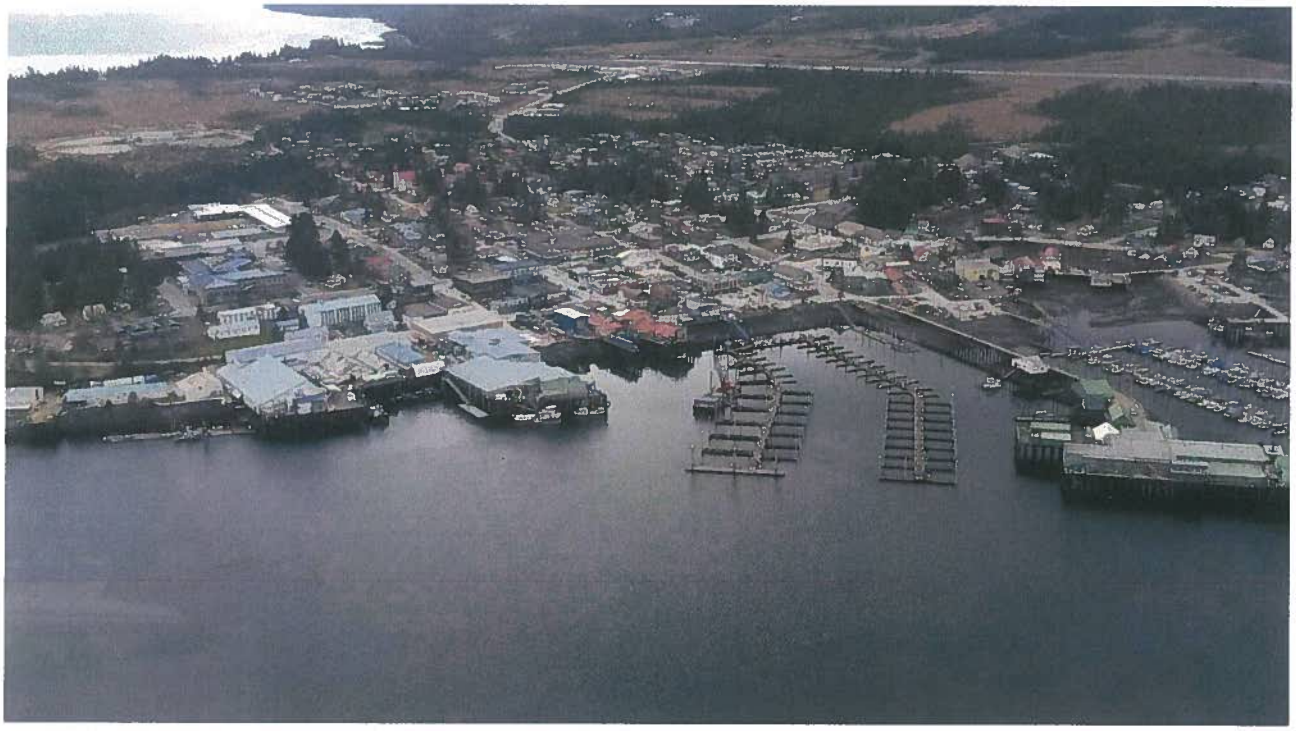
PETERSBURG
ALASKA

Petersburg Borough

Employee Policy Manual



Effective
July 1, 2014

Welcome

Welcome to Petersburg Borough Employment!

Dear Employee:

You and the Borough have made an important decision: The Borough has decided you can contribute to our success, and you've decided that the Petersburg Borough is the organization where you want to pursue your career productively and enjoyably.

We believe we've each made the right decision, one that will result in a mutually beneficial relationship. The minute you start working here, you become an integral part of the Borough and its future. Every job in the Borough is important and you will play a key role in the services provided to our community.

As you will quickly discover, our success is based on delivering high-quality, unsurpassed customer service to our residents and businesses. How do we do it? By working very hard, thinking about our community's needs, and doing whatever it takes. We do it by treating each other and our residents and business owners with respect. We do it by acting as a team.

Should you have any questions concerning this handbook, your employment or benefits, please feel free to discuss them with your supervisor or anyone in the Clerk's office.

Again, welcome!

(This handbook replaces all previous handbooks and supersedes all earlier oral and written materials about Petersburg Borough policies and procedures. Petersburg Borough reserves the right to change, add or delete benefits and policies as necessary. **This handbook does not create a contract for employment for any specified period or definite duration. The policies and procedures within the handbook apply to all employees, but may be subordinate to a collective bargaining agreement**.)

PETERSBURG BOROUGH EMPLOYEE POLICY MANUAL

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Introduction

Petersburg Borough municipal employees are dedicated to improving the quality of life for the community we serve.

To help live up to the standard set in the motto above, it is the goal of the Borough to attract and retain skilled employees who will in turn provide valued service to the residents of the community. Employees should be compensated with wages and benefits that are fair to the employees, to the Borough which is the employer and to the public who are served. With the recognition that the Borough is competing for skilled employees in Southeast Alaska, the Borough considers the compensation paid from similar jobs in other communities in Southeast Alaska or other parts of Alaska when determining the compensation to be paid, along with other factors, including the Borough's ability to pay such compensation and provide for benefits.

This manual does not change any terms or stipulations of the collective bargaining agreements negotiated between the Borough and the unions. Where there is any conflict between these, the terms of the collective bargaining agreements shall prevail.

Anti Discrimination & Harassment

Americans w/ Disabilities Act

It is Borough policy that we will not discriminate against qualified individuals with disabilities with regard to any aspect of their employment. The Borough is committed to complying with the Americans with Disabilities Act of 1990, its related Section 504 of the Rehabilitation Act of 1973, and with the ADA Amendments Act of 2008, as applicable. The Borough recognizes that some individuals with disabilities may require accommodations at work. If you are currently disabled or become disabled during your employment, you should contact your department manager to discuss reasonable accommodations that may enable you to perform the essential functions of your job. We are not required to provide an accommodation that could cause the Borough an undue hardship as defined by law.

The Americans with Disabilities Act defines "disability" as: (1) a physical or mental impairment that substantially limits one or more of the major life activities of such individual; (2) a record of such an impairment; or (3) being regarded as having such an impairment. "Major life activities" include caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.

In accordance with the Americans with Disabilities Act, employees with AIDS will be treated like any other ill employee. If the individual is fit to work, he or she will be provided with work in accordance with normal procedures. Usually, no special precautions in the workplace are indicated. However, employees with AIDS may request reasonable accommodation by contacting the human resources/clerk's office. We are committed to safeguarding the health of all employees and maintaining productivity.

Equal Employment Opportunity Policy

Petersburg Borough provides equal opportunity in all of our employment practices to all qualified employees and applicants without regard to race, color, religion, gender, national origin, age, disability, marital status, military status, genetic information or any other category protected by federal, state and local laws. This policy applies to all aspects of the employment relationship, including recruitment, hiring, compensation, promotion, transfer, disciplinary action, layoff, return from layoff, training and social, and recreational programs. All such employment decisions will be made without unlawfully discriminating on any prohibited basis.

Languages Spoken at Work

Every employee is expected to treat others with respect in all aspects of their working relationships. Employees are prohibited from making offensive remarks or gestures toward fellow employees or visitors to the Borough who are not fluent in English. In turn, we urge employees not to use their fluency in another language in any way to humiliate or offend your fellow employees or visitors to our community.

Policy Prohibiting Harassment and Discrimination

Petersburg Borough strives to maintain an environment free from discrimination and harassment, where employees treat each other with respect, dignity and courtesy.

This policy applies to all phases of employment, including but not limited to recruiting, testing, hiring, promoting, demoting, transferring, laying off, terminating, paying, granting benefits, training and volunteering.

Prohibited Behavior

Petersburg Borough does not and will not tolerate any type of discrimination or harassment of our employees, applicants for employment, or our residents and business owners of our community. Discriminatory conduct or conduct characterized as harassment as defined below is prohibited.

The term harassment includes, but is not limited to, slurs, jokes, and other verbal or physical conduct relating to a person's gender, race, color, religion, national origin, age, disability, military status, genetic information, marital status, changes in marital status, parenthood (including pregnancy), or any other protected category under federal, state or local law, that unreasonably interferes with a person's work performance or creates an intimidating, hostile work environment.

"Genetic information" includes:

- Information about an individual's genetic tests;
- Information about the genetic tests of a family member;
- Family medical history;
- Requests for, and receipt of, genetic services by an individual or a family member; and

- Genetic information about a fetus carried by an individual or family member, or about an embryo legally held by the individual or family member using assisted reproductive technology.

