*, as defined below:

Medical Emergency: A medical condition of the employee or an immediate family member that will require the prolonged/extended absence of the employee from duty and will result in a substantial loss of income to the employee due to the exhaustion of all paid leave available.

An immediate family member is defined as a spouse, child or parent.

3. The donation of PTO, and use thereafter by the recipient employee, is on an hourly basis, without regard to the dollar value of the donated leave.
4. The minimum number of PTO hours that an eligible employee may donate is four (4) hours in a calendar month; the maximum is no more than fifty percent (50%) of the donating employee's current PTO balance.
5. Employees cannot borrow against future PTO to donate.
6. Requests to donate PTO must be approved by the donating employee's supervisor and the Borough Manager.
7. A recipient employee's accrued PTO must be used prior to use of any donated PTO.
8. A recipient employee may receive no more than one hundred sixty (160) hours of donated PTO in any given calendar month, and no more than four hundred eighty (480) hours within a rolling 12-month period. At the Borough Manager's discretion, unused donated PTO may be wholly or partially exempt from the maximum allowable carry forward restrictions set out above.
9. Donated PTO, once transferred into the account of the recipient employee, cannot be transferred back to the donor employee. If a recipient employee terminates employment prior to exhaustion of donated PTO, the recipient employee shall be paid for the unused donated PTO at

the recipient employee's then hourly rate of pay.

10. Donating and recipient employees shall complete and submit the required PTO donation forms to the Borough Finance Department.

11. The Borough Manager, with the assistance of the Borough Finance Department, shall establish other rules and procedures for the donation of PTO as recommended by the Borough Attorney or Auditor to comply with any mandatory federal or state laws or regulations. (Ord. 21-687)

503 Holidays

The City and Borough of Yakutat will grant paid holiday time off to Probationary and Regular full-time employees who are in pay status before and after the holiday, in accordance with this policy.

The City and Borough of Yakutat observes the following holidays:

- * New Year's Day (January 1)
- * Martin Luther King Jr. Day (third Monday in January)
- * Presidents' Day (third Monday in February)
- * Seward's Day (last Monday in March)
- * Memorial Day (last Monday in May)
- * Independence Day (July 4)
- * Labor Day (first Monday in September)
- * Alaska Day (October 18)
- * Veterans' Day (November 11)
- * Thanksgiving Holiday (fourth Thursday in November)
- * Christmas (December 25)

Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) times the number of hours in their regular work day.

A recognized holiday that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday.

If a recognized holiday falls during an eligible employee's PTO, holiday pay will be provided instead of the PTO benefit that would otherwise have applied.

If eligible nonexempt employees work on a recognized holiday, they will receive holiday pay at double their straight-time rate for the hours worked on the holiday.

504 Health Insurance

The City and Borough of Yakutat's health insurance plan(s) provides Probationary and Regular

Full-time employees and their dependents access to medical, dental, hearing, and vision care insurance benefits, subject to all terms and conditions of the agreement between the City and Borough of Yakutat and the insurance carrier. The City and Borough of Yakutat bears a substantial portion of the cost of this coverage, however employees may share in the payment of monthly premiums, by deduction from the employee's pay on a monthly basis, as further set out in Appendix D hereto, which may be amended from time to time at the discretion of the Assembly.

Certain employees may leave the Borough's plan, and forego coverage under the plan, in accordance with the Opt-Out policy adopted by the Borough, a copy of which is attached hereto as Appendix E. This policy may be amended from time to time at the discretion of the Assembly.

A change in employment classification that would result in loss of eligibility to participate in the health insurance plan may qualify an employee for benefits continuation under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Refer to the Benefits Continuation (COBRA) Policy for more information.

Contact the Finance Director for more information about health insurance benefits.

505 Benefits Continuation (COBRA)

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the City and Borough of Yakutat's health plan for a limited time when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and dependent child no longer meeting eligibility requirements. In some cases, disability or a second qualifying event can extend this time period.

Under COBRA, the employee or beneficiary pays the full cost of coverage at the City and Borough of Yakutat's group rates plus an administration fee. The City and Borough of Yakutat provides each eligible employee with a written notice in the Summary Plan Description describing rights granted under COBRA when the employee becomes eligible for coverage under the City and Borough of Yakutat's health insurance plan. The notice contains important information about the employee's rights and obligations. Please contact the Finance Department with any questions regarding COBRA.

506 Life Insurance and AFLAC

The City and Borough of Yakutat provides a basic life insurance plan to Probationary and Regular full-time employees, subject to all terms and conditions of the agreement between the City and Borough of Yakutat and the insurance carrier.

The City and Borough of Yakutat currently pays one hundred percent of the cost of the employee's

group life insurance premium based on specified limits of coverage of ten thousand dollars for all employees. Additional limits of life insurance for the employee or dependents (s) may be available as an option and one hundred percent of the cost of the additional limits of life insurance shall be paid by the employee. Accidental Death and Dismemberment (AD and D) insurance provides protection in cases of serious injury or death resulting from an accident. AD and D insurance coverage may be provided as part of the basic life insurance plan.

The City & Borough of Yakutat does not pay any of the costs associated with AFLAC. AFLAC is a voluntary employee benefit, with one hundred percent of the cost being paid by employee through payroll deduction.

Contact the Finance Director for more information about these benefits.

507 Retirement

The City and Borough of Yakutat is a participant in the State of Alaska Public Employees Retirement System (PERS). Coverage is mandatory for all Probationary and Regular full-time employees, with the exception of those who are excluded by Assembly Resolution and amendment to the participation agreement. PERS requires both a contribution from the employee and employer. Information about retirement benefits and other details regarding the retirement system may be obtained from the Finance Department.

508 Workers' Compensation Insurance

The City and Borough of Yakutat provides insurance to compensate for any illness or injury an employee might suffer in the scope of employment. If you become ill or injured, please get medical attention at once.

Employees who sustain work-related injuries or illnesses should inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately to both the employee's supervisor and that the employee fill out a worker's compensation form, in order to keep the coverage in force and to get any benefits or other compensation to which the employee may be entitled.

509 Leave without Pay

Ten (10) days or less. Probationary and Regular full-time employees who have used any accrued PTO may be granted leave-without-pay, not to exceed a total of ten (10) working days in any year, for any compelling reason subject to approval from the department director and the Borough Manager.

More than ten (10) days. Probationary and Regular full-time employees who have used any accrued PTO may be allowed to be absent from duty without pay, in excess of ten (10) days, on the basis of application for leave-without-pay approved by the department director, subject to the approval of the Borough Manager, under the following conditions.

1. Borough's Interest Not Unduly Affected. Such leave shall be taken only when it will not result in undue prejudice to the interests of the Borough beyond any benefits to be realized.

2. For Travel or Study. An application for leave-without-pay for travel or study calculated to equip an employee for more effective service to the Borough. The department director would consider the eventual compensating benefits of such leave to the Borough in keeping the position open, or filling it temporarily until the return of the employee.

3. Leaves of absence without pay may be granted for period of up to one hundred eighty (180) calendar days without loss of accrued benefits and seniority, provided that the employee must use any accrued PTO before being placed on leave without pay (LWOP) status. In special cases, leaves of absence may be extended by mutual written agreement.

Leave-without-pay should be requested as far in advance as possible, stating the reason for the leave and the amount of time requested. No PTO will accrue while an employee is on leave-without-pay. The length of a leave without pay may also affect an employee's accrual of other benefits. Each case is different, and the employee should discuss this with his or her department director and/or the Finance Director prior to commencement of the leave.

Any leave without pay is subject to the condition that the department director may cancel the leave at any time upon prior written notice to the employee specifying a reasonable date of leave termination. The borough manager, upon prior notice to the employee and the department director may cancel an approved leave for purposes other than those specified at the time of approval.

510 Bereavement Leave

Probationary and Regular full-time employees are eligible for 5 days of paid bereavement leave in the event of the death of an employee's parent, child, sibling, spouse or parent of a spouse. Employees granted bereavement leave may request to use available PTO for any additional time after the first 5 days. Bereavement leave will normally be granted unless there are unusual business needs or staffing requirements.

511 Jury Duty

The City and Borough of Yakutat encourages employees to fulfill their civic responsibilities by serving jury duty when required. Probationary and Regular full-time and part-time employees are granted up to 10 days per calendar year of paid jury duty leave. Employees shall turn over to the City and Borough of Yakutat for deposit all monies received from the court as compensation for service, and in turn shall be paid their current salary while on court leave. Jury duty pay will be calculated at the employee's base pay rate times the number of hours the employee would otherwise have worked on the day of absence.

If employees are required to serve jury duty beyond the period of paid jury duty leave, they may use accrued PTO or may request an unpaid jury duty leave of absence. In the case of an unpaid

leave of absence, employees may keep monies received from court during that time.

