

By: Mayor
Introduced: April 27, 2015
Public Hearing: May 11, 2015
Amended: May 11, 2015
Adopted: May 11, 2015

Vote: Buswell, Graham, O’Barr, Sullivan-Leonard, Wall, and Wilson in favor

**City of Wasilla
Ordinance Serial No. 15-12(AM)**

An ordinance of the Wasilla City Council amending Wasilla Municipal Code 3.65.020, in regard to Coverage, use, accrual, and other aspects of PTO (Paid Time Off), 3.65.070, Leave without pay, and 3.60.100, Length of service.

Section 1. Classification. This ordinance is of a general and permanent nature and shall become part of the city code.

Section 2. Amendment of section. WMC 3.65.020.E, Coverage, Use, Accrual, and Other Aspects of PTO, is hereby amended to read as follows:

(E) *Leave without pay and PTO.* PTO shall not accrue during any pay period in which an employee is absent without written authorization of the department head ~~or~~ and the mayor. PTO shall accrue during any pay period in which an employee is absent with written authorization, except, no employee shall accrue PTO if they have accumulated more than 40 works hours, or seven calendar days of leave without pay within the previous calendar year 12 months. The employee must work at least one full calendar month of service without leave without pay before accrual will resume on the next available calendar month. One completed calendar month, not 30 days of service without leave without pay must be completed before accrual will resume.

Section 3. Amendment of section. WMC 3.65.070, Leave without Pay, is hereby amended to read as follows:

(A) Leave without pay not authorized by other sections of these rules may be granted to any employee by the mayor upon recommendation of the employee’s department head. Each request for such leave will be considered in light of the circumstances involved and in regard to the needs of the city. Leave without pay may be granted to an employee after all PTO earned by the employee has been exhausted. Upon approval, leave without pay shall be deemed to run concurrently with, and shall not augment any other period of unpaid leave to which the employee may otherwise be entitled. During leave without pay, the employee on leave may be covered by the employer’s group health, accident and life insurance policies for a period not to exceed six months, provided the premiums are paid by the employee in advance of the city’s payroll date for premiums withholding.

(B) ~~Normally not~~ Not more than 480 120 hours of leave without pay ~~per calendar year for personal reasons within the previous 12 months~~ may be

~~granted~~accumulated. Exceptions may be allowed by the mayor under circumstances wherein the city may be expected to benefit by virtue of the employee's acquisition of advanced or specialized training.

(C) In addition to leave without pay authorized under subsection (A) of this section, an employee in a recognized collective bargaining unit who has been designated to represent the unit in collective bargaining negotiations with the city may~~shall~~ take union leave ~~without pay~~ for the time that the employee is engaged in those negotiations during regular working hours.

Section 4. Amendment of section. WMC 3.60.100, Length of service, is hereby amended to read as follows:

(A) The length of service for a person who was a city employee and who has remained continuously employed by the city thereafter shall be measured from the date of that employee's initial appointment to city employment for the paid time off accrual rate, excluding:

- (1) All leave without pay in excess of 30 days ~~during each calendar year~~ within the previous 12 months unless otherwise provided by law;
- (2) Every day between the employee's separation date(s) and reemployment date(s) with the city;
- (3) Time spent by the employee in a temporary position unless that employee moved directly from such temporary position to a regular position without a break in service.
(Ord. 03-33(SUB)(AM)§ 2 (part), 2003)

Section 5. Effective date. This ordinance shall take effect upon adoption by the Wasilla City Council.

ADOPTED by the Wasilla City Council on May 11, 2015.


BERT L. COTTLE, Mayor

ATTEST:


KRISTIE SMITHERS, MMC, City Clerk

[SEAL]


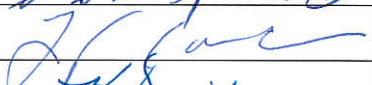

CITY COUNCIL LEGISLATION STAFF REPORT

Ordinance Serial No. 15-12: Amending Wasilla Municipal Code 3.65.020, in regard to Coverage, use, accrual, and other aspects of PTO (Paid Time Off), 3.65.070, Leave without pay, and 3.60.100, Length of service.

Originator: Donna Faeo, Human Resources Generalist

Date: 4/10/2015

Agenda of: 4/27/2015

Route to:	Department Head	Signature	Date
X	Finance Director		4/14/15
X	Deputy Administrator		4/14/15
X	City Clerk		4.14.15

Reviewed by Mayor Bert L. Cottle:

 04:15:15

Fiscal Impact: yes or no

Funds Available: yes or no

Account name/number: n/a

Attachments: Ordinance Serial No. 15-12 (2 pages)

Summary Statement:

Section 2. There has been some confusion with employee's regarding the procedure of when PTO shall accrue when accumulated leave without pay (LWOP) has reached 40 hours or seven calendar days. The procedure has been a review of the previous 12 month period as opposed to using the term "calendar year". This prevents an employee who has accumulated 40 hours at the end of one calendar year believing they will start with a clean slate on January 1st of the following calendar year.

Section 3. This amendment provides consistent language with Section 2 and 4. The amendment changing the cumulative amount of LWOP from 480 to 240 provides consistent hours with Section 2 by using 30 days as a base (30 days x 8 hours = 240 hours).

Section 4. This amendment provides consistent language with Section 2 and 3. Therefore, amending current Wasilla Municipal Code in regard to leave without pay approval process, usage, and accrual will align with other sections of current Wasilla Municipal Code and Personnel Policies and Procedures.

Staff Recommendation: Introduce and set for public hearing Ordinance Serial No. 15-12.