Sexually harassing behavior in particular includes unwelcome conduct such as: sexual advances, requests for sexual favors, offensive touching, or other verbal or physical conduct of a sexual nature. Such conduct may constitute sexual harassment when it:

- is made an explicit or implicit condition of employment;
- is used as the basis for employment decisions;
- unreasonably interferes with an individual's work performance; or
- creates an intimidating, hostile or offensive working environment.

The types of conduct covered by this policy include: demands or subtle pressure for sexual favors accompanied by a promise of favorable job treatment or a threat concerning employment.

Specifically, it includes sexual behavior such as:

- repeated sexual flirtations, advances or propositions;
- continued and repeated verbal abuse of a sexual nature, sexually related
- comments and joking, graphic or degrading comments about an employee's appearance or displaying sexually suggestive objects or pictures including cartoons and vulgar e-mail messages; and
- any uninvited physical contact or touching, such as patting, pinching or repeated brushing against another's body.

Such conduct may constitute sexual harassment, regardless of gender and regardless of whether the conduct is between members of the assembly or management, between management and staff employees, between staff employees, or between employees and non-employees are in the scope of their employment.

Harassment by Nonemployees

The Borough will also endeavor to protect employees, to the extent possible, from reported harassment by nonemployees in the workplace, including customers and suppliers.

Complaint Procedure and Investigation

Any employee who wishes to report a possible incident of sexual harassment or other unlawful harassment or discrimination should promptly report the matter to their immediate supervisor. If that person is not available, or you believe it would be inappropriate to contact that person, contact the Human Resources/Clerk's office.

The Borough will conduct a prompt investigation as confidentially as possible under the circumstances.

Employees who raise concerns and make reports in good faith can do so without fear of reprisal; at the same time, employees have an obligation to cooperate with the Borough in enforcing this policy and investigating and remedying complaints.

Anyone found to have engaged in such wrongful behavior will be subject to appropriate discipline, which may include termination.

Retaliation

Any employee who files a complaint of harassment or other discrimination in good faith will not be adversely affected in terms and conditions of employment and will not be retaliated against or discharged because of the complaint.

In addition, the Borough will not tolerate retaliation against any employee who, in good faith, cooperates in the investigation of a complaint. Anyone who engages in such retaliatory behavior will be subject to appropriate discipline, up to and including termination.

Communicable Diseases

Borough decisions involving persons who have communicable diseases will be based on current and well-informed medical judgments concerning the disease, the risks of transmitting the illness to others, the symptoms and special circumstances of each individual who has a communicable disease, and a careful weighing of the identified risks and the available alternatives for responding to an employee with a communicable disease.

Communicable diseases include, but are not limited to, measles, influenza, viral hepatitis-A (infectious hepatitis), viral hepatitis-B (serum hepatitis), human immunodeficiency virus (HIV infection), AIDS, AIDS-Related Complex (ARC), leprosy, Severe Acute Respiratory Syndrome (SARS) and tuberculosis. The

Borough may choose to broaden what it considers to be a communicable disease consistent with the Borough's best interest and in accordance with information received through the Centers for Disease Control and Prevention (CDC).

The Borough will not discriminate against any job applicant or employee based on the individual having a communicable disease. Applicants and employees will not be denied access to the workplace solely on the grounds that they have a communicable disease. The Borough reserves the right to exclude a person with a communicable disease from workplace facilities, programs and functions if the organization finds that, based on a medical determination, such restriction is necessary for the welfare of the person who has the communicable disease and/or the welfare of others within the workplace.

The Borough will comply with all applicable federal and state statutes and regulations that protect the privacy of persons who have a communicable disease. Every effort will be made to ensure procedurally sufficient safeguards to maintain the personal confidence of employees with communicable diseases.

Compensation & Work Schedules

Attendance & Punctuality

Every employee is expected to attend work regularly and report to work on time.

If you are unable to report to work on time for any reason, telephone your supervisor as far in advance as possible. If you do not call in an absence in advance, it will be considered unexcused.

Unsatisfactory attendance, including reporting late or quitting early, may be cause for disciplinary action, up to and including discharge.

Breaks

Employees are entitled to a paid break of up to fifteen minutes twice each day, spaced approximately evenly throughout the work period.

Employees may be allowed either a 30 or 60 minute unpaid break for meals during each work shift, depending on each department's needs.

Employees who are under the age of 18 are entitled to at least an unpaid 30-minute meal or rest break if they work five or more consecutive hours.

Breaks may be scheduled at staggered times to allow department coverage.

General Pay Information

Standard mandatory payroll deductions will be made in accordance with federal and state laws.

In addition, the Borough makes available certain voluntary deductions as part of the Borough's benefits program. If an employee elects coverage under one of the Borough's benefits plans, which requires employee contributions, the employee's share of the cost will be deducted from his or her check each pay period. If the employee is not receiving a payroll check due to illness, injury, or leave of absence, he or she will be required to pay the monthly cost directly to the Borough.

Outside Employment

Because of the Borough's obligations to its residents, the Borough must be aware of any concurrent employment you may have to determine whether or not it presents a potential conflict.

Serving on any public or government board or commission qualifies as concurrent employment for purposes of this policy, regardless of whether such service is compensated.

Before beginning or continuing concurrent employment, employees are required to obtain the written approval of their department manager and the Human Resources/Clerk's office. Failing to obtain prior approval as described may be cause for disciplinary action, up to and including termination. Employees who are on leave of absence, including FMLA leave or Workers' Compensation leave, are prohibited from working in concurrent employment during their leave.

Overtime

Because of the nature of work, employees may be asked to work overtime on weekends or holidays or additional hours during the regular workday and are expected to comply with such requests.

Overtime compensation is paid to all nonexempt employees at one and one-half times their regular rate of pay for all hours in pay status in excess of 8 hours per day or 40 hours per week.

If you are nonexempt, you must receive authorization from your immediate supervisor before working overtime. After you have worked overtime, you must enter it on your time record no later than the day after it is accrued.

Time taken for meals is not included as time in pay status for purposes of

computing overtime.

Pay Schedule

Employees will be paid on a semi-monthly basis. Paychecks or pay stubs are distributed to each department on the 5th and 20th day of each month. If the regular payday falls on a weekend or holiday, paychecks will be distributed on the prior workday. Most departments' pay periods are the 1st through the 15th and the 16th through the 31st of each month.

The normal pay week starts at 12 midnight Saturday to 12 midnight the following Saturday. The normal pay week may differ slightly from department to department.

If a paycheck is lost or stolen, notify the Clerk's office immediately.

Performance Evaluations

Supervisors and employees are strongly encouraged to discuss job performance and goals informally at any time.

Additional formal performance reviews will be conducted to provide both supervisors and employees with the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals. These formal reviews will be conducted at a minimum of once annually, usually in the first quarter of each year. New hire employees can expect to receive multiple performance reviews during their first year of employment.

Timekeeping Rules for Non-Exempt Employees

The Borough strives to maintain strict compliance with the Fair Labor Standards Act (FLSA) and the Alaska Wage and Hour Act. The FLSA is a federal law that protects employees from unfair pay practices and guarantees non-exempt employees payment of minimum wage and overtime, and the Alaska Wage and Hour Act has the same purposes. The rules below are designed to help Petersburg Borough comply with these laws and to ensure that all employees are paid fairly and legally. Failure to follow these rules may subject you to discipline up to termination. These rules apply to non-exempt employees only. If you are unsure of your status as exempt vs. non-exempt, please contact the Human Resources/Clerk's office.

You must keep an accurate record of all of your work hours in the manner designated by the Borough (e.g., handwritten time card, time clock, timekeeping computer program, etc).
Review the accuracy of your time records before submitting them to your supervisor for processing. If you need to make a change on your time records to correct an error, make the correction before you submit it for processing. When you sign and submit your time records, you are certifying that they are complete and that they accurately reflect all hours that you worked.

Employees are responsible for maintaining their own time records. Do not allow another employee to sign in/out for you, and do not sign in/out for any other employee.

You must obtain your supervisor's approval before working over and above your regularly scheduled work hours. This includes time incurred before or after your regular shift, during unpaid meal breaks, or after hours at your home or another off-site location. If you do perform any work outside of your regularly scheduled hours, you should record the time accurately on your time records.

Your time records should include entries for time spent at mandatory, job-related training programs or meetings.