Employees must show the jury duty summons to their supervisor as soon as possible so that the supervisor may make arrangements to accommodate their absence. Employees are expected to report for work promptly during regular work hours if excused or released from jury duty. Either the City and Borough of Yakutat or the employee may request an excuse from jury duty if, in the City and Borough of Yakutat's judgment, the employee's absence would create serious operational difficulties.

The City and Borough of Yakutat will continue to provide health insurance benefits for the full term of the jury duty absence. No PTO will accrue while an employee is on leave-without-pay. The length of a leave without pay may also affect an employee's accrual of other benefits. Each case is different, and the employee should discuss this with his or her department director and/or the Finance Director prior to commencement of the leave.

512 Time Off from Work in Connection with Court Case or Arbitration

The City and Borough of Yakutat recognizes that an employee might be subpoenaed or otherwise required to serve as a witness in a court case or arbitration. If an employee is called to serve as a witness, he or she should notify their supervisor as soon as possible.

If employees have been subpoenaed or otherwise requested to testify as witnesses by the City and Borough of Yakutat, they will receive their regular pay for the period of witness duty. Otherwise, unless required by law, employees will not be paid for the time they are away from work participating in a court case or arbitration, and will be required to use accrued PTO.

513 Educational Benefits

Where an employee attends a school, training session or other similar program of mutual benefit to the employee and the City and Borough of Yakutat, the Borough may offer to pay the employee's regular salary during the program, and/or program costs, travel costs and per diem during for attendance at the program. In that event, the employee shall agree to the following:

1. The employee shall remain in municipal service two weeks for every day (including Saturday and Sunday) that he or she is attending the school and for which the municipality is paying either his or her salary, or program costs, travel costs and per diem, subject to a two year maximum length of time that the employee must remain in service.
2. Should the employee leave the service of the municipality prior to the completion of computed service time, he or she shall reimburse the Borough, by payroll deduction and direct reimbursement, if necessary, for costs incurred in proportion to the length of time remaining to be served.
3. If the employee is involuntarily separated from the service of the municipality before completion of computed service time, except for separation due to employee misconduct, the remaining time to be served will be canceled.

514 Family Leave

The City and Borough of Yakutat provides leave to eligible employees as required under the Alaska Family Leave Act, AS 39.20.500-.550 (AFLA).

An employee is eligible to take family leave if the employee has been employed by the Borough for at least 35 hours a week for at least six consecutive months, or for at least 17.5 hours a week for at least 12 consecutive months, immediately preceding the leave.

An eligible employee is entitled to take family leave:

(1) because of pregnancy and the birth of a child of the employee or the placement of a child, other than the employee's stepchild, with the employee for adoption. An employee using family leave under this paragraph is required to take the leave in a single block of time;

(2) in order to care for the employee's child, spouse, or parent who has a serious health condition. In this paragraph, "child" includes the employee's biological, adopted, or foster child, stepchild, or legal ward, and means an individual who is under 18 years of age, or who is 18 years of age or older and incapable of self-care because of mental or physical disability. Additionally, "parent" means a biological or adoptive parent, a parent-in-law, or a stepparent. If a parent or child of two employees has a serious health condition, the Borough is not required to grant family leave to both employees simultaneously; and

(3) because of the employee's own serious health condition.

Under paragraphs (2) and (3), employees need not use their leave entitlement in one block. Leave can be taken intermittently when medically necessary.

The leave provided hereunder is without pay. Once family leave begins, employees are required to use accrued PTO until their paid leave has expired and then the balance of time will be unpaid; provided that employees may retain up to five days of PTO prior to being placed on family leave without pay. The choice to retain leave must be placed in the initial request. The paid time off is to be considered part of the maximum 18 weeks, not in addition to it.

For the purposes of this policy, "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility, or continuing treatment or continuing supervision by a health care provider.

Eligible employees should make timely requests for medical leave to their supervisors in a manner that is reasonable and practicable in advance of foreseeable events, including an expected birth or adoption or planned medical treatment or supervision, and as soon as possible for unforeseeable events. In the case of planned medical treatment or supervision, the employee shall also make a reasonable effort to schedule the treatment or supervision so as not to unduly disrupt the operations of the Borough, subject to the approval of the health care

provider of the employee, or the employee's child, spouse or parent.

Employees requesting family leave may be required to submit a health care provider's statement verifying the need for family leave, its beginning and expected ending dates, and the estimated time required. Any changes in this information should be promptly reported to the City and Borough of Yakutat. Employees returning from family leave may be required to submit a health care provider's verification that leave is no longer required. Any changes in this information should be promptly reported to the City and Borough of Yakutat.

An eligible employee may take family leave because of a serious health condition for a total of 18 workweeks during any 24-month period.

An eligible employee may take family leave because of pregnancy and childbirth or adoption for a total of 18 workweeks within a 12-month period. The right to take leave for this reason expires on the date one year after the birth or placement of the child.

Any combination of leave under paragraphs (1) through (3) above may not exceed these maximum limits. If the initial period of approved absence proves insufficient, consideration will be given to a request for an extension.

Subject to the terms, conditions, and limitations of the applicable plans, the City and Borough of Yakutat will maintain coverage under its group health plan, at the Borough's expense, for the employee during the leave from the date the leave began until the end of the month in which the family leave ends. If the employee requests and is granted additional unpaid leave, then the cost of the coverage will be borne by the employee during that additional time.

Benefit accruals, such as paid time off and holiday benefits, will continue during the approved family leave period.

So that an employee's return to work can be properly scheduled, an employee on family leave is requested to provide the City and Borough of Yakutat with at least two weeks advance notice of the date the employee intends to return to work. Unless the Borough's operational circumstances have changed to make it impossible or unreasonable, when a family leave ends, the employee will be reinstated to the same position held by the employee when the leave began or to a substantially similar position with substantially similar benefits, pay, and other terms and conditions of employment. If an employee fails to return to work on the agreed upon return date, the City and Borough of Yakutat will assume that the employee has resigned.

515 Pregnant Employees

It is the intent of the Borough to grant to an employee whose health is affected by pregnancy, childbirth, or a related medical condition the same employment benefits and privileges that the

Borough grants to other employees with similar ability to work who are not so affected, including allowing the employee to take leave that the Borough makes available to temporarily disabled employees.

A pregnant employee may request a transfer to a suitable position. A position is suitable if (1) it is an existing unfilled position in the same administrative division in which the employee is currently employed and is less strenuous or less hazardous than the employee's current position; (2) transfer to the position is recommended by a licensed health care provider; (3) the employee is qualified and immediately able to perform the duties of the position; and (4) the transfer will not subject the Borough to legal liability under a collective bargaining contract or employment agreement. If the Borough Manager determines that the above criteria have been met, the Borough will not fill the position with another person until the pregnant employee has been offered the position and has refused the offer. The employee who receives a transfer under this section shall be compensated at a rate at least equal to the lesser of 1) the rate at which the employee was compensated immediately before requesting the transfer, or 2) the rate applicable to the position into which the employee transfers, as adjusted by changes to compensation that apply generally to the work force.

516 Military Leave

Borough employees who have previously been or are currently engaged in military service may have certain rights that affect their employment under The Uniform Services Employment and Reemployment Rights Act (USERRA) . For an explanation of these rights, see Appendix F to this manual.

In addition, a military leave of absence, without loss of seniority or efficiency rating, and not to exceed 16½ working days in any 12-month period, will be granted to regular full-time and part-time employees who are members of a reserve component of the U.S. Armed Forces to Alaska National Guard, to attend scheduled drills or training, field exercises or when under direct military control in the performance of a search and rescue mission. Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable. The leave will be unpaid; however, employees may use any available PTO for the absence.

Employees should contact the Finance Director for more information or questions about military leave.

Work Schedules

601 Work Schedules

The normal work schedule for nonexempt employees is 7 hours a day, with a one hour unpaid lunch, 5 days a week and the workweek begins on Monday and ends on Friday; however certain departments within the Borough, including the Yakutat Public Safety Department, have a

different work schedule and/or a different work day and workweek. Supervisors will advise employees of their normal work schedule and workweek, and the times their schedules will normally begin and end. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

In the event of an emergency occurring outside the normal working hours, an employee shall be required to respond to a request by a supervisor of the Borough for assistance. An employee who fails or refuses to respond to a request for assistance on an emergency is subject to disciplinary action, including termination.

Flexible scheduling, or flextime, is available in some cases to allow employees to vary their starting and ending times each day within established limits. Flextime may be possible if a mutually workable schedule can be negotiated with the supervisor involved. However, such issues as staffing needs, the employee's performance, and the nature of the job will be considered before approval of flextime.

