



RESOLUTION NO. 20-33

**A RESOLUTION OF THE ALEUTIANS EAST BOROUGH ASSEMBLY
AMENDING SECTION 3.01(C)(6) OF THE ALEUTIANS EAST BOROUGH
EMPLOYEE HANDBOOK**

WHEREAS, A.S. 29.20.410(a) authorizes municipalities to create and implement personnel systems to govern the terms of municipal employment; and,

WHEREAS, pursuant to that authority, the Aleutians East Borough enacted Section 7.10.020 of the Aleutians East Borough Code of Ordinances, which directed the Borough to adopt a personnel policy; and,

WHEREAS, accordingly, the Borough has adopted the Aleutians East Borough Employee Handbook; and,

WHEREAS, the Assembly believes it to be in the Borough's best interest to amend Section 3.01(C)(6) of the Employee Handbook to remove the Per Diem Employment Classification, which the Borough no longer uses; and,

WHEREAS, the Assembly finds it to be in the Borough's best interests to replace it with a new employment classification for Borough employees hired on a contract basis; and,

WHEREAS, AEBC 7.10.030 authorizes the Assembly to amend the policies set forth in the Employee Handbook by resolution.

NOW, THEREFORE, BE IT RESOLVED by the Aleutians East Borough as follows:

Section 1. Section 3.01(C)(6) of the Aleutians East Borough Employee Handbook shall be amended as set forth in Exhibit A.

Section 2. This Resolution shall become effective immediately upon adoption.

PASSED AND APPROVED BY THE ALEUTIANS EAST BOROUGH ASSEMBLY on this 14th day of November, 2019.

ALEUTIANS EAST BOROUGH, ALASKA

ATTEST:

Tina Anderson, Clerk

Alvin D. Osterback, Mayor

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3.01 EMPLOYMENT CATEGORIES

- A. In this section, the AEB intends to clarify the definitions of employment classifications. We want all Borough employees to understand their employment status and eligibility for benefits. These classifications do not guarantee employment for any specified period of time.
- B. Each Borough employee is designated as either NON-EXEMPT or EXEMPT from federal wage and hour laws. NON-EXEMPT employees are entitled to overtime pay under the specific provisions of federal laws. EXEMPT Borough employees are excluded from specific provisions of federal wage and hour laws.
- C. In addition to the above categories, each Borough employee will belong to one other employment category; either:
 - 1. **REGULAR FULL-TIME** employees: this includes Borough employees who are not in temporary or probationary status and who are regularly scheduled to work the Aleutians East Borough's full-time (40 hour per week) schedule. Generally, such AEB employees are eligible for the Borough's benefit package, subject to the terms, conditions, and limitations of each benefit program.
 - 2. **REGULAR PART-TIME** employees: this includes Borough employees who are not assigned to temporary or probationary status and who are regularly scheduled to work less than the full-time work schedule, but at least twenty (20) hours per week. Regular part-time employees are eligible for some benefits sponsored by the Aleutians East Borough, subject to the terms, conditions, and limitations of each benefit program.
 - 3. **PART-TIME** employees: this includes Borough employees who are not assigned to temporary or probationary status and who are scheduled to work less than twenty (20) hours per week. While such Borough employees receive all legally mandated benefits (such as Social Security and Workers' Compensation), they are ineligible for all the AEB's other benefit programs.
 - 4. **PROBATIONARY** employees: this includes Borough employees whose performance is being evaluated to determine whether further employment in a specific position within the Aleutians East Borough is appropriate. Employees who satisfactorily complete the probationary period will be notified of their new employment classification (See Section 3.02).
 - 5. **TEMPORARY** employees: this includes Borough employees who are hired as interim replacements or for temporary work, on a predetermined work schedule that does not extend beyond six (6) calendar months. A temporary employee may be terminated, demoted, or suspended with or without cause, at the discretion of the appointing authority. If employees hired on a temporary basis become permanent employees, they are entitled to pro-rata sick leave and annual leave accruals retroactive to their date of hire.
 - 6. **PER-DIEM CONTRACT** employees: this includes Borough employees whose ~~are Regular Full-Time and Regular Part-Time employees and who accept additional compensation in lieu of~~

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terms and conditions of employment are governed by a written employment agreement in which, unless otherwise expressly stated therein, the employee waives participation in all ~~but~~ ~~legally mandated~~ Borough benefit programs other than those mandated by law. The AEB offers this category in limited classifications and to limited numbers of employees. Individuals participating in this program must sign waivers of their rights to participate in the benefit programs applicable to regular employees. Service in this category cannot be credited in any way toward any benefit program, even if the employee is later assigned to a benefit-eligible category. An employee may only be assigned to ~~change to~~ or from this category ~~can be accomplished only with the~~ by means of a prior written ~~recommendation~~ authorization of the Borough Mayor, Borough Administrator, or designee.

Black typeface = current language.

~~Red strikethrough~~ = deleted language.

Blue typeface = new language.
