

Submitted by: Chair of the Assembly at the
Request of the Mayor
Prepared by: Employee Relations
For Reading: DECEMBER 12, 2000

CLERK'S OFFICE

APPROVED

Date: 12/12/00

ANCHORAGE, ALASKA
AO 2000-166(S)

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 Anchorage Municipal Code Chapter 3.30 is hereby amended by amending sections 3.30.152, 3.30.153, 3.30.154, 3.30.155, and 3.30.156 of the Anchorage Municipal Code 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, 1991 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 shall 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 11 to 14 years of service

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

- 1 3. Regular full-time [E]executive employees hired after December
2 31, 1994 shall accrue paid time off (PTO) annual leave at the
3 following rates (Tier III):

4
5 [3.08] 6.15 hours a pay period ([10] 20 days per year) for
6 employees with 0 to 3 years' service

7
8 [3.69] 6.77 hours a pay period ([12] 22 days per year) for
9 employees with 4 to 7 years' service

10
11 [4.30] 7.38 hours a pay period ([14] 24 days per year) for
12 employees with 8 to 10 years' service

13
14 [4.92] 8.00 hours a pay period ([16] 26 days per year) for
15 employees with 11 to 14 years' service

16
17 [6.15] 9.23 hours a pay period ([20] 30 days per year) for
18 employees with 15 or more years' service

- 19
20 4. Regular full-time employees hired after May 7, 1996 shall accrue
21 paid time off (PTO) annual leave at the following rates (Tier III):

22
23 [3.08] 6.15 hours a pay period ([10] 20 days per year) for
24 employees with 0 - 3 years' service

25
26 [3.69] 6.77 hours a pay period ([12] 22 days per year) for
27 employees with 4 - 7 years' service

28
29 [4.30] 7.38 hours a pay period ([14] 24 days per year) for
30 employees with 8 - 10 years' service

31
32 [4.92] 8.00 hours a pay period ([16] 26 days per year) for
33 employees with 11 - 14 years' service

34
35 [6.15] 9.23 hours a pay period ([20] 30 days per year) for
36 employees with 15 or more years' service

37
38 B. No Change

39
40 C. *Accrual limits.*

- 41
42 1 [EXCEPT AS PROVIDED IN C2 AND C3 OF THIS SECTION,
43 A] Accrued and unused annual leave may be carried over from one
44 year to the next for the purpose of accumulating an annual leave
45 account or reserve; however, at the end of the last pay period of
46 any year an employee may not have more than 480 hours leave to
47 his credit. Treatment of excess annual leave is addressed in
48 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 1 TO 5 YEARS OF SERVICE, 120 HOURS

EXECUTIVES WITH 6 TO 10 YEARS OF SERVICE, HOURS

EXECUTIVES WITH 11 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, 360 HOURS]

D. *Leave buyback program.*

2. [THE DIRECTOR WILL ESTABLISH AN INITIAL] Starting thirty days before the end of the calendar year there shall be an open enrollment period established by the director during which interested eligible non-represented and executive employees may elect to participate by completing [WILL COMPLETE] an election form acknowledging the leave buyback option [AND ELECTING] TO PARTICIPATE, OR NOT, UNTIL ANNUAL OPEN ENROLLMENT PERIOD IN DECEMBER, 1999]. The election is irrevocable until a subsequent open enrollment period or cessation

of the leave buyback program [PURSUANT TO THIS
SUBSECTION AND 3.30.152(D)3].

- [4. THE LEAVE BUYBACK PROGRAM WILL SUNSET ON
DECEMBER 31, 2000, UNLESS EXTENDED BY THE
MUNICIPAL ASSEMBLY.]

chg from original

3.30.153 Annual leave conversion and cash-in.

A. No Change

B. No Change

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

D. No Change

E. No Change

F. *Payment for leave at termination.*

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

2 Upon termination for any reason, employees accruing paid time off (PTO) annual leave under AMC 3.30.152 A(3) or (4) after the effective date of this ordinance shall be entitled to payment for such unused paid time off (PTO) annual leave balance. Such payment shall be made at the rate of fifty percent (50%) of the then current value of

the employee's paid time off (PTO) annual leave balance based upon the factored hourly rate at the time of termination.

3.30.154 Regular use of annual leave.

A. No Change

B. [EXCEPT AS PROVIDED IN SUBSECTIONS B1 AND B2 OF THIS SECTION, A] At least 80 hours of leave shall be taken each year by the end of the last pay period of the year, with the exception that this limitation shall not apply to new employees until the last pay period of the 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.

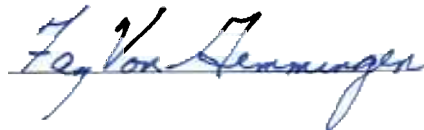
C. No change.

[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 12 day of December, 2000.



ATTEST:



Municipal Clerk