Employees should consult their supervisor to discuss any scheduling questions.

602 Rest and Meal Periods

Each workday, full-time nonexempt employees are provided with 2 rest periods of 15 minutes in length, taken at the direction of the supervisor. To the extent possible, rest periods will be provided in the middle of work periods. Since this time is counted and paid as time worked, employees must not be absent from their workstations beyond the allotted rest period time.

All full-time nonexempt employees are provided with one meal period of 30 or 60 minutes in length each workday. Supervisors will schedule meal periods to accommodate operating requirements. Generally, employees will be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time. Shift employees of the police/corrections department will not have scheduled meal periods but are allowed a 30 minute meal period as time permits during their shift on site.

603 Overtime

There may be times when the City and Borough of Yakutat cannot meet its operating requirements or other needs during regular working hours, and thus employees may be required to work overtime. It is City and Borough policy that no overtime can be worked without the approval and authorization of the supervisor.

Nonexempt employees will receive overtime pay only as mandated by the federal wage and hour laws and additional provisions provided by the City and Borough of Yakutat. The federal law generally requires the payment of overtime when an employee works more than 40 hours per

workweek, however certain exemptions to that requirement are set out in the federal law and are applicable to the Borough. Overtime pay is based on hours actual hours worked only. Time off for other paid or unpaid leave is not counted as hours worked when calculating overtime pay. Overtime pay shall be at the rate of one and one-half times the employee's regular rate of pay. Overtime will not be paid to an employee whose regular workweek is less than 40 hours unless and until they work in excess of 40 hours a week, subject to any applicable exemptions.

A supervisor or department manager is authorized to reduce an employee's regularly scheduled work day or work week in order to avoid incurring overtime hours.

Individual departments may develop their own supplemental overtime policies, subject to the approval of the Borough Manager.

604 On-call status at the Yakutat Police Department

For times other than those designated as normal shift hours, the Chief of Police, in conjunction with the Borough Manager, shall develop an on-call schedule for law enforcement officers within the Department, either monthly or as needed. Employees assigned to on-call status understand that they are not required to remain on YPD premises while on call, but are required to answer calls made into 911/dispatch and are the first responders on any call out. It is anticipated that no more than a total of 16 hours per day of on-call time shall be scheduled for the Department.

Changes in a posted on-call schedule due to trading or exigent circumstances will require the approval of the Chief of Police.

Employees on on-call status will be paid at the rate of \$3.00 per hour only. Time spent on on-call status is not counted as actual hours worked, including for purposes of calculating overtime, and is not subject to overtime pay.

If an employee is required to respond to a call out while on on-call status, the time spent by that employee on the call out will be compensated at the employee's regular rate of pay, or at the overtime rate if mandated by the federal wage and hour laws. (Ord. 16-597; Ord. 17-623)

Safety and Security

701 Safety

To assist in providing a safe and healthy work environment, the City and Borough of Yakutat provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings, bulletin board postings, memos, or other written communications. Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to

the appropriate supervisor. Employees who violate safety standards, cause hazardous or dangerous situations, or who fail to report or where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment. In the case of accidents that result in injury or property damage, regardless of how insignificant the injury or damage may appear, employees should immediately notify the appropriate supervisor. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures.

702 Visitors in the Workplace

To provide for the safety and security of employees and the facilities of the City and Borough of Yakutat, only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

Employees from time to time may have to be contacted at their work location by a visitor. When this does occur, the visitor should be escorted to an area that is safe and does not interfere with the work of other employees. These visits should be brief and should be discouraged. Disciplinary action may occur if this section is abused. If an unauthorized individual is observed on the City and Borough of Yakutat's premises, employees should immediately notify their supervisor or, if necessary, direct the individual to the main entrance.

703 Workplace Monitoring

Workplace monitoring may be conducted by the City and Borough of Yakutat to ensure quality control, employee safety, security, and customer satisfaction.

Computers furnished to employees are the property of the City and Borough of Yakutat. As such, computer usage and files may be monitored or accessed. The City and Borough of Yakutat may conduct video surveillance of non-private workplace areas with Borough Manager approval. Video monitoring is used to identify safety concerns, maintain quality control, detect theft and misconduct, and discourage or prevent acts of harassment and workplace violence.

An employee can request access to information gathered through workplace monitoring that impacts an employment decision directly affecting that employee. Access will be granted unless there is a legitimate business reason to protect confidentiality or there is an ongoing investigation. Because the City and Borough of Yakutat is sensitive to the legitimate privacy rights of employees, every effort will be made to guarantee that workplace monitoring is done in an ethical and respectful manner.

704 Workplace Violence Prevention

The City and Borough of Yakutat is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, the City

and Borough of Yakutat has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises.

All employees, including supervisors and temporary employees, should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others.

Conduct that threatens, intimidates, or coerces another employee, a customer, a vendor or solicitor, or a member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's gender, race, marital status, sexual orientation, ancestry, national origin, religion, age, disability, or any characteristic or category protected by federal, state, or local law.

Employees should report all threats of (or actual) violence, both direct and indirect, to their immediate supervisor or any other member of management as soon as possible. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, they should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to a supervisor. Employees should not place themselves in peril. If they see or hear a commotion or disturbance near their workstation, employees should not try to intercede or see what is happening. The City and Borough of Yakutat will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical.

In order to maintain workplace safety and the integrity of its investigation, the City and Borough of Yakutat may suspend employees, either with or without pay, pending investigation. Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action, up to and including termination of employment.

705 Emergency Closings

At times, emergencies such as severe weather, fires, power failures, tsunamis or earthquakes can disrupt borough operations. In extreme cases, these circumstances may require the closing of a work facility. When operations are officially closed due to emergency conditions, employees shall remain "on-call" during regular scheduled hours.

706 Security Inspections

The City and Borough of Yakutat wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other illegal, dangerous or improper materials. To this end, the

City and Borough of Yakutat prohibits the possession, transfer, sale, or use of such materials on its premises. The City and Borough of Yakutat expects the cooperation of all employees in administering this policy.

Desks, lockers, and other storage devices may be provided for the convenience of employees but remains the sole property of the City and Borough of Yakutat. Accordingly, they, as well as any articles found within them, can be inspected, and any such materials seized by any agent or representative of the City and Borough of Yakutat, at any time, either with or without prior notice.

Employee Conduct and Work Rules and Standards

801 Use of Telephone and Mail Systems

Personal use of the borough telephones for personal long-distance and toll calls are not permitted except when using personal calling cards.

To ensure effective telephone communications while conducting borough business, employees should always speak in a courteous and professional manner. Please confirm information received from the caller and hang up only after the caller has done so.

The use of the City and Borough of Yakutat-paid postage for personal correspondence is prohibited.

802 Cellular Telephone Use

Personal calls on the Borough's cellular phones are to be kept to a minimum and employees will be required to reimburse the Borough for any charges resulting from personal use of the telephone.

As a condition of employment, employees issued Borough cellular phones are required to be accessible by these phones.

803 Smoking

In keeping with the City and Borough of Yakutat's intent to provide a safe and healthful work environment, smoking is prohibited throughout the workplace, including borough vehicles. This policy applies equally to all employees, customers, and visitors.

804 Use of Equipment and Vehicles

Equipment (including machines and tools) and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using borough property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines. The supervisor can answer any questions about an employee's

responsibility for maintenance and care of equipment or vehicles used on the job.

Employees shall not operate either Borough vehicles or their own vehicles when conducting Borough business, in a reckless manner or at speeds greater than is reasonable with due regard for weather, traffic, character of roadway, load and type of vehicle. Vehicles must be kept under control at all times. Operation of a vehicle hereunder is to be conducted in compliance with all state and municipal traffic laws and regulations. Under no circumstances may an individual operate a vehicle after ingesting controlled substances, intoxicating beverages, or prescription drugs or other medication that can cause impairment for safe driving. If an individual is issued a citation for traffic or parking violation while using a Borough vehicle, or parks a vehicle so as to cause the vehicle to be towed, any fine imposed upon conviction or any costs to redeem the vehicle are the sole responsibility of that individual. An employee shall report all citations received to his or her supervisor.

Employees will wear seat belts when operating, or riding in, either Borough vehicles, or their own vehicles when conducting Borough business.

Each employee shall provide to the Borough a signed "authorization to obtain Driver's Record" form to be submitted to the State for validation of the employee's driving record. An employee whose work requires driving motor vehicles must possess a valid driver's license by the State of Alaska, with an acceptable driving record. An acceptable driving record means that the employee has not had their license suspended, revoked, canceled, or violated state, local, or federal law relating to a serious traffic accident, or whatever other qualities are deemed appropriate by the supervisor or the Borough Manager. Any employee who does not hold a valid driver's license will not be allowed to operate a borough vehicle until such time as a valid license is obtained. Employees must immediately report any suspension, revocation, or restriction of driving privileges to their supervisor. Failure to do so may result in disciplinary action against the employee, up to and including termination.