Do not carry over hours of work from one day to the next, or from one week to the next. Your time records should reflect the exact hours worked for each day indicated.

Work Eligibility Records

The federal government requires that within three business days of your first day of work, you must complete an employment eligibility verification form (I-9 Form), and show the Borough documentation proving your identity and your eligibility to work in the United States.

If you have previously worked for the Borough, you need only provide this information if it has been more than three years since you last completed an I-9 Form for us or if your current I-9 Form is no longer valid.

I-9 Forms are maintained separately from other personnel records and are treated as confidential to the extent possible. If you need additional information about the I-9 Form, please contact the Clerk's office.

Conduct Standards

Borough Equipment and Vehicles

When using Petersburg Borough property, including computer equipment or hardware, exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Notify your supervisor if any equipment or machines appear to be damaged, defective, or in need of repair. This prompt reporting could prevent the equipment's deterioration and could also help prevent injury to you or others. Should you have questions about the maintenance and care of any workplace equipment, ask your supervisor.

If you use or operate equipment improperly, carelessly, negligently, or unsafely, you may be disciplined or even discharged. In addition, you may be held financially responsible for any loss to the Borough because of such mistreatment.

Borough Property

Please keep your work area neat and clean and use normal care in handling Borough property. Report any broken or damaged equipment to your supervisor at once so that proper repairs can be made.

You may not use any Borough property for personal purposes or remove any Borough property from the premises without prior written permission from your department manager.

Conduct Standards & Discipline

The Petersburg Borough expects every employee to adhere to the highest standards of job performance and of personal conduct, including in their interactions with Borough personnel, residents, businesses and outside vendor contacts.

The Borough reserves the right to discipline or discharge any employee for violating any Borough policy, practice or rule of conduct. The following list is intended to give you notice of the Borough's expectations and standards. However, it does not include every type of unacceptable behavior that can or will result in disciplinary action. Be aware that the Borough retains the discretion to determine the nature and extent of any discipline based upon the circumstances of each individual case.

Employees may be disciplined or terminated for poor job performance, including, but not limited to the following:

- Unsatisfactory quality or quantity of work
- Repeated unexcused absences or lateness
- Failing to follow instructions or Borough procedures, or
- Failing to follow established safety regulations.

Employees may also be disciplined or terminated for misconduct, including, but not limited to the following:

- Falsifying an employment application or any other Borough record or document
- Failing to record working time accurately or recording a co-worker's timesheet
- Insubordination or other refusal to perform
- Using vulgar, profane or obscene language, including any communication or action that violates our policy against harassment and other unlawful forms of discrimination
- Disorderly conduct, fighting or other acts of violence
- Misusing, destroying or stealing Borough property or another person's property
- Possessing, selling, using or reporting to work with alcohol, controlled substances or illegal drugs present in the employee's system, on Borough property or on Borough time.
- Violating conflict of interest rules
- Disclosing or using confidential or proprietary information without authorization
- Violating the Borough's computer or software use policies, and
- Being convicted of a crime that indicates unfitness for a job or presents a threat to the Borough or its employees in any way

Dating In The Workplace

Supervisors and employees under their supervision are strongly discouraged from forming romantic or sexual relationships. Such relationships can create the

impression of impropriety in terms and conditions of employment and can interfere with productivity and the overall work environment.

If you are unsure of the appropriateness of an interaction with another employee of the Borough, contact the Clerk's office for guidance. If you are encouraged or pressured to become involved with an employee in a way that makes you feel uncomfortable and is unwelcome, you should also notify the Clerk's office immediately. No employee of this Borough has the right to subject any employee to sexual or other unlawful harassment, including requests for sexual favors, sexual advances, offensive touching, and any other unwanted verbal, graphic conduct or communications of a sexual nature.

You should also be aware of, and are expected to comply with, the Borough's policy against sexual and other forms of illegal harassment in the workplace.

Appropriate action, which may include a transfer or reassignment, leave of absence, suspension or termination, may be taken against those who violate this policy.

Dress Policy

Appropriate attire for the various work places within the Borough is required. We wish to put forth an image that will make us all proud to be Petersburg Borough employees. Be guided by common sense and good taste. Specific standards may be required and implemented on a departmental basis if it is determined by the department manager to be warranted.

Unpaid Suspension as a Disciplinary Measure

Petersburg Borough expects the highest standards of professional conduct from its employees at all times.

In accordance with the Borough's policies on harassment, drug or alcohol use, and other work conduct rules, the Borough reserves the right to discipline or discharge any employee for violations of rules pertaining to behavior within the workplace or in performing work-related duties.

An employee may be subject to an unpaid disciplinary suspension for infractions of workplace conduct rules. Suspensions without pay apply to everyone. For exempt employees, suspensions without pay will be in one or more full-day increments. For non-exempt employees, suspensions may be any period of time within the Borough's discretion.

Ethical and Legal Business Practices

Petersburg Borough expects the highest standard of ethical conduct and fair dealing from each employee, officer, director, volunteer and all others associated with the Borough. Our reputation is a valuable asset, and we must continually earn the trust, confidence and respect of our community.

This policy provides general guidance on the ethical principles that we all must follow, but no guideline can anticipate all situations. You should also be guided by basic honesty and good judgment, and be sensitive to others' perceptions and interpretations.

If you have any questions about this policy, consult your supervisor or department manager. Exceptions to this policy may be made only by the Borough Assembly.

You are expected to promptly disclose to the management of the Borough anything that may violate this policy. We will not tolerate retaliation or retribution against anyone who brings violations to management's attention.

Complying With Laws and Regulations

All our activities are to be conducted in compliance with the letter and spirit of all laws and regulations. You are charged with the responsibility of understanding the applicable laws, recognizing potential dangers and knowing when to seek legal advice.

Giving and Receiving Gifts

You may not give or receive money or any gift to or from a supplier, government official or other organization if it could be reasonably inferred or expected that the gift was intended to influence you in the performance of your official duties; or if the gift was intended to serve as a reward for any official action on your part. The prohibition against gifts shall not apply to

- An award publicly presented in recognition of public service;
- Attendance at a hosted meal when it is provided in conjunction with a meeting directly related to the conduct of Borough business or where official attendance by you as a Borough representative is appropriate;
- Normal exchange of hospitality between persons doing business together with token items valued at less than five dollars; and

- Any gift which would have been offered or given to you if you were not an employee.

If you do receive a gift or other benefit of more than nominal value, report it promptly to your supervisor. It will be returned or donated to a suitable charity.

Employees are not prohibited from normal social practices where gifts among friends, associates and relatives are appropriate.

Employee Privacy and Other Confidential Information

Petersburg Borough collects only personal information about employees that relates to their employment. Only Borough employees with a Borough business-related need to know are provided or given access to this information. The Borough Clerk or Deputy Clerk must authorize any release of the information to others. Personal information, other than that required to verify employment or to satisfy legitimate investigatory or legal requirements, will be released outside borough employment only with the employee's approval.

If you have access to any confidential information, including private employee information, you are responsible for acting with integrity. Unauthorized disclosure or inappropriate use of confidential information will not be tolerated and is grounds for disciplinary action, including immediate termination.

Accounting and Financial Reports

The Borough's financial statements and all books and records on which they are based must accurately reflect the Borough's transactions. All disbursements and receipts must be properly authorized and recorded.

You must record and report financial information accurately. Reimbursable business expenses must be reasonable, accurately reported and supported by receipts.

Those responsible for handling or disbursing funds must assure that all transactions are executed as authorized and recorded to permit financial statements in accord with Generally Accepted Accounting Principles.

Compliance

Employees who fail to comply with this policy may be disciplined, which may include a demand for reimbursement of any losses or damages, termination of employment and referral for criminal prosecution. Action appropriate to the circumstances may also be taken against supervisors or others who fail to report a violation or withhold relevant information concerning a violation of this policy.

Political/Campaign Activities

Employees are encouraged to participate in the electoral process and support the political candidates of their choice.

Employees are free to engage in political activity associated with the borough, state and federal campaigns, but must do so on their own time, with their own resources and without giving the impression that their activity is being endorsed by the Borough. This is because it's important that Borough operations and deliberations are impartial and that the Borough makes efforts to eliminate improper influence.

Except as authorized by law, while on work time an employee may not publicly support any candidate for office, circulate any petitions for such office, distribute campaign literature or display campaign buttons, placards and so on. In addition, employees are expected to refrain from efforts to convert others to a political cause during working hours.

