

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

See AO 00-166(5)

Submitted by:
Prepared by:
For Reading:

Chair of the Assembly at the
Request of the Mayor
Employee Relations
November 21, 2000



ANCHORAGE, ALASKA
AO 2000- 166

**AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE 3.30.152,
3.30.154, 3.30.155 AND 3.30.156 REGARDING LEAVE ACCUMULATION AND
USAGE RULES**

THE ANCHORAGE ASSEMBLY ORDAINS

Section 1. That Section 3.30.152 of the Anchorage Municipal Code is amended
to read as follows:

3.30.152 Annual leave accrual.

A. Rate. The rates of accrual outlined in this subsection will be pro rated
based on actual hours paid each pay period exclusive of overtime.

- 1. Regular,** full-time employees employed prior to August 6
shall accrue leave at the following rates (Tier I):

9 hours a pay period for employees with 0 to 5 years of service

10 hours a pay period for employees with 6 to 10 years of service

12.5 hours a pay period for employees with 11 or more years of
service
- 2. Regular,** full-time employees hired after August 5, 1991
accrue leave at the following rates (Tier II):

6.15 hours a pay period for employees with 0 to 3 years of service

6.77 hours a pay period for employees with 4 to 7 years of service

7.38 hours a pay period for employees with 8 to 10 years of service

8.00 hours a pay period for employees with 1 to 14 years of
service

9.23 hours a pay period for employees with 15 or more years of
service

3. Regular full-time [E]xecutive employees hired after December 31, 1994 shall accrue paid time off (PTO) annual leave at the following rates (Tier III):

[3.08] 6.15 hours a pay period ([10] 20 days per year) for employees with 0 to 3 years' service

[3.69] 6.77 hours a pay period ([12] 22 days per year) for employees with 4 to 7 years' service

[4.30] 7.38 hours a pay period ([14] 24 days per year) for employees with 8 to 10 years' service

[4.92] 8.00 hours a pay period ([16] 26 days per year) for employees with 11 to 14 years' service

[6.15] 9.23 hours a pay period ([20] 30 days per year) for employees with 15 or more years' service

4. Regular full-time employees hired after May 7, 1996 shall accrue paid time off (PTO) annual leave at the following rates (Tier III):

[3.08] 6.15 hours a pay period ([10] 20 days per year) for employees with 0 - 3 years' service

[3.69] 6.77 hours a pay period ([12] 22 days per year) for employees with 4 - 7 years' service

[4.30] 7.38 hours a pay period ([14] 24 days per year) for employees with 8 - 10 years' service

[4.92] 8.00 hours a pay period ([16] 26 days per year) for employees with 11 - 14 years' service

[6.15] 9.23 hours a pay period ([20] 30 days per year) for employees with 15 or more years' service

B. No Change

C. *Accrual limits*

1 [EXCEPT AS PROVIDED IN C2 AND C3 OF THIS SECTION, A] Accrued and unused annual leave may be carried over from one year to the next for the purpose of accumulating an annual leave account or reserve; however, at the end of the last pay period of any year an employee may not have more than 480 hours leave to

his credit. Treatment of excess annual leave is addressed in 3.30.153 A and B. For regular executive employees hired after December 31, 1994 and regular non-represented employees hired after May 7, 1996, hours in excess of 480 in their paid time off (PTO) annual leave balance at the end of the last pay period of any year shall be forfeited.

[2 FOR EXECUTIVE EMPLOYEES HIRED AFTER DECEMBER 31, 1994, ACCRUED AND UNUSED ANNUAL LEAVE MAY BE CARRIED OVER FROM ONE YEAR TO THE NEXT FOR THE PURPOSE OF ACCUMULATING ANNUAL LEAVE; PROVIDED HOWEVER, ACCRUED ANNUAL LEAVE WILL NOT EXCEED THE FOLLOWING AMOUNTS:

EXECUTIVES WITH TO 5 YEARS OF SERVICE, 120 HOURS

EXECUTIVES WITH 6 TO 10 YEARS OF SERVICE, HOURS

EXECUTIVES WITH 1 OR MORE YEARS OF SERVICE, 360 HOURS

3 FOR EMPLOYEES HIRED AFTER MAY 7, 1996, ACCRUED AND UNUSED ANNUAL LEAVE MAY BE CARRIED OVER FROM ONE YEAR TO THE NEXT FOR THE PURPOSE OF ACCUMULATING ANNUAL LEAVE; PROVIDED HOWEVER, ACCRUED ANNUAL LEAVE WILL NOT EXCEED THE FOLLOWING AMOUNTS:

EMPLOYEES WITH 1 TO 5 YEARS OF SERVICE, 120 HOURS

EMPLOYEES WITH 6 TO 10 YEARS OF SERVICE, HOURS

EMPLOYEES WITH 11 OR MORE YEARS OF SERVICE, HOURS]

D. No Change

3.30.153 Annual leave conversion and cash-in.

A. No Change

B. No Change

2 C. *Emergency cash in lieu of leave.* Cash in lieu of accrued annual leave may
3 be obtained under emergency conditions outlined in writing and approved
4 by the director, provided the employee retains at least 80 (40 in the case of
5 executive employees hired after December 31, 1994 or employees hired
6 after May 7, 1996) hours of annual leave in his annual leave account
7 following cash payment. "Emergency" is defined as a critical situation
8 over which the employee has no control. [THIS PROVISION DOES NOT
9 APPLY TO EXECUTIVE EMPLOYEES HIRED AFTER DECEMBER
10 31, 1994 OR TO EMPLOYEES HIRED AFTER MAY 7, 1996.] Payment
11 for paid time off (PTO) annual leave cashed in under this section by
12 regular executive employees hired after December 31, 1994 or regular
13 non-represented employees hired after May 7, 1996 shall be made at the
14 rate of one hundred percent (100%) of the then current value of the
15 employee's paid time off (PTO) annual leave balance based upon the
16 factored hourly rate at the time of cash-in.

17
18 D. No Change

19
20 E. No Change

21
22 F. *Payment for leave at termination.*

23
24 1 Except as provided in 3.30.153 F (2), upon termination for any reason
25 employees shall be entitled to payment for their unused annual leave
26 balance. Such payment shall be made at the rate of one hundred
27 percent of the then current value of the employee's leave balance based
28 upon his factored hourly rate at time of termination.

29
30 2. Upon termination for any reason, employees accruing paid time off
31 (PTO) annual leave under AMC 3.30.152 A(3) or (4) after the
32 effective date of this ordinance shall be entitled to payment for such
33 unused paid time off (PTO) annual leave balance. Such payment shall
34 be made at the rate of fifty percent (50%) of the then current value of
35 the employee's paid time off (PTO) annual leave balance based upon
36 the factored hourly rate at the time of termination.

37
38 3.30.154 Regular use of annual leave.

39
40 A. No Change

41
42 B. [EXCEPT AS PROVIDED IN SUBSECTIONS B1 AND B2 OF THIS
43 SECTION, A] At least 80 hours of leave shall be taken each year by the
44 end of the last pay period of the year, with the exception that this
45 limitation shall not apply to new employees until the last pay period of the
46 second [CALENDAR YEAR] December 31 following their date of hire.

Except for the initial year of employment, employees who fail to take 80 hours of annual leave or paid time off (PTO) annual leave each year pursuant to this paragraph shall forfeit those hours as if they had been taken, and the difference between the amount actually taken and 80 hours shall be subtracted from the employees' annual leave or paid time off (PTO) annual leave balance at the end of the year. For part-time employees, the minimum annual leave usage will be prorated based on the percent of full-time for which their position is budgeted. It is the responsibility of the agency head to ensure that work is conducted and leaves scheduled so that employees shall have the opportunity to use their leave at a time that most nearly meets their desires.

[1 FOR EXECUTIVE EMPLOYEES HIRED AFTER DECEMBER 31, 1994, AT LEAST 40 HOURS OF ACCRUED ANNUAL LEAVE SHALL BE TAKEN EACH YEAR BY THE END OF THE LAST PAY PERIOD OF THE YEAR, EXCEPT THAT THIS LIMITATION SHALL NOT APPLY TO NEW EMPLOYEES UNTIL THE SECOND CALENDAR YEAR FOLLOWING THEIR DATE OF HIRE. EXCEPT FOR THE INITIAL YEAR OF EMPLOYMENT, EMPLOYEES WHO FAIL TO TAKE 40 HOURS OF ANNUAL LEAVE EACH YEAR PURSUANT TO THIS PARAGRAPH SHALL FORFEIT THOSE HOURS AS IF THEY HAD BEEN TAKEN, AND THE DIFFERENCE BETWEEN THE AMOUNT ACTUALLY TAKEN AND 40 HOURS SHALL BE SUBTRACTED FROM THE EMPLOYEES' ANNUAL LEAVE BALANCE AT THE END OF THE YEAR.