An employee utilizing a Borough vehicle is permitted to transport in that vehicle only persons employed by the Borough who are on Borough business, except 1) for emergencies, 2) to transport other persons who are not Borough employees but who are performing services for or on behalf of the Borough, or conducting Borough-related business, and 3) by express permission of the Borough Manager.

No Borough vehicle may be used for personal purposes, except with the permission of the Borough Manager.

Employees are prohibited from using a cellular telephone, or other cellular devise, either hands-on or hands-off, while driving. This prohibition includes receiving or placing calls, text messaging, utilizing the Internet, receiving or responding to email, or checking for messages.

The Yakutat Department of Public Safety shall establish its own policy on the use of Borough vehicles utilized by the department for police and emergency purposes, to be approved by the Borough Manager.

Employees shall notify the supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, up to and including termination of employment.

805 Computer, Internet and Email Usage

Computers, computer files, the email system, and software furnished to employees are the City and Borough of Yakutat's property intended for business use. Internet access is provided by the City and Borough of Yakutat to assist employees in obtaining work-related data and technology. The following guidelines have been established to help ensure responsible and productive computer, Internet and email usage. To ensure compliance with this policy, computer, internet and email usage may be monitored.

The City and Borough of Yakutat prohibits the use of computers and the email system in ways that are disruptive, offensive to others, or harmful to morale.

Email may not be used to solicit others for commercial ventures, religious or political causes, outside organizations, or other non-business matters.

The City and Borough of Yakutat purchases and licenses the use of various computer software products for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, the City and Borough of Yakutat does not have the right to reproduce such software for use on more than one computer. Employees may only use software on local area networks or on multiple machines according to the software license agreement. The City and Borough of Yakutat prohibits the illegal duplication of software and its related documentation. Employees may not download non-borough owned or licensed software onto the City and Borough of Yakutat's computers.

Non-employees are prohibited from using borough computers without permission of the Borough Manager. This does not pertain to computers made available for public use nor does it include technicians working on borough computers with the knowledge of the Borough.

All Internet data that is downloaded, copied, composed, transmitted, or received via the City and Borough of Yakutat's computer communications systems is considered to be part of the official

records of the City and Borough of Yakutat and, as such, is subject to disclosure to law enforcement or other third parties. Consequently, employees should always ensure that the business information contained in Internet downloads and transmissions are appropriate, ethical, and lawful.

While Internet usage is intended for job-related activities, incidental and occasional brief personal use is permitted within reasonable limits. The equipment, services, and technology provided to access the Internet remain at all times the property of the City and Borough of Yakutat. As such, the City and Borough of Yakutat reserves the right to monitor Internet traffic, and retrieve and read any data downloaded, composed, sent, or received through borough online connections and stored in borough computer systems. If a supervisor, department manager or the Borough Manager believes that an employee or department is engaging in excessive use of the internet for non-work related purposes, non-work related internet usage may be prohibited or further restricted, at the discretion of the supervisor or manager.

Data that is downloaded, composed, transmitted, accessed, or received via the Internet must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or other person. Examples of unacceptable content may include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone on the basis of race, age, gender, religious or political beliefs, ancestry, national origin, disability, marital status, sexual orientation, or any characteristic or category protected by law.

The unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited. As a general rule, if an employee did not create material, does not own the rights to it, or has not gotten authorization or its use, it should not be put on the Internet.

Internet users should take the necessary anti-virus precautions before downloading or copying any file from the Internet. All downloaded files are to be checked for viruses; all compressed files are to be checked before and after decompression.

Abuse of the computer, Internet access and email usage policy will result in disciplinary action, up to and including termination of employment. Employees may also be held personally liable for any violations of this policy. The following behaviors are examples of actions and activities that are prohibited and can result in disciplinary action:

- * Sending or posting discriminatory, harassing, or threatening messages or images
- * Using the Borough's time and resources for personal gain
- * Stealing, using, or disclosing someone else's code or password without authorization
- * Copying, pirating, or downloading software and electronic files without permission
- * Violating copyright law

- * Failing to observe licensing agreements
- * Engaging in unauthorized transactions that may incur a cost to the Borough or initiate unwanted Internet services and transmissions
- * Sending or posting messages or material that could damage the Borough's image or reputation
- * Participating in the viewing or exchange of pornography or obscene materials
- * Sending or posting messages that defame or slander other individuals
- * Attempting to break into the computer system of another organization or person
- * Refusing to cooperate with a security investigation
- * Using the Internet for political causes or activities, religious activities, or any sort of gambling
- * Jeopardizing the security of the Borough's electronic communications systems
- * Sending or posting messages that disparage another's products or services
- * Passing off personal views as representing those of the Borough
- * Sending anonymous email messages
- * The display or transmission of sexually explicit images, messages, and cartoons, or ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassment or showing disrespect for others.
- * Engaging in any illegal activities

Employees should notify their immediate supervisor or any member of management upon learning of violations of this policy. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

806 Employee General Work Standard Responsibilities

To ensure orderly operations and provide the best possible work environment, the City and Borough of Yakutat expects employees to meet general employee responsibility guidelines, which include, but are not limited, to the following:

- Maintenance of production/service standards - - quality, quantity, and priorities
- Responsible use of working time - - self and other employees
- Cooperation with supervision and other employees
- Observance of safety and health rules
- Proper use and maintenance of company equipment and materials
- Respect for other employees and their property
- Acceptable personal appearance and dress
- Protection of confidential information

807 Drug and Alcohol Policy

The current Borough Drug and Alcohol Policy is attached hereto as Appendix G. The policy may be modified, from time to time, at the discretion of the Assembly.

Employees with questions on this policy or issues related to drug or alcohol use in the workplace should raise their concerns with their supervisor or the Borough Manager without fear of reprisal.

808 Sexual and Other Harassment

The City and Borough of Yakutat is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive, including sexual harassment. Actions, words, jokes, or comments based on an individual's gender, race, color, national origin, ancestry, age, religion, marital status, disability, sexual orientation, or any legally protected characteristic or category are strictly prohibited and will not be tolerated.

Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. The following is a partial list of sexual harassment examples:

- * Unwanted sexual advances.
- * Offering employment benefits in exchange for sexual favors.
- * Making or threatening reprisals after a negative response to sexual advances.
- * Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons or posters.
- * Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes.
- * Verbal sexual advances or propositions.
- * Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes, or invitations.
- * Physical conduct that includes touching, assaulting, or impeding or blocking movements.

Unwelcome sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submission or rejection of the conduct is used as a basis for making employment decisions; or, (3) the conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.

Employees who experience or witness sexual or other harassment in the workplace should report it immediately to their supervisor. If the supervisor is unavailable or it would be inappropriate to contact that person, they should immediately contact the Borough Manager or any other member of management. Employees can raise concerns and make good faith reports without fear of reprisal or retaliation.

All allegations of harassment will be timely investigated. To the extent possible, confidentiality will be protected against unnecessary disclosure. When the investigation is completed, the accuser will be informed of the outcome of the investigation. Any supervisor or manager who becomes aware of

possible sexual or other harassment must immediately advise the Borough Manager or any member of management so it can be investigated. An employee who is found to have engaged in sexual or other harassment will be subject to disciplinary action, up to and including termination of employment.

809 Attendance and Punctuality

To maintain a safe and productive work environment, the City and Borough of Yakutat expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the City and Borough of Yakutat. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their supervisor as soon as possible in advance of the anticipated tardiness or absence. Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment.

810 Personal Appearance

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the image the City and Borough of Yakutat presents to customers and visitors. During business hours or when representing the City and Borough of Yakutat, employees should dress and groom themselves according to the requirements of their positions. This is particularly true if an employee's job involves dealing with customers or visitors in person.

Supervisors and department directors are responsible for establishing a reasonable dress code appropriate to the jobs employees perform. If a supervisor feels an employee's personal appearance is inappropriate, they may be asked to leave the workplace until they are properly dressed or groomed. Under such circumstances, employees will not be compensated for the time away from work.

An employee should consult his or her immediate supervisor if he or she has questions as to what constitutes appropriate appearance. Without unduly restricting individual tastes, the following personal appearance guidelines should be followed:

- * Offensive body odor and poor personal hygiene is not professionally acceptable.
- * Perfume, cologne, and aftershave lotion should be used moderately or avoided altogether, as some individuals may be sensitive to strong fragrances.

