

**ANCHORAGE, ALASKA
AO No. 2009-60**

1 **AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTION**
2 **3.30.1511 TO PROVIDE FOR IMPLEMENTATION OF UP TO 62 HOURS OF**
3 **MANDATORY NON-REPRESENTED EMPLOYEE GENERAL FURLOUGH LEAVE**
4 **PER CALENDAR YEAR.**
5

6
7 **THE ANCHORAGE ASSEMBLY ORDAINS:**
8

9 **Section 1.** Anchorage Municipal Code section 3.30.1511 is amended to add a new
10 subsection to read as follows:
11

12 **3.30.1511 Leave without pay.**
13

14 Leave without pay may take any of the forms stated in this section and may be
15 granted by the director upon request by the employee, recommendation of the
16 agency head and upon consideration of the particular needs of the employee
17 and the agency. Leave and benefits shall not accrue during leave without pay
18 except as provided in this section. The employer-employee relationship is
19 maintained during a period of leave without pay, but no other compensation
20 shall be paid by the municipality.
21

22 Section 3.30.1515 provides for family leave, which must be approved pursuant
23 to AS 23.10.500--23.10.550 and Public Law 103-3. Additional periods of leave
24 without pay directly following family leave may be requested by an employee
25 and may be approved by the director upon recommendation of the agency
26 head. The period of family leave, whether paid or unpaid, will, however, count
27 toward the maximum periods of leave without pay available under this section.
28

29 Consecutive periods of leave without pay may be requested under the various
30 subsections of this section; however, with the exception of military leave
31 without pay, under no circumstances will leave without pay be approved for
32 more than 18 consecutive months.
33

34 *** *** ***

35 **F. *Employer-required general furlough leave without pay.***
36

37 1. *When required.* Upon a determination that the financial
38 circumstances of the Municipality justify it, the Mayor may
39 require all non-represented employees to take a specified
40 number of hours of furlough leave without pay during the
41 calendar year.
42

43 2. *Notice.*
44

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49

- a. The Mayor shall provide not less than one week general notice of the imposition of a furlough leave requirement for non-represented employees.
 - b. The notice shall state when the furlough leave requirement will begin, which shall be no sooner than the beginning of the first full pay period after the effective date of the notice.
 - c. The notice shall state the number of furlough leave hours required to be taken and any special circumstances for the taking of this furlough leave.
3. *Maximum amount of required furlough leave without pay.* The amount of furlough leave without pay shall be determined on an annual basis and shall not exceed 62 hours in a calendar year.
4. *Uniform application of requirement.* A furlough leave without pay requirement shall be applied equally to all non-represented employees throughout the Municipality, so all non-represented, regular, full-time employees are subject to the same total furlough leave requirement.
5. *Application to non-full-time employees.* The Director may require the imposition of a proportionate amount of furlough leave without pay for non-represented employees serving in a part-time, substitute or temporary capacity, depending on departmental requirements and needs.
6. *Limitations on requirement.*
- a. Non-represented employees transferring to a represented, executive, or part-time position shall not be subject to additional furlough leave requirements under this subsection after the date of such transfer, except as may be otherwise required for the new position. Under these circumstances, the employee shall only be responsible for taking the furlough leave required prior to the transfer.
 - b. Non-represented employees acquiring regular status after the effective starting date for a furlough leave without pay requirement shall only be required to take a pro-rated amount of furlough leave, based on the number of pay periods remaining in the year.
7. *Duration.* Unless otherwise approved by the department head, furlough leave without pay shall not exceed ten (10) hours in any pay period and, once the total amount of furlough leave is

1 determined, shall be pro-rated for the number of pay periods
2 remaining in the year.

3
4 8. *Scheduling.*

5
6 a. Furlough leave without pay is subject to approval by the
7 department head, and shall be scheduled in advance, in
8 the same manner as other leave.

9
10 b. Whenever the department head determines the
11 operational needs of the department permit it, the
12 scheduling of furlough leave may be at the employee's
13 convenience.

14
15 c. With the approval of the department head, an employee
16 may choose to take furlough leave in blocks of time
17 larger or smaller than ten hours, until the total amount of
18 required furlough leave is taken.

19
20 d. Unlike annual leave, furlough leave is not accruing; it is a
21 set amount each year, and is required to be taken within
22 the calendar year.

23
24 9. *Benefit entitlement.* Furlough leave without pay shall not affect
25 an employee's eligibility for health, life and disability insurance,
26 service recognition, leave accrual, longevity or holiday pay.
27 Furlough leave without pay shall not be considered a break in
28 service, and shall not impair an employee's seniority or
29 anniversary date.

30
31 10. *Replacement of employee on furlough leave without pay.* The
32 duties of an employee on furlough leave without pay may be
33 assigned to and performed by another employee while the
34 furloughed employee is on leave.

35
36 11. *Charges for untaken furlough leave.* Except for layoff, or
37 separation for medical or other approved emergency reasons, if
38 a non-represented employee separates from municipal
39 employment, or is otherwise unable to take the required furlough
40 leave, the untaken leave shall be charged against the
41 employee's cashable leave balance hour-for-hour, on a pro-
42 rated basis.

43
44 (AO No. 79-195; AO No. 86-207(S-1); AO No. 91-5(S-1); AO No. 93-136, § 1, 8-
45 5-93; AO No. 94-117, § 32, 7-26-94)


46 State law references: Family leave requirements, AS 23.10.500--23.10.550,
47 39.20.305; military leave, AS 39.20.340.

48
49 **Section 2.** This ordinance shall be effective immediately upon passage and

1 approval by the Assembly.
2

3 **Section 3. This ordinance shall sunset and be automatically repealed without**
4 **any action of the Assembly on December 31, 2010.**

5
6 PASSED AND APPROVED by the Anchorage Assembly this 12th day of
7 May, 2009.
8

9
10 
11 Chair of the Assembly

12 ATTEST:

13 
14 _____
15 Municipal Clerk

16
17 G:\mat\open matters\Employee Relations\Furlough - final rev AO.doc