



**CITY OF KOTZEBUE
AMENDED RESOLUTION NO. 24-22**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KOTZEBUE
AMENDING SECTION 3.05 - TYPES OF POSITIONS AND CLASSIFICATIONS AND
SECTION 3.25 - SPECIAL SALARY PROVISION OF THE CITY OF KOTZEBUE
PERSONNEL POLICY MANUAL ("PPM") AND ADDING A PROVISION TO THE
CITY OF KOTZEBUE PERSONNEL POLICY MANUAL ("PPM") REGARDING
BREAKS AND LUNCH PERIODS DURING THE REGULAR WORK DAY**

WHEREAS, Resolution 23-25, Exhibit B, adopted July 27, 2023, repealed the former Personnel Policy Manual ("PPM"), in its entirety, and enacted a new PPM and the PPM can be amended by a duly enacted Resolution of the City Council of the City of Kotzebue;

WHEREAS, Section 3.05 Types of Positions and Classifications is amended to add a new employee position and classification **Flexible Hour** as set in 6. below **bolded and underlined**:

1. Regular Full-Time. A full-time position is considered to be a part of the regular complement continuously needed for performing city services.
2. Regular Part-Time. A part-time employee is one who is occupying a position that regularly requires working at least 15 hours but less than 30 hour in a week. Those working less than 15 hours per week are not eligible for PERS (Alaska Public Employees Retirement Fund).
3. Temporary. A temporary employee is one who is occupying a position where the need for that position is for a specific duration and where the work to be performed may not normally exceed six months. A temporary employee may fill the vacancy created by an approved leave of absence or extended illness. An employee hired to fill a temporary position serves at the pleasure of the department head and/or City Manager and is subject to summary discharge by either the department head or the City Manager, with or without cause, without right of hearing or appeal and is an "at-will" employee.
4. At-Will. Employees in positions determined to be "at-will" serve at the pleasure of the City Manager and can be dismissed at any time, with or without cause. At-Will positions

**AMENDED Resolution 24-22 April 4, 2024 RCCM
[postponed from March 21, 2024]**

include the Police Chief, the Fire Chief, all Department Heads, and other positions determined as "at-will" as set forth in KMC 2.48.010(A)

5. Partially At-Will. Employees in positions determined to be "partially at-will" serve at the pleasure of the City Manager and can be dismissed at any time, with or without cause. Partially at-Will positions include City Clerk.

6. Flexible Hour. Employees in positions as determined by their respective Department Heads and with approval of the City Manager who work pre-determined, pre-scheduled flexible hours for extended periods of time.

WHEREAS, Section 3.25 Special Salary Provisions is amended by deleting the present 4. in *[italics and brackets]* and replacing it with a new 4. **bolded and underlined**:

1. Part-Time Employees. Any employee regularly employed on a work schedule of less than full-time (as described in Section 3.05) shall be compensated at the hourly rate established by the City Manager, but not higher than that of full-time employees similarly situated (exclusive of benefits). Such employees may be advanced in pay based upon satisfactory service in the same manner as full-time employees. Regular part-time employees accrue leave on pro-rated basis.

2. Temporary Employees. A temporary employee (as described in Section 3.05) shall be employed initially at the hourly rate established by the City Manager, but not higher than that of full-time employees similarly situated (exclusive of benefits). Temporary employees shall be paid only for hours actually worked and shall not accrue leave, receive holiday pay, leave allowance, or other benefits.

3. Temporary Assignments. Employees may be assigned temporarily to perform duties of a higher classification for purposes of training and/or demonstration of skill leading to possible promotion, or to fill vacancies.

4. *[Deleted – Acting City Manager or Acting Department Heads will have a merit increase or pay adjustment at the rate of their immediate supervisor while acting or covering the position.]*

4. Acting City Manager or Acting Department Heads will be paid at a rate set by the City Manager during the period or periods serving as Acting City Manager or Acting Department Head commensurate with the duties assumed and work experience with the City of Kotzebue of the person serving as Acting City Manager or Acting Department Head.

WHEREAS, Section 5.00 Hours of Work is amended to add a provision regarding breaks and lunch period as set out below **bolded and underlined**:


The City of Kotzebue is comprised of various departments of which require different work schedules.

It is the responsibility of each department head to define the required schedule to align with their workforce and department needs to support the City and ensure those schedules are approved by the City Manager and comply with State and Federal Wage and Hour Laws and Regulations **and include a morning break, afternoon break and lunch period under normal conditions and circumstances.**

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Kotzebue amends the City of Kotzebue PPM as set out herein, effective immediately with the passage of this Resolution.

PASSED AND APPROVED by a duly constituted quorum of the City Council of the City of Kotzebue, Alaska, this 4th of April, 2024.

CITY OF KOTZEBUE



Saima Chase, Mayor



ATTEST:



Rosie Hensley, City Clerk

Attachment: Exhibit "A" Memorandum [To: City of Kotzebue Administration Date: May 2, 2023]



P.O. Box 46
Kotzebue, AK 99752

City Hall (907) 442-3401

Police Dept. (907) 442-3351

Fire Dept. (907) 442-3404

Public Works (907) 442-3401

Memorandum

TO: City of Kotzebue Administration

FROM: The Office of the City Manager, Tessa Baldwin

DATE: May 3, 2023

Dear Members of the Administration,

I would first like to express my gratitude to the work and commitment that each of you contribute to the City of Kotzebue. This work does not go unnoticed. After much discussion and internal investigation of practices we will no longer be doing our acting director wage pay out to employees temporarily covering departments. For example, if a director goes on leave and is required to have an acting director fill their job duties while out, the acting director will not get paid the current director's salary.

It is my understanding that this is not a practice for all departments. As the city manager, I aim to ensure that each employee is treated equally. It is also my goal to ensure transparency throughout our organization. The act of paying a few individuals acting salary pay while covering for a director is not common practice. Therefore, as of May 5, 2023, we will no longer be accepting acting director pay during their coverage of a department. However, when a director does go on leave, we will be requesting a person cover their duties. The individual who is in the position to cover job duties will be receiving their regular pay. This will create unity and fairness across the board.

I appreciate your understanding on this matter. Any questions or concerns with this ad-hoc practice can be directed to myself.

Thank you,

Tessa Baldwin, City Manager