Employees who choose to run for political office must do so on their own time and the Borough's premises cannot be used for political campaigning unless said purposes are determined to be a public forum. If an employee wishes to be a candidate for Petersburg Borough Assembly, they must submit a request for a leave of absence commencing on the date of the candidate filing and ending on the day following the election. If elected to the Borough Assembly, the employee will be deemed to have resigned from their employment position with the Borough.

Non-Business or Social Visits to the Worksite

While personal visits are not prohibited, their frequency and duration should be limited and should not interfere with on-going work nor distract fellow employees. The employee shall be responsible for the acts of their visitors in the workplace.

Workplace Bullying

The Borough is committed to providing our employees with a healthy and safe work environment that is free from bullying.

Bullying is repeated unreasonable behavior directed toward an employee, or group of employees, that creates a risk to health and safety. Examples of bullying include:

- Verbal abuse and yelling
- Humiliating someone through sarcasm, criticism or insults
- Constant criticism
- Exclusion of a person from workplace activities
- Giving someone the majority of unpleasant tasks

The Borough expects all employees to behave in a professional manner and to treat each other with dignity and respect.

We encourage all employees who experience bullying to report it.

Any reports of bullying will be treated seriously and investigated promptly, confidentially and impartially.

Open Door

Communication is a two-way street. The Borough has an open-door policy whereby any employee can speak to any elected official, manager, or supervisor on any matter. Our leaders are dedicated to being available and attentively listening to employees. The bottom line is, we can't implement change(s) if we are unaware of the need for change(s). This provision for an open-door policy does not nullify the Borough Charter prohibitions as expressed in Section 2.10 (B). That portion of the Charter prohibits assembly members from recommending or directing the appointment or removal of any officer or employee. The Charter section also prohibits employees from reporting to, or receiving direction from, assembly members.

Grievances

The Borough recognizes that a peaceful working environment facilitates productivity, and will continue to take the necessary steps to create a harmonious working environment. In the event that a misunderstanding or conflict arises, every effort should be made to resolve the situation in a timely manner. Should the situation persist, you are encouraged to bring the complaint to the attention of management by following the procedures outlined below:

1. Discuss the situation with your immediate supervisor. If this is not sufficient or appropriate, then proceed to step 2.

2. Meet with a senior department manager or the Borough Clerk or Deputy Clerk who may proceed to conduct an investigation into the situation and

find possible remedies. You should receive a response within a reasonable period of time. The Borough will attempt to respond and/or resolve the situation within 14 days, or sooner as the circumstances warrant. If this does not suffice then you are encouraged to meet with the Borough Manager.

3. Should the Manager be the subject of the grievance then the Borough Attorney may be notified by the Borough Clerk or Deputy Clerk.

Note #1: Complaints alleging violations of the Borough's discrimination/harassment policy should be handled in accordance with the policy entitled "Policy Prohibiting Harassment and Discrimination."

Note #2: Employees that are represented by a Union should use the grievance procedure outlined in the written collective bargaining agreement.

Progressive Discipline

Petersburg Borough retains the discretion to discipline its employees. Oral and written warnings and progressive discipline up to and including discharge may be administered as appropriate under the circumstances.

Please note that the Borough reserves the right to terminate any employee whose conduct merits immediate dismissal without resorting to any aspect of the progressive discipline process, subject to any employee rights to a pre-termination hearing, as addressed in the General Employment section of this manual.

Use of Borough Cell Phones While Driving

This policy applies to: (1) the operation of borough-provided vehicles at any time; and (2) the operation of private vehicles while an employee is on work time or conducting business for the Borough.

The use of a cell phone while driving may present a hazard to the driver, other employees and the general public. Employees should not use hand held cell phones for business purposes while driving. Should an employee need to make a business call while driving, he/she should locate a lawfully designated area to park and make the call.

Violation of this policy may subject an employee to disciplinary action up to and including immediate termination.

Recording Devices/Camera Phones

In an effort to secure employee privacy, Petersburg Borough prohibits employee use of recording devices such as cameras, camera phones, tape recorders or any other recording device which may pose a threat to employee privacy.

This policy is applicable to all employees and their visitors while on Borough premises. Employees are responsible for making their visitors aware of this policy and that all recording devices should be left either at the reception area or in their vehicles.

Procedures

1. Employees are strictly prohibited from bringing cameras or recording devices into the workplace unless prior authorization was granted from the borough manager or a department head. This prohibition includes cellular phones with built in cameras and other video devices.

2. Petersburg Borough may grant authorization for the use of these devices when a particular business purpose will be served. Employee privacy should not be jeopardized by such usage. Unless otherwise authorized by federal and state law, all parties who may be involved must be made aware that the conversation or meeting will be recorded.

3. Petersburg Borough prohibits the use of camera-equipped and recording devices in areas where there may be sensitive information, without prior approval from the borough manager.

4. Employees are prohibited from taking any camera-equipped or recording device into any Borough restroom, shower facility, exercise area or any sick rooms at any time.

5. Petersburg Borough reserves the right to revoke authorization at any time for any reason. In such instances employees will be granted the opportunity to have the equipment removed from company premises.

6. Employees should contact their supervisor or the Human Resources/Clerk's office with any questions regarding this policy.

Smoking Policy

Smoking is prohibited inside all borough facilities and vehicles and upon most public outdoor areas. Department Heads may designate a smoking area for their department by posting signs if there is adequate ventilation to ensure that

nonsmokers are not subject to smoke byproducts. Designation of smoking areas must conform to all provisions of the Borough's 2010 Smoke Free Air Act in PBC 9.32.

Employees and visitors to all Borough work places are expected to comply with this policy. Employees who violate it may be disciplined.

Workplace Solicitation

The Petersburg Borough has adopted rules about soliciting for any cause and distributing literature of any kind in the workplace, to promote a professional and collegial workplace, prevent disruptions in business or interference with work, and avoid personal inconvenience.

Employees may not solicit on Petersburg Borough property or use Borough facilities, such as e-mail, voicemail or bulletin boards during working time for making solicitations, including, but not limited to collecting funds, requesting contributions, selling merchandise, gathering employee signatures and promoting membership in clubs or organizations.

Working time means time during which employees are expected to be actively engaged in their assigned work; it does not include scheduled meal or break periods.

You may solicit another employee only if both you and the other employee are not on working time, and you may distribute literature only in nonworking areas and while not on working time to other employees who are not on working time.

Nonemployees may not make solicitations or distribute literature in a Borough workplace at any time.

Petersburg Borough may grant limited exemptions from these rules for charitable purposes at its discretion.

Zero Tolerance for Workplace Violence

To ensure a workplace safe and free of violence for all employees, the Borough prohibits employee possession or use of weapons anywhere on Borough property, except as specifically provided herein. Employees are prohibited from bringing or otherwise carrying firearms or other weapons inside buildings and structures owned or leased by the Borough, or other areas or structures where employees, staff, management, customers or other members of the public gather as a result of Borough business, events or activities. To enforce this policy and

protect our employees' safety, the Borough reserves the right to search all employees' packages, containers, purses, briefcases, backpacks, lockers, desks or persons of employees entering onto or located on borough property. Any violation of this policy, including refusal to promptly permit a search under this policy, will result in prompt disciplinary action, up to and including termination.
The following exceptions apply to this policy:

This policy does not prohibit an employee to maintain possession of a legally-owned firearm locked inside a private motor vehicle in a parking lot, so long as the employee is legally on the premises at the time, and the vehicle is not owned, rented, or leased by the employer. The policy does not apply to Borough law enforcement while carrying out their duties on or off the job.

Return of Company Property Upon Separation

When an Employee's employment with the Borough terminates, for whatever reason, the Employee is required to immediately return all Borough-owned property used during his/her employment, and all documents, disks, and other materials containing proprietary or confidential information belonging to the Borough. This includes without limitation, keys, credit cards, computers, vehicles, communication devices, uniforms, identification cards or badges, and any other equipment, materials, or items purchased, leased, owned, or otherwise belonging to Petersburg Borough.

Upon separation, employees must return any originals or duplicates of any written or other tangible items, whether maintained in hard copy, film, microfiche or electronic medium, belonging to the Borough including without limitation, correspondence, reports, memoranda, records, data, charts, notes, devices, specifications, drawings, customer lists, and any other item containing information relating to Borough services, computer programs, databases, customers business plans, financial information, and employee information. These items are property of Petersburg Borough.