2. FOR EMPLOYEES HIRED AFTER MAY 7, 1996, AT LEAST 40 HOURS OF ACCRUED ANNUAL LEAVE SHALL BE TAKEN EACH YEAR BY THE END OF THE LAST PAY PERIOD OF THE YEAR, EXCEPT THAT THIS LIMITATION SHALL NOT APPLY TO NEW EMPLOYEES UNTIL THE SECOND CALENDAR YEAR FOLLOWING THEIR DATE OF HIRE. EXCEPT FOR THE INITIAL YEAR OF EMPLOYMENT, EMPLOYEES WHO FAIL TO TAKE 40 HOURS OF ANNUAL LEAVE EACH YEAR PURSUANT TO THIS PARAGRAPH SHALL FORFEIT THOSE HOURS AS IF THEY HAD BEEN TAKEN, AND THE DIFFERENCE BETWEEN THE AMOUNT ACTUALLY TAKEN AND 40 HOURS SHALL BE SUBTRACTED FROM THE EMPLOYEES' ANNUAL LEAVE BALANCE AT THE END OF THE YEAR.]

C. No Change

D. Regular executive employees hired after December 31, 1994 and regular non-represented employees hired after May 7, 1996 who have an accrued annual leave balance on the effective date of this ordinance will have two annual leave accounts: a Tier III leave annual balance and a paid time off (PTO) annual leave balance. Employees may elect, at their discretion, which leave balance to use. These employees will have no obligation to use their Tier III leave balance before using their paid time off (PTO) annual leave balance.

3.30.155 Authorization of exceptions.

Whenever, in the opinion of the [MAYOR] director, it is not feasible or in the best interest of the service to grant earned leave to an employee, the [MAYOR] director may authorize an exception[S TO ACCUMULATION RULES OR CASH IN LIEU OF LEAVE NOT TO EXCEED 80 HOURS IN ANY CALENDAR YEAR PROVIDING THE EMPLOYEE SHALL RETAIN AT LEAST 80 HOURS OF LEAVE IN HIS ACCOUNT] to the minimum annual leave usage requirement provided in AMC 3.30.154.

3.30.156 Sick leave.

A. No Change

B. *Accumulation.*

1 [EXCEPT AS PROVIDED IN SUBSECTION B2 AND B3 OF THIS SECTION, S] Sick leave does not accrue separately, like annual leave, on a regular basis; it accumulates through conversion of excess hours of annual leave to cashable sick leave as of the end of the last pay period of each year as provided in 3.30.153B.

[2. FOR EXECUTIVE EMPLOYEES HIRED AFTER DECEMBER 31, 1994, SICK LEAVE SHALL ACCRUE AT THE RATE OF 3.08 HOURS PER PAY PERIOD (10 DAYS PER YEAR). THE ACCRUAL SHALL BE PRO-RATED BASED ON ACTUAL HOURS PAID EACH PAY PERIOD, EXCLUSIVE OF OVERTIME. SICK LEAVE SHALL CONTINUE TO ACCRUE DURING PERIODS OF PAID LEAVE. SICK LEAVE DOES NOT ACCRUE DURING PERIODS OF UNPAID TIME OFF.

3. FOR EMPLOYEES HIRED AFTER MAY 7, 1996, SICK LEAVE SHALL ACCRUE AT THE RATE OF 3.08 HOURS PER PAY PERIOD (10 DAYS PER YEAR). THE ACCRUAL SHALL BE PRO-RATED BASED ON ACTUAL HOURS PAID EACH PAY

PERIOD, EXCLUSIVE OF OVERTIME. SICK LEAVE SHALL
CONTINUE TO ACCRUE DURING PERIODS OF PAID
LEAVE. SICK LEAVE DOES NOT ACCRUE DURING
PERIODS OF UNPAID TIME OFF.]

2. Regular executive employees hired after December 31, 1994 and
regular non-represented employees hired after May 7, 1996 with a
non-cashable sick leave balance on the effective date of this
ordinance shall retain such balance and may use the sick leave in
accordance with 3.30.156 A.

C. No change.

[D. *ACCRUAL LIMIT.* FOR EXECUTIVE EMPLOYEES HIRED AFTER
DECEMBER 31, 1994 AND EMPLOYEES HIRED AFTER MAY 7,
1996, SICK LEAVE WILL ACCRUE AND BE CARRIED FORWARD
FROM YEAR TO YEAR, PROVIDED HOWEVER, THE MAXIMUM
AMOUNT OF SICK LEAVE WHICH MAY BE ACCRUED IS 1,040
HOURS. SICK LEAVE WILL CEASE TO ACCRUE AFTER THE
MAXIMUM IS ACCRUED.]

D[E]. No Change.

Section 2. That this ordinance is effective December 18, 2000, the first day of the first
pay period in tax year 2001.

PASSED AND APPROVED by the Anchorage Assembly this ____ day of
____, 2000.

Chair

ATTEST:

Municipal Clerk