

44.05.060 - Personnel board.

- (a) *Board established.* There shall be a personnel board composed of five members who shall be appointed by the assembly. All appointments shall be for staggered three-year terms. No member of the personnel board who has served for three consecutive terms or nine years shall again be eligible for appointment until one full year has intervened, provided, however, that this restriction shall not apply if there are no other qualified applicants at the time reappointment is considered by the assembly human resources committee.
- (b) *Qualifications.* Members of the personnel board shall be residents of the City and Borough who shall serve without pay. The assembly will seek persons who have experience in the field of employee relations or personnel management to serve on the personnel board. Two seats shall be designated for members with a background in labor, two designated for members with a background in management, and one for a member of the general public. A member of the personnel board shall not be an employee of the City and Borough or a member of employee's immediate family or household or an employee of any collective bargaining organization which represents any City and Borough employees, other than those employed by the school district. When openings appear for designated labor seats, the Juneau Central Labor Council, AFL-CIO, will be asked to provide an endorsement for three applicants it believes meet the qualification to be designated as having "a background in labor" and meet all other requirements of this section 44.05.060(b).
- (c) *Meeting procedure.* The personnel board shall conduct its business, including notice, meetings and hearings, in accordance with the personnel rules.
- (d) *Responsibilities.* The personnel board shall hold meetings, conduct hearings, and issue findings and conclusions in employee appeals as provided in the personnel rules. The personnel board may order reinstatement, or the payment of back pay for an employee, or take other action as appropriate. The personnel board may not order the payment of attorneys' fees or costs for either party to an appeal, or the payment of damages, either compensatory, punitive, medical, therapeutic, or otherwise, to an employee. The personnel board may from time to time review and make recommendations to the manager on the personnel rules and amendments to the rules.
- (e) *Organization, quorum, and rules of order.* The personnel board shall each year appoint from its membership a chair and a vice-chair. Three members of the personnel board shall constitute a quorum and the concurrence of three members shall be necessary for action. Meetings of the personnel board shall be conducted according to Robert's Rules of Order, Newly Revised, provided motions need not be seconded.
- (f) *Assistance and personnel costs.* Staff support and assistance to the personnel board shall be provided by the human resources director and the municipal clerk as available and appropriate. Staff costs of the personnel board are to be borne by the City and Borough. Nonstaff costs in specific collective bargaining disputes for matters such as mediation and factfinding are to be borne equally by the parties to the dispute. For the purpose of this section, "staff costs" are those costs of consultants, subject to budgetary and funding limitations, and those costs necessary to pay the salaries of City and Borough employees who normally serve as staff to the personnel board and to supply those employees with normal overhead support.
- (g) *Duties of the personnel board.* In addition to other duties imposed on the board, it shall administer the policy established by chapter 44.10, entitled "Labor Relations," and shall have duties which shall include:
 - (1) Determining the units appropriate for collective bargaining;
 - (2) Certifying or decertifying of employee organizations as exclusive representatives;
 - (3) Conducting representation elections;
 - (4) Resolving disputes, including mediation and fact-finding;
 - (5) Determining the extent of and remedy for unfair labor practices.

- (h) *Labor relations policies.* The personnel board may conduct hearings, issue cease and desist orders, conduct elections and take affirmative action to effectuate the policies of chapter 44.10.
- (i) *Rules and regulations.* The personnel board shall propose to the assembly rules and regulations, and amendments thereto, as may be necessary to effectuate the purposes of chapter 44.10. Upon receipt of such recommendations, the assembly may by resolution approve, disapprove, or modify such proposed rules, regulations, or amendments thereto.

(Serial No. 91-14, § 2, 1991; Serial No. 94-12, § 4, 1994; Serial No. 2004-08, § 5, 3-22-2004; Serial No. 2006-30, § 4, 9-11-2006, eff. 10-12-2006; Serial No. 2011-03(c), § 2, 2-28-2011, eff. 3-31-2011)

Charter reference— Personnel board, § 3.14.