Drug and Alcohol Policy

Petersburg Borough has a commitment to maintaining a workplace free of drugs and alcohol and discouraging drug and alcohol abuse by its employees. Misuse of alcohol or drugs by employees can impair the ability of employees to perform their duties, as well as adversely affect our resident's confidence in our service, and will not be tolerated. All Borough employees must maintain an ability to work in a constant state of alertness and in a safe manner while on the job.

The Borough's complete Drug and Alcohol Policy is contained within this manual

as Appendix A.

Leave

Bereavement Leave

If an immediate family member dies, an employee may be granted up to five consecutive scheduled work days off with use of accrued paid time off. For the purpose of bereavement leave "immediate family" is defined as spouse, child, parent, grandparent, grandchild, brother and sister (this includes step, half and in-law relationships).

Family and Medical Leave Rights

Authorities

The Alaska Family Leave Act, AS 23.10.500-23.10.550, and the federal Family and Medical Leave Act of 1993 (Public Law 103-3) (collectively referred to as the "FMLA") entitle employees to unpaid leaves of absence from work for childbirth or adoption of a child, and for purposes necessitated by a serious health condition which renders the employee unable to perform job duties, or to care for a close relative with a serious health condition. The purpose of these laws is to help balance the demands of the workplace with the needs of employees and their families, to promote stability and economic security of the family unit, and to promote public interest in preserving family integrity. This policy is intended to comply with the requirements of state and federal law. The terms used in this section have the meanings defined in those Acts.

To understand more about your rights and the requirements of FMLA, see Appendix B to this manual.

Should any provision of this policy conflict with the Alaska Public Employees Association Bargaining Unit Contract or, in the case of Municipal Light and Power employees, the IBEW Contract, such conflicts are resolved in favor of the interpretation more generous to the employee's leave rights.

Jury Duty

Employees are encouraged to serve on jury duty and fulfill their civic obligations. Employees who are scheduled for jury duty must provide documentation of the jury duty summons to their supervisor immediately.

Petersburg Borough will compensate employees their regular pay while on jury

duty, minus any compensation received by the court. Employees must provide evidence of service including monies received from jury duty to their immediate supervisor for submission to the Clerk's office.
If excused or released from jury duty, employees are expected to return to work promptly.

Military Leave

Borough employees who have previously been or are currently engaged in military service may have certain rights that affect their employment. For an explanation of these rights, see Appendix C to this Manual.

Time Off From Work In Connection With Court Cases

We recognize that an employee might be subpoenaed or otherwise required to serve as a witness in a court case or arbitration. If you are called to serve as a witness, notify your supervisor as soon as possible.

Unless otherwise required by law, or unless the employee is required to serve as a witness on behalf of the Borough, employees will not be paid for the time they are away from work participating in a court case or arbitration, but may use available paid time off to cover their time away from work.

Time Off To Vote

Employees who are eligible to vote in an election and who do not have two consecutive hours in which to vote either before or after work while the polls are open may request time off work with pay to vote. The Borough encourages employees to vote before or after work or through the absentee ballot alternative.

If you plan to take time off to vote, you must notify your supervisor before Election Day.

General Employment

Employee Classifications

Employees of Petersburg Borough are either full-time, part-time or seasonal employees. The Borough may on occasion hire temporary employees who will not generally be eligible for benefits.

Part-time and seasonal employees who work fewer than 40 hours per week or less than 12 months of continued employment are afforded benefits (such as

paid time off and health insurance) on a prorated basis of actual regular scheduled work hours to full-time benefits.

All other employees are full-time and receive full-time benefits.
At the time of hire the Borough will verify whether you are a full-time, part-time, seasonal or temporary employee, and also whether you are exempt or non-exempt. Exempt employees, usually in management positions, are not entitled to overtime compensation under the Fair Labor Standards Act or Alaska Wage and Hour Act, while non-exempt employees can qualify for overtime pay.

Employee Records

An employee's personnel file consists of the employee's employment application, withholding forms, reference checks, emergency information and any performance appraisals, any disciplinary warnings or actions, benefits data and other appropriate employment-related documents.

It is your responsibility to notify the human resources/clerk's office of any changes in name, address, telephone number, marital status, number of dependents, military service status, beneficiaries or person to notify in case of an accident.

You may be dismissed for misrepresenting any fact on your application or in your personnel file. Personnel records are considered company property. You may review and make a copy of your records in the Clerk's office during business hours after giving adequate notice.

Employment of Relatives

Petersburg Borough may hire relatives of employees where there are no potential problems of supervision, safety, security, morale or potential conflict of interest and where there are no real or apparent conflicts of interest nor circumstance which may suggest a conflict of interest. Relatives include an employee's parent, child, spouse, domestic partner, sibling, cousin, in-laws and step relationships.

An employee may not be in a position that checks, processes, audits, verifies or receives the work of a relative, nor may an employee be entrusted with money received from or by a relative.

Employees who marry or become related will be permitted to continue to work as long as there are no substantial conflicts of interest. Reasonable

accommodations will be made when possible in the event a conflict of interest arises.

The Borough prohibits direct supervision of any employee by a relative.

Introductory Period

The first six months of employment are an Introductory Period for both the employee and the Borough and the employment relationship during this period is at will, except for administrative officers, who may only be terminated for cause. During the Introductory Period all employees other than administrative officers may be terminated by the Borough with or without cause, and with or without prior notices.

This time period allows you to determine if you have made the right career decision and for the Borough to determine whether your initial work performance meets our needs. Your supervisor will monitor your work performance, attitude and attendance during this time, and be available to answer any questions or concerns you may have about your new job. Expect to receive periodic performance evaluations during this introductory period.

Some benefits such as paid time off and holiday pay do accrue during this period.

The Introductory Period may be extended at management's discretion.

Job Postings & Promotions

The Borough has a job posting program to inform employees of available staff positions. The Borough attempts to fill job vacancies whenever possible by promoting qualified employees from within the Borough employ.

To apply for a posted position, an employee must:

- Have completed the Introductory Period at a satisfactory performance level,
- Meet the minimum requirements for the position, and
- Not have received written correction counseling within the past 90 days; employees who have received a verbal warning may also be prohibited from applying.

Employees interested in applying for a posted position should submit a memorandum and an updated employment application indicating interest in the position. Employees must inform their managers that they have applied for the

job. Candidates will be judged on individual performance, conduct, experience, and potential. Length of service, although considered, shall not be the sole determining factor in selecting candidates for promotion.

Petersburg Borough has the discretion to fill job vacancies from outside if we consider that circumstances call for outside recruitment.

HIPAA Privacy and Security Compliance

It is the policy of Petersburg Borough to safeguard and protect the privacy and security of its applicants', employees' and customers' "protected health information" as defined by the Health Insurance Portability and Accountability Act of 1996 ("HIPAA").

"Protected health information" includes individually identifiable information, maintained or transmitted through any medium, relating to an individual's past, present, or future physical or mental health or healthcare. Health information is considered "individually identifiable" if it either identifies a person by name or creates a reasonable basis to believe the individual could be identified (through identifiers such as address, social security number, dates of service, telephone number, email address, or vehicle identification number).

It is the policy of Petersburg Borough to ensure the confidentiality, integrity, and availability of protected health information entrusted to the Borough by its applicants, employees and customers by protecting such information from unauthorized access, alteration, deletion, or unauthorized transmission and by ensuring their physical security. Employees and managers of Petersburg Borough must not at any time access, use, or disclose to any person or entity, any protected health information of Borough applicants, employees or customers, except as necessary and authorized in the course of their duties and responsibilities with the Borough. Similarly, employees and managers are prohibited from making any unauthorized transmission, alteration, deletion, or unauthorized access of protected health information. Such unauthorized transmission includes, but is not limited to, removing and/or transferring protected health information in the Borough's computer system to an unauthorized location.

It is the policy of Petersburg Borough to take all reasonable steps to prevent security breaches with respect to protected health information and to notify all affected individuals when their protected health information is breached. Employees and managers of Petersburg Borough must notify the Human Resources/Clerk's office of any suspected or actual breaches of protected health information and support the Borough in meeting its obligations in the event a

breach occurs.

These privacy and security obligations apply regardless of the manner in which the employee or manager acquires the protected health information, whether it was communicated verbally, in writing, electronically, or in any format, and regardless of whether it was communicated directly to the individual or intended for his/her access.

The unauthorized access, use, disclosure, alteration, deletion, or unauthorized transmission of protected health information in violation of this policy may subject you to disciplinary action up to and including termination of employment.

For further details regarding the Borough's HIPAA privacy practices and rights, see Appendix D to this manual, which contains a Notice of HIPAA Privacy Practices and Rights and a statement of Specific Privacy Practices and Rights.