811 Return of Property

Employees are responsible for items issued to them by the City and Borough of Yakutat or in their possession or control, and are required to return all property to the Borough on or before their last day of work. Where permitted by applicable laws, the City and Borough of Yakutat may withhold from the employee's check or final paycheck the cost of any items that are not returned when required, or that are returned damaged. The City and Borough of Yakutat may also take all action

deemed appropriate to recover or protect its property.

812 Personal Tools/Equipment

The use of personal tools and equipment is discouraged and should be approved by a supervisor if necessary.

813 General Confidentiality Obligations

Borough employees shall not disclose, or use for their economic benefit or that of any other person, confidential information which is not available to the public, acquired by reason of their employment or affiliation with the Borough.

Employees shall discuss work matters only with other Borough employees who have a specific business reason to know or have access to such information, shall refrain from discussing work matters in public places, shall monitor and supervise visitors to Borough offices to ensure that they do not have access to confidential information and secure confidential information in desk drawers and cabinets at the end of every business day.

Employee Discipline and Termination of Employment; Grievances

901 Discipline

An employee may be disciplined whenever the employee's work habits, attitude, production, or personal conduct falls below an adequate standard, or when the employee violates a provision of Borough policy. In general, the Borough will adhere to the following progressive discipline method, however in certain circumstances, at the discretion of the supervisor, department director and/or the Borough Manager, an employee's conduct may justify suspension, demotion or termination without going through the other steps, and a single step or steps may be bypassed.

1. Oral reprimand: A supervisor or department director holds a discussion with an employee in which he or she reprimands the employee. The supervisor should maintain a record to document the discussion.
2. Written reprimand: A detailed written record of a reprimand, usually subsequent to a previous oral reprimand. This record is served to the employee, and becomes part of an employee's personnel file.
3. Suspension with pay: An ordered absence from duty while in full pay status. This action becomes a part of the personnel file. An employee may be suspended, with pay, immediately if the employee's action is serious enough to warrant it.
4. Suspension without pay: An ordered absence from duty without pay for a prescribed period of

time. This action becomes a part of the personnel file.

5. Demotion A permanent reduction in position or grade of employment. Demotion may also occur for non-disciplinary reasons if necessitated by reason of a shortage of funds or work, abolition of a position, or other fiscal changes in the Borough, as set out in section 903 below.

6. Termination: Removal from borough employment for misconduct or unsatisfactory performance. The Borough Manager and all temporary or probationary employees are employed with the Borough “at will” and may be terminated with or without cause or notice. All other employees may be terminated only for cause after notice and reasonable opportunity to be heard, prior to said termination.

The immediate supervisor or department director may impose an oral or written reprimand. A suspension, demotion or termination requires the approval of the Borough Manager.

Any disciplinary action taken against an employee, other than a verbal reprimand, shall be accompanied by a written statement of the basis for the disciplinary action and a statement notifying the employee that he or she must submit a grievance within seven (7) days, in accordance with section 906 of this manual, in order to protest the disciplinary action, failing which the employee will be deemed to have waived the right to protest the disciplinary action, including any right to an evidentiary hearing under federal, state or local law. Receipt shall be deemed to have been effectuated upon hand delivery of the statement to the employee or three (3) days after the statement has been mailed to the employee at the employee's last known address. An employee who does not submit a timely grievance in accordance with this policy shall be deemed to have waived all right to protest the disciplinary action.

902 Bases for Discipline

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

- Theft or inappropriate removal or possession of property
- Dishonesty, or falsification of timekeeping records or other reports
- Working under the influence of alcohol or illegal drugs
- Unauthorized possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating employer-owned vehicles or equipment
- Fighting or threatening violence in the workplace
- Boisterous or disruptive activity in the workplace and use of profane, abusive or disrespectful language
- Negligence or improper conduct leading to loss of or damage to employer-owned or customer-owned property
- Insubordination or other disrespectful conduct

- Violation of safety or health rules, or other Borough rules or policies
- Smoking in prohibited areas
- Sexual or other harassment
- Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace
- Taking leave without pay without receiving prior approval
- Excessive absenteeism or any absence without notice, or excessive tardiness
- Sleeping on the job, or unauthorized breaks or absence from work station during the workday
- Unauthorized use of telephones, mail system, or other employer-owned equipment
- Unsatisfactory performance or conduct
- Conviction of a felony or any criminal conviction involving moral turpitude or the employee's fitness for employment
- Disrespectful conduct toward the public

903 Layoffs

When it is necessary to reduce the number of employees because of lack of work or funds or any departmental or other governmental restructuring or reduction in force, the department director concerned will make a thorough investigation. The analysis of the proposed layoffs will first be presented to the Borough Manager to consider the types of activities to be curtailed and the classes of positions thereby affected and consideration shall be given to the employee's length of service to the Borough. The advisability of demoting employees in higher grades to lower grades shall also be considered. Employees separated from service hereunder, through no fault of their own, shall be given preference when new appointments are made.

Written notice of reasons for the layoff and the effective date shall be given to the employee at least two (2) weeks in advance of the effective date; two weeks severance pay, in lieu of notice, may be given.

904 Resignation

Resignation is a voluntary act initiated by the employee to terminate employment with the City and Borough of Yakutat. The City and Borough of Yakutat requests at least 30 days written resignation notice from exempt employees and two weeks written resignation notice from nonexempt employees. Three days without reporting to work or contacting the appropriate official may be considered a voluntary resignation, at the discretion of the Borough. Prior to an employee's departure, an exit interview may be scheduled to discuss the effect of the resignation on benefits.

905 Reinstatement

Employees who are subsequently reinstated will maintain their original anniversary date for seniority purposes as well as for those benefit programs governed by the anniversary date, as follows:

1. Layoff - Employees who are laid off under Section 902 will maintain their original anniversary date if they are re-employed by the Borough within one year after date of layoff.

2. Voluntary resignation - Employees who voluntarily terminate their employment with the Borough may maintain their original anniversary date, subject to management approval, if they are re-employed by the Borough within six (6) months after date of termination.

906 Grievances

A grievance is defined as any dispute or complaint arising between an employee and the Borough.

Grievance Procedure

A. The grievance of any employee, other than grievances defined under Subsection B below, shall be governed by this subsection A and shall be handled in the following manner, each step to be taken only if a satisfactory adjustment cannot be obtained on the previous level within five (5) working days of the presentation of the grievances to that level.

1. To the employee's immediate supervisor;
2. To the department director. At this stage, the grievance is to be put into the form of a written statement including incidents to support the intentions for the individual presenting them;
3. To the Borough Manager, whose decision shall be final and binding.

B. This Subsection B governs the grievance of any employee based upon the suspension, demotion or termination of that employee. Upon the timely filing of a grievance hereunder, the Borough Assembly, or a hearing officer appointed by the Assembly, will conduct an evidentiary hearing, including notice of the factual allegations against the employee, and providing the opportunity for the employee to present witnesses and evidence, to confront and cross-examine adverse witnesses, to be represented by counsel, and to have testimony taken under oath. If the hearing is held before a hearing examiner, the hearing examiner shall file a report with the Assembly, which shall take final action on the matter. In most cases, the action that is the subject of a grievance hereunder will not take effect until the hearing and decision on the grievance. However, the Borough Manager may immediately suspend the employee with pay pending the decision on the grievance for health, safety, or other reasons solely within the discretion of the Borough Manager.

