



KETCHIKAN GATEWAY BOROUGH APPLICATION FOR APPOINTMENT Personnel Appeal Board

NAME _____

RESIDENCE ADDRESS: _____

MAILING ADDRESS _____

BUSINESS PHONE _____

CELL / HOME PHONE _____

E-MAIL _____

Applicants may attach a resume or summarize applicable experience in the space below.

Provide a description of unique skills or experience that apply toward your qualifications as a Personnel Appeal Board member here:

Purpose and Duties of the Personnel Appeal Board are included on the subsequent pages of this application. By signing the application for appointment to the Personnel Appeal Board, the applicant hereby acknowledges having read and desires to perform the purpose and duties of the Personnel Appeal Board.

Signature of Applicant

Date

Return To:

Borough Clerk's Office
1900 First Avenue Ste 115
Ketchikan, AK 99901
907-228-6605
boroclerk@kgbak.us

KGB CODE 3.15.210 Grievance Procedure

(a) Filing of a grievance is an appellate remedy available to an employee who has been subject to a grievable disciplinary action under KGBC 3.15.200(c). In addition, a grievance may be filed by an employee who alleges that that employee has suffered as a result of management action or inaction in breach of personnel policies. Time limits set forth in the following steps may only be extended by mutual written consent of the parties hereto. This section does not apply to executive level employees who serve at the pleasure of the manager, or the borough manager, clerk or attorney who serve at the pleasure of the mayor and assembly. After a timely written grievance has been submitted, the employee's department head may give written consent to extension of the time limits, set forth in subsection (c) of this section, Step I – Department Head. Any other extensions of time for grievance procedures must be agreed to in writing by the borough manager.

(b) Grievances should be resolved, if possible, quickly, informally and at the lowest level of supervision. The employee shall discuss it with the employee's immediate supervisor and attempt to resolve it informally. If it cannot be resolved informally, the following procedure shall be followed.

(c) Step I – Department Head. The employee shall set forth the grievance in writing and submit such written grievance to the employee's department head for receipt within 14 calendar days after the employee knew or should have known that he or she had a grievance, whichever is earlier. The written grievance shall contain a description of the alleged problem, the section of the policies involved, the date it occurred, and the corrective action desired. A meeting between the department head and the employee shall be held within 10 calendar days after the grievance is received, and the department head shall respond in writing within 10 calendar days of the meeting.

(d) Step II – Borough Manager. If not satisfied with the reply, the employee may within 10 calendar days of receipt of the reply present the written grievance to the borough manager or designee who shall meet with the employee within 10 calendar days after presentation for the purpose of resolving the grievance. The borough manager or designee shall respond in writing to the grievance within 10 calendar days after the step II meeting. Nonexecutive level employees under the direct supervision of the borough manager, clerk and attorney shall skip step II and immediately move to step III of the grievance process.

KGB CODE 3.15.210 (e) – (g) Personnel Appeal Board Procedures

(e) Step III – Personnel Appeal Board. If not settled, the employee may submit in writing the grievance to the personnel appeal board, which is a three-member board appointed by the mayor and confirmed by the borough assembly. When the personnel appeal board is meeting solely to hear and adjudicate a grievance filed under this section, its meetings are not open to the public. If the board convenes a meeting to consider setting borough policy or making recommendations to the borough assembly, such meeting shall convene as a public meeting and be held in accordance with the Open Meetings Act.

(f) The personnel appeal board function is to interpret the policies and borough code. The personnel appeal board shall consider only the particular issues presented in writing by the borough manager, clerk or attorney and/or the employee. The personnel appeal board shall have no authority or power to add to, delete from, disregard, or alter any of the provisions of the policies, but shall be authorized only to interpret the existing provisions of the policies or the borough code as they may apply to the specific

facts of the issue in dispute. The board shall not decide on the merit or wisdom of any action or failure to act, but only on the contractual obligation inherent in borough code and policies. If the personnel appeal board should find that the manager, clerk or attorney was not prohibited by borough code or policies from taking, or not taking, the action grieved, the board shall have no authority to change or restrict the action or to substitute its own judgment for that of the manager, clerk or attorney. Unless a specific provision of borough code or policies expressly grants the employee a right, privilege, or benefit claimed by him/her, the personnel appeal board shall not award any such right, privilege, or benefit to the employee.

(g) Hearing Procedures. The personnel appeal board shall convene a hearing on the grievance within 30 days, unless the board determines that good cause requires a delay in the hearing. Either party may present testimony and witnesses and may be represented by counsel. Formal rules of procedure shall not apply. An audio recording of the hearing will be kept in the office of the human resources administrator. The decision of the personnel appeal board shall be made within 15 days of the hearing. The decision of the personnel appeal board shall be final and binding and shall be in writing and forwarded to both parties.