The Petersburg Borough is a "hybrid entity" for purposes of compliance with HIPAA requirements. Employees in the following components of the Borough are subject to the Borough's separate HIPAA Compliance Policy requirements:

- Fire Department EMS responses and billings.
- Mt. View Manor Assisted Living and Elderly Housing functions.
- Administration Department functions regarding receipt or transmission of an employee's personal health information pursuant to the Department's functions as a sponsor of the Borough's health plan, or as a health plan administrator.

Identity Theft Protection

Petersburg Borough respects the privacy of your personal data and is committed to ensuring that it will only be accessed and utilized as necessary, in a professional and confidential capacity. In all circumstances, we take reasonable steps to:

- Give you clear notice when we are requesting information from you, the types of information we request from you, the general purposes for which that information will be used or disclosed, and the categories of users to whom we provide the information; and

- Use safe and secure systems, physical and electronic, to safeguard your non-public personal information, including your social security number.

If at any time you feel as if your personal data has been misused or improperly accessed, please report your concerns to Human Resources/Clerk's office for further investigation.

Reference/Background Checks

Petersburg Borough conducts reference and background checks on all new employees. Employees who have falsified information on their employment applications will be disciplined, which could include termination. Applicants who have provided false information may be eliminated from further consideration for employment.

All inquiries regarding outside requests for references and background checks of a current or former employee must be referred to the Human Resources/Clerk's office.

Should an employee receive a written request for a reference regarding any current or former Borough employees, he/she should refer the request to the human resources/clerk's department for handling. No employee may issue a reference letter to any current or former employee without the permission of the human resources/clerk's office.

Under no circumstances should any employee release any information about any current or former employee over the telephone. All telephone inquiries regarding any current or former employee must be referred to the Human Resources/Clerk's office.

In response to an outside request for information regarding a current or former employee, the Human Resources/Clerk's office will furnish or verify only an employee's name, dates of employment, job title, department, and last wage at departure. No other data or information regarding any current or former employee, or his/her employment with the Borough, will be furnished.

Termination, Resignation and Discharge

The Borough Manager and all temporary or probationary employees, are employed with the Petersburg Borough "at will" and may be terminated with or without cause or notice. All other employees may be terminated only for cause after notice and reasonable opportunity to be heard, prior to termination. Failure of an employee to appear at a pre-termination hearing will constitute a waiver of the employee's right to be heard to contest the termination.

Employees are free to resign at any time. If at any time it is necessary for an employee to resign his or her employment with the Petersburg Borough, the

Borough requests at least two weeks' notice.

Employees who separate from employment with the Borough will receive their final paycheck within three working days following the date of discharge. Final paychecks will include all wages and paid time off accrued but not paid through the date of separation.

Transfers & Relocation

To meet business and service needs, the Borough may occasionally need to transfer employees to a different department, shift or location. Employee requests for transfers will be accommodated where possible. Transfers will be coordinated with the department manager(s) affected, employee and Human Resources/Clerk's office.

Unions

Petersburg Borough recognizes the PMEA and IBEW unions as representatives for those workers who are unionized. This manual does not change any terms or stipulations of the collective agreements negotiated by the unions.

Confidential Information & Conflict of Interest

General Confidentiality Obligations

Borough employees, volunteers and elected officials shall not disclose, nor use for their economic benefit or that of any other person, confidential information which is not available to the public, acquired by reason of their employment or affiliation with the Borough.

Employees must protect confidential information (for example, sales activity of local businesses, or private communications between Borough attorney and staff or governing body) by taking the following precautionary measures:

- Discuss work matters only with other Borough employees who have a specific business reason to know or have access to such information.
- Do not discuss work matters in public places.
- Monitor and supervise visitors to Borough offices to ensure that they do not have access to confidential information.
- Destroy hard copies of documents containing confidential information that are not filed or archived.

Secure confidential information in desk drawers and cabinets at the end of every business day.

Your cooperation is particularly important because of our obligation to protect the security of our local businesses and our own confidential information. Use your own sound judgment and good common sense, but if at any time you are uncertain as to whether you can properly divulge information or answer questions, please consult the Clerk's office.

Conflict of Interest

Employees may not participate in any official action in which the employee has a substantial financial interest. Employees should avoid any interest, influence or relationship which might conflict or appear to conflict with the best interests of the Borough. You must avoid any situation in which your loyalty may be divided and promptly disclose any situation where an actual or potential conflict or appearance of conflict may exist.

Anyone with a conflict of interest must disclose it to management and remove themselves from negotiations, or decisions involving the conflict. You may, however, state your position and answer questions when your knowledge may be of assistance.

Safety & Emergency

Emergency Measures

We realize that bad weather or hazardous commuting conditions may occasionally make it impossible for employees to report to work on time.

However, you are expected to make a diligent effort to report to work when conditions have improved. If you determine that you are unable to report to work because of the conditions, inform your supervisor as soon as possible. Failure to timely justify your absence to your supervisor may result in your absence being charged to accrued paid time off.

If it becomes necessary to shut down the municipal office or your designated work site due to weather or other emergency, every effort will be made to notify employees. If there is a question as to whether the office will be open, call your place of work. If there is no answer within one hour after the normal start time, you may assume the office is closed pending further notice from the municipal office.

If the municipal office or designated worksite where you work is shut down due to weather or other emergency, you must decide whether to take this time off as either unpaid or paid from your personal paid time off (PTO) account. Please notify your supervisor of your decision on the day you return to work. Your choice will not affect your eligibility for benefits

Transportation Guidelines for Injured/Sick Employee

Employees who experience a work-related injury should notify their manager or supervisor immediately. In cases of extreme illness or injury (such as unconsciousness, severe bleeding or fractures), the Borough will call 911.

For injuries and illnesses that require medical attention but are not life threatening, the Borough will:

Call the employee's emergency contact to arrange transportation to the medical center, or will arrange to have a supervisor or manager transport the injured employee - in either a Borough vehicle or, if unavailable, the accompanying employee's personal vehicle.

Call the medical facility to let them know that an employee is coming in with a work-related injury.

A physician's report must be provided to a supervisor or manager before the affected employee returns to work after treatment for an on-the-job injury.

Fire Safety

Every employee is responsible for recognizing potential fire dangers and taking an active role in preventing fires.

Employees are required to observe all OSHA safety requirements and regulations. Flammable materials are to be stored in covered metal containers. Employees should not block any fire doors, fire exits, fire extinguishers, windows or doorways. Review the fire escape routes posted in each work area.

First Aid

Our goal is to provide appropriate employees with the necessary information regarding appropriate techniques associated with administering medical assistance to others. Petersburg Borough is concerned about employees who may be exposed to blood and other bodily fluids when rendering first aid to other employees. The following procedures are to be used when administering first aid:

- Always use latex gloves that are supplied in the work site first aid kit.
- In the event CPR becomes necessary, a CPR Micro-Shield should be used if available. Only those employees who are certified to perform CPR should perform CPR.
- Any materials, including latex gloves and CPR Micro-Shields, used in administering first aid should be discarded in biohazard bags.

Hands should be thoroughly washed following any first aid procedure.

Safety

Petersburg Borough is committed to maintaining a safe and healthy environment for all employees. Promptly report all accidents, injuries, potential safety hazards, safety suggestions and health and safety related issues immediately to your supervisor or department manager.

If you or another employee is injured, contact your supervisor or manager immediately. Seek help from emergency response agencies, if needed. Contact information is posted on safety posters at each Borough department.

You must complete an Employee's Claim for Worker's Compensation Benefits Form if you have an injury that requires medical attention. If your injury does not require medical attention, you must still complete the Form in case medical treatment is later needed and to ensure that any existing safety hazards are corrected. You can obtain the required form from your department head or the Human Resources/Clerk's office.

A federal law, the Occupational Safety and Health Act, requires that we keep records of all illnesses and accidents that occur on the job. OSHA also provides for your right to know about any health hazards that might be present on the job. In addition, the state Workers' Compensation Act also requires that you report any illness or injury suffered in the scope of your employment, no matter how slight. If you do not report an injury, you may jeopardize your right to collect workers' compensation payments as well as health benefits.

Lock Out/Tag Out General Procedures

The unexpected start-up of machines during maintenance or servicing has been the cause of many deaths and serious workplace injuries. As a result, the Occupational Safety and Health Administration has issued a hazardous energy standard known as the lock out/tag out standard, to minimize the hazard to which employees are exposed. The Borough is committed to maintaining a safe

environment for all employees and requires the strictest adherence to this standard.