Appendix A – Pay Schedules

ADMINISTRATION, PLANNING & PUBLIC WORKS

		(ANNIVERSARY EVALUATION STEPS)																	
EMPLOYMENT CLASS	STEP	RANGE	(Start)	(1st year)	(2nd year)	(3rd year)	(5th year)	(8th year)	(11th year)	(14th year)	(17th year)	(20th year)	(23rd year)	(26th year)	(29th year)	(32nd year)			
			1	2	3	4	5	6	7	8	9	10	11	12	13	14			
BASIC LEVEL (\$15-\$21, supervised)	1		\$27,300.00	\$27,846.00	\$28,402.92	\$28,970.98	\$29,550.40	\$30,141.41	\$30,744.23	\$31,359.12	\$31,986.30	\$32,626.03	\$33,278.55	\$33,944.12	\$34,623.00	\$35,315.46			
	2		\$27,846.00	\$28,402.92	\$28,970.98	\$29,550.40	\$30,141.41	\$30,744.23	\$31,359.12	\$31,986.30	\$32,626.03	\$33,278.55	\$33,944.12	\$34,623.00	\$35,315.46	\$36,021.77			
	3		\$28,402.92	\$28,970.98	\$29,550.40	\$30,141.41	\$30,744.23	\$31,359.12	\$31,986.30	\$32,626.03	\$33,278.55	\$33,944.12	\$34,623.00	\$35,315.46	\$36,021.77	\$36,742.21			
	4		\$28,970.98	\$29,550.40	\$30,141.41	\$30,744.23	\$31,359.12	\$31,986.30	\$32,626.03	\$33,278.55	\$33,944.12	\$34,623.00	\$35,315.46	\$36,021.77	\$36,742.21	\$37,477.05			
	5		\$29,550.40	\$30,141.41	\$30,744.23	\$31,359.12	\$31,986.30	\$32,626.03	\$33,278.55	\$33,944.12	\$34,623.00	\$35,315.46	\$36,021.77	\$36,742.21	\$37,477.05	\$38,226.59			
MID-LEVEL (\$20-\$28, answer to DH)	6		\$36,400.00	\$37,128.00	\$37,870.56	\$38,627.97	\$39,400.53	\$40,188.54	\$40,992.31	\$41,812.16	\$42,648.40	\$43,501.37	\$44,371.40	\$45,258.82	\$46,164.00	\$47,087.28			
	7		\$37,128.00	\$37,870.56	\$38,627.97	\$39,400.53	\$40,188.54	\$40,992.31	\$41,812.16	\$42,648.40	\$43,501.37	\$44,371.40	\$45,258.82	\$46,164.00	\$47,087.28	\$48,029.03			
	8		\$37,870.56	\$38,627.97	\$39,400.53	\$40,188.54	\$40,992.31	\$41,812.16	\$42,648.40	\$43,501.37	\$44,371.40	\$45,258.82	\$46,164.00	\$47,087.28	\$48,029.03	\$48,989.61			
	9		\$38,627.97	\$39,400.53	\$40,188.54	\$40,992.31	\$41,812.16	\$42,648.40	\$43,501.37	\$44,371.40	\$45,258.82	\$46,164.00	\$47,087.28	\$48,029.03	\$48,989.61	\$49,969.40			
	10		\$39,400.53	\$40,188.54	\$40,992.31	\$41,812.16	\$42,648.40	\$43,501.37	\$44,371.40	\$45,258.82	\$46,164.00	\$47,087.28	\$48,029.03	\$48,989.61	\$49,969.40	\$50,968.79			
ADMIN-LEVEL (\$24-\$33, assist more than 1 DH)	11		\$43,680.00	\$44,553.60	\$45,444.67	\$46,353.57	\$47,280.64	\$48,226.25	\$49,190.77	\$50,174.59	\$51,178.08	\$52,201.64	\$53,245.68	\$54,310.59	\$55,396.80	\$56,504.74			
	12		\$44,553.60	\$45,444.67	\$46,353.57	\$47,280.64	\$48,226.25	\$49,190.77	\$50,174.59	\$51,178.08	\$52,201.64	\$53,245.68	\$54,310.59	\$55,396.80	\$56,504.74	\$57,634.83			
	13		\$45,444.67	\$46,353.57	\$47,280.64	\$48,226.25	\$49,190.77	\$50,174.59	\$51,178.08	\$52,201.64	\$53,245.68	\$54,310.59	\$55,396.80	\$56,504.74	\$57,634.83	\$58,787.53			
	14		\$46,353.57	\$47,280.64	\$48,226.25	\$49,190.77	\$50,174.59	\$51,178.08	\$52,201.64	\$53,245.68	\$54,310.59	\$55,396.80	\$56,504.74	\$57,634.83	\$58,787.53	\$59,963.28			
	15		\$47,280.64	\$48,226.25	\$49,190.77	\$50,174.59	\$51,178.08	\$52,201.64	\$53,245.68	\$54,310.59	\$55,396.80	\$56,504.74	\$57,634.83	\$58,787.53	\$59,963.28	\$61,162.55			
ADMIN MANAGEMENT-LEVEL (\$27-\$37, Dept Head)	16		\$49,140.00	\$50,122.80	\$51,125.26	\$52,147.76	\$53,190.72	\$54,254.53	\$55,339.62	\$56,446.41	\$57,575.34	\$58,726.85	\$59,901.39	\$61,099.41	\$62,321.40	\$63,567.83			
	17		\$50,122.80	\$51,125.26	\$52,147.76	\$53,190.72	\$54,254.53	\$55,339.62	\$56,446.41	\$57,575.34	\$58,726.85	\$59,901.39	\$61,099.41	\$62,321.40	\$63,567.83	\$64,839.19			
	18		\$51,125.26	\$52,147.76	\$53,190.72	\$54,254.53	\$55,339.62	\$56,446.41	\$57,575.34	\$58,726.85	\$59,901.39	\$61,099.41	\$62,321.40	\$63,567.83	\$64,839.19	\$66,135.97			
	19		\$52,147.76	\$53,190.72	\$54,254.53	\$55,339.62	\$56,446.41	\$57,575.34	\$58,726.85	\$59,901.39	\$61,099.41	\$62,321.40	\$63,567.83	\$64,839.19	\$66,135.97	\$67,458.69			
	20		\$53,190.72	\$54,254.53	\$55,339.62	\$56,446.41	\$57,575.34	\$58,726.85	\$59,901.39	\$61,099.41	\$62,321.40	\$63,567.83	\$64,839.19	\$66,135.97	\$67,458.69	\$68,807.86			
SENIOR MANAGEMENT LEVEL (\$35-\$49, Borough Mgr)	21		\$63,700.00	\$64,974.00	\$66,273.48	\$67,598.95	\$68,950.93	\$70,329.95	\$71,736.55	\$73,171.28	\$74,634.70	\$76,127.40	\$77,649.94	\$79,202.94	\$80,787.00	\$82,402.74			
	22		\$64,974.00	\$66,273.48	\$67,598.95	\$68,950.93	\$70,329.95	\$71,736.55	\$73,171.28	\$74,634.70	\$76,127.40	\$77,649.94	\$79,202.94	\$80,787.00	\$82,402.74	\$84,050.80			
	23		\$66,273.48	\$67,598.95	\$68,950.93	\$70,329.95	\$71,736.55	\$73,171.28	\$74,634.70	\$76,127.40	\$77,649.94	\$79,202.94	\$80,787.00	\$82,402.74	\$84,050.80	\$85,731.81			
	24		\$67,598.95	\$68,950.93	\$70,329.95	\$71,736.55	\$73,171.28	\$74,634.70	\$76,127.40	\$77,649.94	\$79,202.94	\$80,787.00	\$82,402.74	\$84,050.80	\$85,731.81	\$87,446.45			
	25		\$68,950.93	\$70,329.95	\$71,736.55	\$73,171.28	\$74,634.70	\$76,127.40	\$77,649.94	\$79,202.94	\$80,787.00	\$82,402.74	\$84,050.80	\$85,731.81	\$87,446.45	\$89,195.38			
CBY WORK WEEK IS 35 HOURS PER WEEK																			

