

Introduced by: Mayor, Bagley
Date: 01/06/15
Hearing: 02/03/15
Action: Enacted as Amended
Vote: 9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2015-01**

**AN ORDINANCE AMENDING KPB 3.04.160 AND KPB 3.04.220 TO ALLOW THE
ADMINISTRATION TO ESTABLISH PERSONNEL POLICIES FOR
ADMINISTRATIVE EMPLOYEES AND REPEALING RESOLUTION 2011-087**

- WHEREAS**, KPB chapter 3.04 governs employee classification and the pay system for the borough; and
- WHEREAS**, KPB 3.04.280 authorizes the assembly to approve a collective bargaining agreement (“CBA”) between the borough and the Kenai Borough Employees Association setting wages, hours, benefits and working conditions for those employees covered by such agreement; and
- WHEREAS**, KPB 3.04.160, last amended in 1981, states that the assembly will adopt a policy for various personnel matters via the budget process or by resolution; and
- WHEREAS**, KPB 3.04.220, last amended in 1978, states that the assembly will adopt by resolution policies regarding employee activities and work rules not already covered by the code; and
- WHEREAS**, these sections of the code have in recent years been applied to policies developed to address administrative employees who are not covered by the CBA; and
- WHEREAS**, the assembly plays an important role in making fiscal decisions related to employment, such as benefits, holidays with pay, and personal leave; and
- WHEREAS**, developing policy to effectuate the assembly’s fiscal decisions is most appropriately an administrative function; and
- WHEREAS**, personnel policies must also take into account relevant state and federal laws, and may require regular updates; and
- WHEREAS**, eliminating the requirement that the assembly establish personnel policies especially for administrative employees who are not covered by the CBA, would enable the administration to deal with such administrative issues more efficiently, and would accordingly serve the best interests of the borough; and

WHEREAS, under this amendment, the administration will remain bound by the assembly's fiscal decisions regarding employment when establishing personnel policies for administrative employees; and

WHEREAS, the assembly may elect to recognize these policies as applicable to the Clerk and Deputy Clerk, or to establish separate policies for the Clerk and Deputy Clerk;

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That KPB 3.04.160 is hereby amended as follows:

3.04.160. Benefits—Vacation—[WORKING CONDITIONS—]Holidays.

The assembly shall [FROM TIME TO TIME ADOPT] establish, either through the approved annual borough operating budget or by resolution, [A POLICY REGARDING] employment conditions including the normal hours of [WORK] borough operation, holidays with pay, [VACATION] personal leave with pay, [SICK LEAVE, MATERNITY LEAVE, MILITARY LEAVE,] employee insurance coverage, and other benefits with pay, or benefits without pay. The administration may adopt personnel policies, consistent with the employment conditions established by the assembly, for all administrative employees.

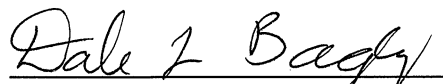
SECTION 2. 3.04.220 Employee Activities – Authorized when.

The assembly shall establish, either through the approved annual borough operating budget or by resolution, [adopt policies] employment conditions related to employee expenditures and activities [regarding employee activities and work rules] not specifically covered by this code, including but not limited to, travel on official business, outside employment, automobile usage, and required uniforms. The administration shall adopt personnel policies, consistent with the employment conditions established by the assembly, for all administrative employees.

SECTION 3. Resolution 2011-087 is hereby repealed.

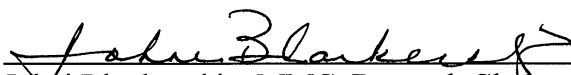
SECTION 4. That this ordinance takes effect immediately upon its enactment.

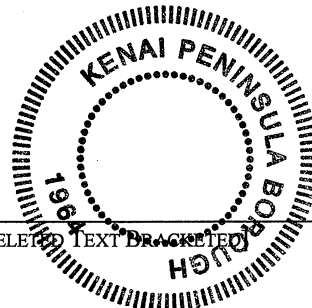
ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 3RD DAY OF FEBRUARY, 2015.



Dale Bagley, Assembly President

ATTEST:


John Blankenship, MMC, Borough Clerk



Yes: Cooper, Haggerty, Gilman, Johnson, McClure, Ogle, Welles, Wolf, Bagley
No: None
Absent: None