For further detail on lock out/tag out procedures, see Appendix E to this manual.

Communications & Technology

Bulletin Boards

Check departmental bulletin boards regularly to obtain important information about borough events and policies. Only Borough employees should use departmental bulletin boards. Management must approve all postings. See your department head to obtain approval for a bulletin board posting.

Communication with Press or Media

Media inquiries in relation to Borough business must be handled in accordance with the following guidelines:

- Inquiries regarding a specific transaction should be referred to the individual or individuals in charge of the matter; if they are not available, then to the Clerk's office or to the Borough Manager.

- All other inquiries should be referred to the appropriate department head or elected official who will respond directly or designate another spokesperson and who will also help draft or direct an appropriate response if necessary.

This policy covers all forms of responses to the media, including off-the-record and anonymous statements.

Employee Suggestions

Employees are encouraged to take every opportunity to express their own creative and original ideas on methods and procedures that ultimately will:

- Improve efficiency
- Improve attitudes and working conditions
- Improve the Borough's image
- Improve productivity

If you have an idea or suggestion, tell it to your supervisor or any other member of management. We consider the ideas and suggestions of our employees to be

one of our best sources for making the Borough the best it can be. It is the desire of management to encourage ongoing efforts in creative thinking and originality so that we can maximize our services to our residents.

Investigations

In an effort to safeguard the property of our employees and the Borough, Petersburg Borough reserves the right to inspect property owned and/or supplied by the Borough. Borough-supplied property (including but not limited to offices, desks, file cabinets, computers and software, vehicles, lockers and other storage facilities) are Borough property and are subject to inspection by department managers at any time, with or without notice. Therefore, employees should have no reasonable expectation of privacy in property owned and/or supplied by the Borough. Employees may be permitted to store personal items in facilities. However, the Borough is not responsible for loss, damage or theft of employees' personal belongings, so employees should exercise discretion in storing any personal items.

Software Policy

Petersburg Borough regulates employees' use of its computer software.

You may not duplicate any licensed software or related documentation for use, either on Borough premises or elsewhere, unless expressly authorized to do so by written agreement with the licensor and Borough. You may not provide licensed software to anyone outside the Borough. Employees should be aware that the illegal duplication of software may result in the filing of criminal copyright charges by the owners of the copyrights and can subject both the employee and the Borough to liability.

All software that the Borough acquires must be purchased, licensed and installed by a Borough designated representative. You may not load personal software on Borough computers.

Use of Borough Communication Systems

The Communication and Information Systems at Petersburg Borough should be used only for conducting Borough business. Communication systems include, but are not limited to any handheld wireless device such as palm organizers, laptops, tablets, smart phones and Blackberries or more traditional devices such as cellular phones, facsimile-machines, mailing systems and two-way radios. Information systems include computers, internet/intranet networks and electronic mail.

Since the Borough reserves the right to access any personal communication without prior notice, Borough systems should not be used by employees to transmit any messages or to access any information that they would not want to be viewed or heard by a third party.
Incidental, occasional and infrequent use of the Borough's communication and information systems for personal use is permitted as long as such use does not interfere with your work or the work of any other employee or with the computer's operations.

The communication and information systems of Petersburg Borough may not be used for any illegal, unethical, destructive or wasteful purpose. Employees should exercise care in personal use of any communication and information systems device and should not expect their use of personal information stored in these systems to be kept private.

Telephone Usage

The telephone system (including voicemail) at Petersburg Borough is the property of the Borough and is provided for business purposes. To the extent permitted by law the Borough may periodically monitor the use of the telephone systems to ensure compliance with this policy. Therefore employees should not consider their conversations on the Borough telephone system to be private.

Instant Messaging

Employees' use of instant messaging should be limited to work-related matters, except for incidental personal use. Incidental personal use of instant messaging by employees is permitted as long as the use does not interfere with the employee's work, the Borough's operations, or use of communication facilities, and does not violate any policies.

Employees should not use the instant message system to "visit" with colleagues about non-work-related subjects.

Employees should not use instant messaging to transmit confidential, or personnel information.

Instant messages are not to be used as a substitute for oral communication with nearby co-workers or telephone calls to residents and vendors. Generally, verbal communications are preferred when practical.

Internet/Intranet and E-mail Usage

The use of the Borough's information systems are subject to the Borough policies

applicable to traditional forms of communication. These include, but are not limited to, policies prohibiting discrimination, sexual harassment, solicitation, and use of Borough property and resources, disclosure of confidential information, misconduct and profanity.

The electronic mail (e-mail) system is provided by Petersburg Borough to facilitate business activities within the organization. The hardware of the e-mail system is considered to be Borough property. All messages written, sent or received remain Borough property and are not considered to be private property of any employee.

The information systems should not be used to upload (send) or download (receive) any proprietary information, copyrighted information, or any similar materials without prior authorization of your department head.

The Borough's internet/intranet and e-mail systems must not be used to create disruptive or offensive messages. These may include, but are not limited to racial slurs, sexually implicative messages, or offensive comments about someone's age, disability, national origin, political or religious belief, sexual orientation or national origin.

Accessing files, utilizing codes or retrieving stored information is prohibited unless an employee has received prior authorization from management to conduct any such activity. Employees are also prohibited from gaining access to another employee's e-mail unless permission was granted to do so.

Blogging/Social Networking Sites

Generally, Petersburg Borough views the use of social networking sites, weblogs and personal websites positively. The Borough recognizes the right of employees to use blogs/social networking sites as a medium of self-expression. Should you choose to identify yourself as an employee of Petersburg Borough to discuss business related matters on such web sites, bear in mind that some readers may view you as a Borough representative or spokesperson. We therefore ask you to observe the following guidelines when referring to the Borough and its numerous services:

1. Ensure that readers understand that the views expressed are entirely your own, and that these views do not necessarily reflect the views of Petersburg Borough. Please include a disclaimer that is easily visible to all visitors to the site.

2. All bloggers should reveal their identity on the blog and should not use a pseudonym to post their views.

3. Do not disclose any sensitive, proprietary or confidential Borough information that is not made readily available to the public.

4. Blogging activity should not interfere with work requirements at any given time.

5. Ask your department head or supervisor for guidance if you are uncertain whether the content of your blog will conflict with the Borough's blogging policy.

6. Breaching this policy may result in discipline up to and including termination.

Unsolicited Messages

Petersburg Borough strictly prohibits use of Borough equipment or software for the transmission of unsolicited e-mails or mass-messages not pertinent to Borough business. Spam (i.e., unsolicited commercial or bulk e-mails, mass and junk e-mails) will not be tolerated. The electronic mail system is reserved for Borough business. It may not be used for personal solicitation or any other improper purposes.

Personal Mail

All mail delivered to the Borough is presumed to be related to Borough business. Employees should refrain from having any personal mail or packages delivered to them at their work place. Mail sent to you at the Borough's address is subject to being opened at the central delivery location.

Employee Benefits

Benefits Summary

Petersburg Borough employees are entitled to a wide range of benefits. A number of the benefit programs -- such as workers' compensation and unemployment insurance -- cover all employees as required by law.

Eligibility for most other benefits depends upon a variety of factors, including employee classification. The Clerk's office can identify the programs for which you are eligible. You can find the details of many of these programs in separate written summaries. For more information, contact the Human Resources/Clerk's office.

Some benefit programs require contributions from employees, but many are fully

paid by Petersburg Borough.

Currently, in addition to the benefits required by law, Petersburg Borough provides the following benefits:

a. medical, dental and optical insurance;

b. life insurance;

c. holiday pay;

d. paid time off

Medical Insurance

Petersburg Borough offers a comprehensive medical insurance plan and bears a substantial cost of this plan for the employee. The current plan provides for health, dental and optical coverage with the Borough and the employees sharing in the payment of the monthly premium at varying degrees. The Borough intends to make the benefit available to all qualifying employees, and their dependents if they so choose, on the same Borough/employee pay ratio.

The Borough is required to abide with applicable provisions of the Affordable Care Act (ACA) which continue to change on a frequent basis. Upon the effective date established by the ACA, all employees working 30 hours or more will be considered as full-time employees for health insurance benefits purposes only. In addition, the Borough will allow employees working 20 hours or more per week to participate in the Borough's group health insurance plan at the same pay ratios, and dependent participation allowances, as for the full-time classified employees.