YAKUTAT DEPARTMENT OF PUBLIC SAFETY

		(ANNIVERSARY EVALUATION STEPS)																	
EMPLOYMENT CLASS	STEP	Range	(Start)	(1st year)	(2nd year)	(3rd year)	(5th year)	(8th year)	(11th year)	(14th year)	(17th year)	(20th year)	(23rd year)	(26th year)	(29th year)	(32nd year)			
			1	2	3	4	5	6	7	8	9	10	11	12	13	14			
YPD Police Officer	1		\$41,600.00	\$42,432.00	\$43,280.64	\$44,146.25	\$45,029.18	\$45,929.76	\$46,848.36	\$47,785.32	\$48,741.03	\$49,715.85	\$50,710.17	\$51,724.37	\$52,758.86	\$53,814.04			
	2		\$42,432.00	\$43,280.64	\$44,146.25	\$45,029.18	\$45,929.76	\$46,848.36	\$47,785.32	\$48,741.03	\$49,715.85	\$50,710.17	\$51,724.37	\$52,758.86	\$53,814.04	\$54,889.39			
	3		\$43,280.64	\$44,146.25	\$45,029.18	\$45,929.76	\$46,848.36	\$47,785.32	\$48,741.03	\$49,715.85	\$50,710.17	\$51,724.37	\$52,758.86	\$53,814.04	\$54,889.39	\$55,989.81			
	4		\$44,146.25	\$45,029.18	\$45,929.76	\$46,848.36	\$47,785.32	\$48,741.03	\$49,715.85	\$50,710.17	\$51,724.37	\$52,758.86	\$53,814.04	\$54,889.39	\$55,989.81	\$57,109.59			
	5		\$45,029.18	\$45,929.76	\$46,848.36	\$47,785.32	\$48,741.03	\$49,715.85	\$50,710.17	\$51,724.37	\$52,758.86	\$53,814.04	\$54,889.39	\$55,989.81	\$57,109.59	\$58,259.44			
\$20.00 - \$26.00 Hour	6		\$46,800.00	\$47,736.00	\$48,690.72	\$49,664.53	\$50,657.83	\$51,670.98	\$52,704.40	\$53,758.49	\$54,833.66	\$55,930.33	\$57,048.94	\$58,189.92	\$59,353.72	\$60,540.79			
	7		\$47,736.00	\$48,690.72	\$49,664.53	\$50,657.83	\$51,670.98	\$52,704.40	\$53,758.49	\$54,833.66	\$55,930.33	\$57,048.94	\$58,189.92	\$59,353.72	\$60,540.79	\$61,762.14			
	8		\$48,690.72	\$49,664.53	\$50,657.83	\$51,670.98	\$52,704.40	\$53,758.49	\$54,833.66	\$55,930.33	\$57,048.94	\$58,189.92	\$59,353.72	\$60,540.79	\$61,762.14	\$62,999.59			
	9		\$49,664.53	\$50,657.83	\$51,670.98	\$52,704.40	\$53,758.49	\$54,833.66	\$55,930.33	\$57,048.94	\$58,189.92	\$59,353.72	\$60,540.79	\$61,762.14	\$62,999.59	\$64,269.60			
	10		\$50,657.83	\$51,670.98	\$52,704.40	\$53,758.49	\$54,833.66	\$55,930.33	\$57,048.94	\$58,189.92	\$59,353.72	\$60,540.79	\$61,762.14	\$62,999.59	\$64,269.60	\$65,572.19			
	11		\$52,000.00	\$53,040.00	\$54,100.80	\$55,182.82	\$56,286.47	\$57,412.20	\$58,560.45	\$59,731.65	\$60,926.29	\$62,144.81	\$63,387.71	\$64,655.46	\$65,948.57	\$67,267.54			
	12		\$53,040.00	\$54,100.80	\$55,182.82	\$56,286.47	\$57,412.20	\$58,560.45	\$59,731.65	\$60,926.29	\$62,144.81	\$63,387.71	\$64,655.46	\$65,948.57	\$67,267.54	\$68,612.90			
	13		\$54,080.00	\$55,161.60	\$56,264.83	\$57,390.13	\$58,537.93	\$59,708.69	\$60,902.86	\$62,120.92	\$63,363.34	\$64,630.61	\$65,923.22	\$67,241.68	\$68,586.52	\$69,958.25			
CBY-YDPS WORK WEEK IS 40 HOURS PER WEEK																			

Appendix B - Travel Policy

Both the department director and the Borough Manager must approve all business travel in advance. Employees should provide a description of the trip, including where they are going, why it is necessary, and an estimate of the costs. When approved, the actual costs of travel, meals, lodging, and other expenses directly related to accomplishing business travel objectives will be reimbursed by the City and Borough of Yakutat. Employees whose travel plans have been approved are responsible for making their own travel arrangements and employees are expected to limit expenses to reasonable amounts.

Expenses that generally will be reimbursed include the following:

- * Airfare or ferry fare for travel in coach or economy class or the lowest available fare.
- * Car rental fees.
- * Fares for shuttle or airport bus services, where available; costs of public transportation for other ground travel.
- * Taxi fares, only when there is no less expensive alternative.
- * Mileage costs as approved by the IRS for use of personal cars with prior approval.

In addition to the travel expenses listed above, a per diem allowance of up to \$60.00 per day will be provided based on the following breakdown:

When employee leaves Yakutat at:

12:01 AM to 6:00 AM- \$60.00;
6:01 AM to 12:00 Noon- \$45.00;
12:00 Noon to 6:00 PM- \$30.00;
6:00 PM to midnight- \$15.00.

When employee returns to Yakutat at:

12:01 AM to 6:00 AM- \$15.00;
6:01 AM to 12:00 Noon- \$30.00;
12:00 Noon to 6:00 PM- \$45.00;
6:00 PM to midnight- \$60.00.

The per diem allowance shall be reduced by one fourth (1/4th) the daily rate for each meal (lunch and dinner only) that is provided at no charge to the employee while on borough travel.

When travel is authorized by the borough on a non-exempt employee's regularly scheduled day off, the employee shall receive compensation at the employee's straight time hourly rate for actual travel

time not to exceed the number of hours in the employee's regular workday hours. This straight time is not part of the hours per week used in calculating overtime.

Employees who are involved in an accident while traveling on business must promptly report the incident to their immediate supervisor.

Cash advances to cover reasonable anticipated expenses may be made to employees, after travel has been approved. Employees should submit a written request to their supervisor when travel advances are needed.

When travel is completed, employees should submit completed travel expense reports within 30 days. Reports should be accompanied by receipts for all individual expenses with the exception of meals, which do not need receipts. Reports should contain a brief summary of travel activities such as training certificates, conference highlights or meeting accomplishments.

Employees should contact their supervisor for guidance and assistance on procedures related to travel arrangements, travel advances, expense reports, reimbursement for specific expenses, or any other business travel issues. Abuse of this business travel expenses policy, including falsifying expense reports to reflect costs not incurred by the employee, can be grounds for disciplinary action, up to and including termination of employment. (Ord. 17-630)

Appendix C – Use of Leave Accrued prior to Adoption of this Manual

All annual leave that has accrued to an employee under Chapter 3.28 of the Borough Code, as of the time of adoption of this manual, shall be transferred to an employee's PTO leave bank. There shall be no cash out of annual leave except upon termination.

Sick Leave Accrued under Chapter 3.32 of the Borough Code:

An account record shall be made of sick leave accrued by an employee prior to the effective date of this manual. Such leave shall be used thereafter in accordance with the following rules:

1. Sick leave may be used by an employee after the first three consecutive days of absence due to illness.
2. When requesting to use sick leave, an employee must submit to the Borough a physician's certificate regarding the need for the requested leave, and an estimated date for return to work. A physician's certificate must be filed every five workdays thereafter, until return to work, stating the continued need for the requested leave.
3. An employee shall make reasonable efforts to notify the Borough of the foreseeable need for use of sick leave and to schedule planned medical treatments so as to not unduly disrupt the operations of the Borough.
4. Upon separation from employment, all unused accrued sick leave shall be automatically cancelled without pay.

Prior to June 30, 2015, employees may convert sick leave to annual leave (to be placed in the employee's PTO account), in accordance with the terms of section 3.32.025 of the Borough Code in effect at the time of adoption of this manual. (Ord. 15-591)

Appendix D – Health Insurance Coverage Employee Monthly Contribution

\$50 per month for individual coverage.

\$100 per month for family coverage.

Appendix E Health Insurance Opt-Out Policy

Opt-Out Payment is \$333.33 per month for an individual plan

Opt-Out Payment is \$700.00 per month for a family plan

The Opt-Out Payment is considered ordinary income and subject to tax

The monthly Opt-Out Payment shall be paid each pay period (bimonthly in the amount of one-half of each monthly payment) and will continue for the duration of the Opt-out term.

This option is only available to employees who have alternate medical coverage outside of the Borough's plan, and written documentation of that alternate coverage must be provided.

If an employee opts-out, that opt-out is effective for the entire Opt-Out Term. If the employee loses his or her alternate health coverage during the Opt-out term, The City & Borough of Yakutat will offer reenrollment for that employee and/or their family into the City & Borough of Yakutat health plan as the insurance company permits. (Ord. 21-687)

Appendix F Military Leave - USERRA

Your Rights Under USERRA (The Uniformed Services Employment and Reemployment Rights Act)

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

Re-employment Rights

You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:

- You ensure that your employer receives advance written or verbal notice of your service;
- You have five years or less of cumulative service in the uniformed services while with that particular employer;
- You return to work or apply for reemployment in a timely manner after conclusion of service; and
- You have not been separated from service with a disqualifying discharge or under other than honorable conditions.

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

Right to be Free from Discrimination and Retaliation

If you:

- Are a past or present member of the uniformed service;
- Have applied for membership in the uniformed service; or
- Are obligated to serve in the uniformed service;

then an employer may not deny you:

- Initial employment;
- Reemployment;
- Retention in employment;
- Promotion; or
- Any benefit of employment

because of this status.

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

Health Insurance Protection

If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military. You cannot be required to pay more than 102% of the full premium for the coverage, provided that if the uniformed service was for 30 or fewer days, you cannot be required to pay more than the normal employee share of any premium.

Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

Enforcement

The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations.

For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-866-4USA-DOL or visit its website at <http://www.dol.gov/vets>. An interactive online USERRA Advisor can be viewed at <http://www.dol.gov/elaws/userra.htm>.

If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice for representation.

You may also bypass the VETS process and bring a civil action against the Borough for violations of USERRA.

The rights listed here may vary depending on the circumstances.

Appendix G - Drug and Alcohol Policy

The City and Borough of Yakutat recognizes that substances such as alcohol and drugs may be used by individuals to an extent that their abilities and senses are impaired. "Impaired" or "under the influence" means that an employee's normal physical or mental abilities, or faculties, while at work have been detrimentally affected by the use of substances either on or off duty. Such impairment can adversely affect the ability of the employee to perform job duties and responsibilities and interact safely and successfully with co-workers and members of the public; it also increases the risk of injury to the employee, other borough employees, and to third parties such as customers and business guests. As such, the borough is committed to maintaining a drug and alcohol free workplace, and employees are strictly prohibited from using or being impaired by drugs or alcohol while working. The borough's position regarding substance abuse is the same whether alcohol, marijuana, illegal drugs, prescription drugs, or controlled substances are involved. Drug and alcohol testing is performed by the borough in accordance with this policy. The borough shall pay the actual costs for testing under this policy up to and including the confirmatory test. Any subsequent re-test is at the sole expense of the employee or prospective employee.

Persons subject to testing, and circumstances under which testing may be required

Borough employees in positions subject to federal DOT regulations and borough employees performing work in safety-sensitive positions, as further identified in Attachment 1, are subject to drug and alcohol testing under the following circumstances: Post-accident; Return-to-duty; Promotion or transfer; Reasonable cause; and Random.

All other borough employees are subject to drug and alcohol testing under the following circumstances: Post-accident; Reasonable cause.

All prospective borough employees are subject to drug testing prior to employment. Sample collection and testing methodologies will be the same as established for the testing of employees

All employees may be subject to mandatory follow-up testing following a positive result from a test or refusal to submit to a test.

"Reasonable cause" means a reasonable and articulable suspicion or belief that an employee is using a prohibited drug or alcohol on the basis of specific, contemporaneous physical, behavioral, or performance indicators of probable drug or alcohol use. In making a determination of reasonable cause, the factors to be considered may include, but are not limited to, the following:

- ❖ Unsatisfactory work performance or appearance of impaired or poor judgment, for which no apparent non-impairment related reason exists, or a change in an employee's prior pattern of work performance.
- ❖ Physical signs and symptoms consistent with substances abuse (slurred speech, irregular or unusual speech patterns, red or irritated eyes, alcohol odor, uncoordinated walking or movement, or unusual or irregular behavior such as inattentiveness, listlessness, hyperactivity, hostility or aggressiveness).
- ❖ Observation or other evidence of illegal substance use, possession, sale or delivery while on duty, or observation of drug or alcohol use prior to reporting to work.

An employee may be directed to submit to drug or alcohol testing at the direction of the borough manager, or the borough manager's designee. A supervisor or manager who suspects a violation of this policy should discuss the situation immediately with the borough manager or designee.

In all post-accident or reasonable cause testing, the employee will be provided appropriate transportation to the collection site by the borough.

Searches:

The Borough may conduct searches for drugs or alcohol on Borough facilities or worksites without cause and without prior notice to employees. This includes searches of desks, lockers, cabinets and vehicles which have been provided for an employee's use. Such searches may be conducted at any time. Employees are expected to cooperate fully.

Searches of employees, and their personal property brought on or into Borough facilities or worksites, may be conducted when there is reasonable suspicion to believe that the employee has violated this policy or when circumstances or workplace conditions justify such a search. Personal property may include, but is not limited to, purses, boxes, and briefcases.

An employee's consent to a search as set out herein is required as a condition of employment and the employee's refusal to consent may result in disciplinary action, including termination.

Conduct considered a violation of the Borough Drug and Alcohol Policy:

- ❖ Use, consumption, possession, distribution or sale of a prohibited substance during working hours or on borough property (including borough vehicles).
- ❖ Reporting to work, or working, while impaired or under the influence of a prohibited substance.
- ❖ Refusing to submit to a drug or alcohol test when directed to do so by the Borough in accordance with this policy or tampering with, adulterating, substituting or otherwise obstructing any drug or alcohol testing conducted under this policy.
- ❖ Testing positive for any prohibited substance in violation of this policy.

- ❖ Failing to notify the Borough of any citation, arrest or conviction under any federal or state criminal drug or alcohol law by the next work day following issuance of the citation, or the arrest or conviction.
- ❖ Failure to report an accident.
- ❖ Any conduct involving the use or consumption of a prohibited substance which adversely affects the operations of the Borough.

Consequences of violation of the Borough Drug and Alcohol Policy

Compliance with this policy is a condition of employment. Refusal to submit to a required test, or a positive result from a test, or any other conduct set out above, may result in imposition of disciplinary action, up to and including demotion, suspension or termination. The borough reserves the right to terminate employees for first violations, with no requirement of progressive discipline.

A negative drug test is required in order to commence employment with the Borough.

Prohibited Substances as to which testing may be required

- ❖ Alcohol
- ❖ Marijuana, Cocaine, Opiates, Phencyclidine (PCP), and Amphetamines, or any metabolite of any of the foregoing.
- ❖ Any legal drug being used without, or contrary to, a valid prescription.

A drug test shall be considered to have yielded a positive result if the test establishes the presence of a drug at a level at or greater than that established as the cutoff level for that drug by the United States Department of Health and Human Services.

An alcohol test demonstrating the following alcohol concentration is presumptively considered impairment:

Greater than 0.00 for employees working in the Public Safety Department; 0.02 or greater for all other employees listed in Attachment 1; and 0.04 or greater for all employees not listed in Attachment 1.

Actions Constituting Refusal to Submit to a Test

Actions that constitute refusal to submit to a test under this policy include, but are not limited to:

- ❖ Failure to appear for a test within the time specified by the Borough.
- ❖ Failure to provide a sufficient urine or breath sample when directed, in the absence

of an adequate medical reason for such failure.

- ❖ Failure to permit the observation or monitoring of specimen collection when required to do so, or follow the instructions of any observer or monitor.
- ❖ Failure to cooperate with any part of the testing procedure or process or remain at the collection site until the testing procedure is complete.
- ❖ Refusal to be transported to the collection site in the manner directed by the borough.
- ❖ Tampering with, adulterating, substituting or otherwise obstructing any testing.

Confidentiality

A communication received by the Borough under this policy relating to the testing or test results of an employee or prospective employee is confidential and may not be disclosed except,

- To the tested employee or prospective employee, or third party designated in writing by the tested employee or prospective employee,
- To any official or representative of the Borough authorized to receive such communications, and
- To any other person or entity as directed by a court or authorized governmental agency.

Provided that an employee submits a written request within 10 working days of notification of the test result, the employee has the right to explain a positive test result to the borough in a confidential setting. The borough shall provide such an opportunity to the employee within 72 hours of receipt of employee's written request, or before taking adverse employment action.

Testing Procedures

A. Collection Procedures

1. The Borough shall designate the type of sample to be used for testing, either urine or breath, and the collection site. The employee or prospective employee to be tested shall present reliable identification to collection personnel.

2. Collection of samples shall be conducted in accordance with the applicable provisions of AS 23.10.630-.640, and 49 CFR 40. The collection site shall have all necessary personnel, materials, equipment, facilities, and supervision to provide for the collection, security, temporary storage and shipping or transportation of samples to a certified drug testing laboratory designated by the Borough. Sample collection shall be performed in a manner that guarantees the employee's or prospective employee's privacy to the maximum extent consistent with ensuring that the sample is not tampered with, contaminated, adulterated or substituted.

3. The sample shall be properly labeled, and the person collecting the sample shall provide the person to be tested an opportunity to provide medical information that may be relevant to the testing, including the identification of current or recently used prescription and nonprescription drugs.

4. Time spent by a current employee in the provision of a sample under Borough-required testing is considered work time for the purposes of compensation.

B. Testing

1. The Borough shall use a drug testing laboratory certified by the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration (SAMHSA), to perform the testing provided for under this policy.

2. The laboratory will utilize scientifically accepted analytical methods and procedures, in accordance with 49 CFR 40 and AS 23.10.640.

3. Drug testing shall include confirmation of a positive test result by a different analytical process than used in the initial screening, and confirmatory test shall be by gas chromatography mass spectrometry. The confirmatory results, if positive, will be reviewed by a licensed physician or doctor of osteopathy, who shall contact the person tested within 48 hours to offer that person an opportunity to discuss the test result.

4. An employee has the right, upon written request made within six months of the date of the test, to obtain the written test results from the Borough. The Borough shall provide those results within five working days of receipt of the request.

Supervisor Training:

All managers, supervisors, and any other personnel who may be responsible for determining whether a Borough employee must be drug or alcohol tested based on reasonable cause shall receive annual training including but not limited to (1) 60-minute period of training on the specific, contemporaneous physical, behavioral, and performance indicators of probable drug use and (2) 60-minute period of training on the effect of alcohol.

(Ord. 18-646)