Once enrolled in the Borough's group health plan, an employee and the employee's spouse and dependent children may leave the plan and forego coverage under the plan if the employee signs a Waiver of Coverage form at any of the following times:

1. During the Borough's open enrollment period;

2. During a spouse's open enrollment period; or

3. Upon termination or retirement of employment.

If an employee waives the Borough's group coverage due to the open enrollment periods designated above, the employee is required to provide the Borough with proof of their coverage under another group policy, together with evidence demonstrating that the new group policy they or their dependents are joining

satisfies all governmental requirements, and guarantee that if it does not, the employee will bear any penalties assessed to the Borough for allowing the waiver. Once an employee waives coverage under the Borough's group plan, the employee is unable to obtain coverage under the group plan until the next open enrollment period, unless the employee and/or the employee's dependents qualify for enrollment under special enrollment rules of the Borough's group plan.

The Borough will not provide any form of compensation to employees who chose not to participate in the Borough sponsored group health plan.

If family members are employed by the Borough and are eligible for coverage, each are required to enroll as subscribers rather than one enrolling as a subscriber and the other as a spouse and/or dependent.

Refer to the printed information from the Borough's insurance provider for details of eligibility and coverage, or contact Human Resources/Clerk's office.

COBRA

The right to continuation coverage for group health plan benefits was created by a federal law, the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). COBRA continuation coverage can become available to you when you would otherwise lose your group health coverage. It can also become available to other members of your family who are covered under the group health plan when they would otherwise lose their group health coverage. For additional information about your rights and obligations under the group plan and under federal law, you should review the plan's Summary Plan Description (SPD) or contact a member of Human Resources/ Clerk's office.

What Is COBRA Continuation Coverage?

COBRA coverage is a continuation of plan coverage when coverage would otherwise end because of a life event known as a "qualifying event." Specific qualifying events are below. After a qualifying event, COBRA continuation coverage must be offered to each person who is a "qualified beneficiary." You, your spouse, and your dependent children could become qualified beneficiaries if coverage under the plan is lost because of the qualifying event. Under the plan, qualified beneficiaries who elect COBRA continuation coverage must pay for COBRA continuation coverage.

If you are an employee, you will become a qualified beneficiary if you lose your coverage under the plan because either one of the following qualifying events happens:

- Your hours of employment are reduced; or
- Your employment ends for any reason other than your gross misconduct.

The spouse of an employee will become a qualified beneficiary if he/she loses coverage under the plan because of any of the following qualifying events:

- The employee spouse dies;
- The employee spouse's hours of employment are reduced;
- The employee spouse's employment ends for any reason other than his or her gross misconduct;
- The employee spouse becomes entitled to Medicare benefits (under Part A, Part B, or both); or
- The individual becomes divorced or legally separated from the employee's spouse.

Your dependent children will become qualified beneficiaries if they lose coverage under the plan because any of the following qualifying events happens:

- The employee parent dies;
- The employee parent's hours of employment are reduced;
- The employee parent's employment ends for any reason other than his or her gross misconduct;
- The employee parent becomes entitled to Medicare benefits (Part A, Part B, or both);
- The parents become divorced or legally separated; or
- The child stops being eligible for coverage under the plan as a "dependent child."

When Is COBRA Coverage Available?

The plan will offer COBRA continuation coverage to qualified beneficiaries only after the Human Resources/Clerk's office has been notified, or are aware, that a qualifying event has occurred. When the qualifying event is the end of employment or reduction of hours of employment, death of the employee, or the employee's becoming entitled to Medicare benefits (under Part A, Part B, or both), the Human Resources/Clerk's office will notify the insurance carrier of the qualifying event.

You Must Give Notice of Some Qualifying Events

For the other qualifying events (divorce or legal separation of the employee and spouse or a dependent child's losing eligibility for coverage as a dependent child), you must notify the Plan Administrator within 60 days, unless the Plan specifically allows a longer notice period, after the qualifying event occurs.

More about COBRA and your rights can be obtained from the Human Resources/Clerk's office.

Employee Assistance Program (EAP)

Petersburg Borough has an Employee Assistance Program ("EAP") which is offered through our health insurance provider. You may seek help anonymously for such matters as alcohol or other chemical dependency, family and marital problems, personal and work-related stress situations and anxiety disorders. Contact human resources/clerk's office for additional information.

Life Insurance

You will receive documents under a separate cover that explain the life insurance program that Petersburg Borough provides to full and part-time employees that participate in the medical insurance benefit. This coverage becomes effective 31 days after you are hired and is provided at no expense to you and continues to remain in effect as long as the employee remains enrolled in the Borough's group medical coverage. If an employee waives the Borough's group medical coverage, then the employee also waives coverage or continued coverage under its life insurance program.

In general, the amount of coverage equals $10,000 for the employee. In many cases, employees may elect to purchase additional insurance for themselves or dependents, at the employee's expense through payroll deduction.

For more information on the life insurance benefit please contact the Human Resources/Clerk's office.

Holidays

Petersburg Borough observes the following holidays:

New Year's Day, January 1

Martin Luther King's Birthday, 3rd Monday in January

Washington's Birthday, 3rd Monday in February

Seward's Day, Last Monday in March

Memorial Day, Last Monday in May

Independence Day, July 4

Labor Day, 1st Monday in September

Alaska Day, October 18

Veteran's Day, November 11

Thanksgiving Day, 4th Thursday in November

Christmas Day, December 25

Holidays that fall on Saturday will be observed the preceding Friday; those falling on Sunday shall be taken on the following Monday.

Due to business needs, some employees may be required to work on Borough holidays. Your supervisor or department head will notify you if this may apply to you.

Paid Time Off

Petersburg Borough provides paid time off for eligible employees as follows:

Definition

Paid time off (PTO) provides eligible employees with paid time away from work that can be used for vacation, personal time, or sick time. The PTO policy takes the place of vacation, personal and sick time. When an eligible employee is absent from work for any of these reasons, the time is deducted from the employee's PTO bank.

PTO Accrual

PTO may be used as soon as it is accrued. Length of service with the Borough determines the rate at which eligible employees accrue PTO. The accrual rates for PTO are expressed in the collective bargaining agreements with PMEA and IBEW. If you are not a member of either of these bargaining groups, contact the Human Resources/Clerk's office to determine your accrual rate.

Employees may accumulate a maximum of 640 hours PTO as of the end of any calendar year. If an employee has accrued more than the 640 maximum hours at year's end, any hours over 640 will be forfeited and the maximum allowable 640 hours of PTO will roll over into the New Year.

Part-time employees accrue PTO based on pro-rated hours worked.

Eligibility and Use

PTO is earned from date of full or part-time hire. Temporary employees are not eligible for the PTO benefit. All PTO must be earned before being taken.

Employees must take at least ten (10) days of PTO each year and may sell (give back to the Borough for cash value) up to 152 hrs accrued PTO per calendar year. Should a Borough holiday occur during your time off, you will be compensated for that day with holiday pay rather than having it charged against your PTO.

Department heads or supervisors reserve the right not to approve a request for PTO if it will interfere with Borough operations or adversely affect coverage of job and staff requirements. Whenever possible, employees' requests for prescheduled PTO will be accommodated, but where scheduling conflicts arise, seniority and workload priority will prevail. In no case shall a less senior employee's approved time off be pre-empted by a more senior employee's PTO request.

Payment of Unused PTO Upon Termination

All accrued, unused PTO will be paid to the employee at 100% upon retirement or termination of employment.

Membership in Professional and Civic Organizations

Membership in a professional organization is valuable to our employees as well as to our organization. In its sole discretion, the Borough may pay for all or a portion of an employee's annual membership fee to belong to a job-related professional organization.

Retirement Savings Plan

In addition to participation in the Alaska Public Employees Retirement System, and any union sponsored retirement plans, the Borough provides a 457 retirement savings plan for employees who have completed any mandatory introductory period and otherwise qualify to participate. The plan includes a provision for employee tax deferred compensation contributions.

The plan trustee is ICMA-RC. You can obtain information about the plan and enrollment forms from the Human Resources/Clerk's office.

Seminar Attendance

In its sole discretion, Petersburg Borough may pay for all or a portion of the expenses associated with employees attending periodic meetings and seminars sponsored by professional organizations that are job related. Employees must make a written request to their department head to request approval for seminar attendance. The request must include the employee's name, seminar title, date/location of the seminar, and estimated expenses related to the seminar. The department head will approve/disapprove of the request in writing.

Travel & Expenses

The Borough's specific rules for travel authorization and reimbursement of travel expenses are described in more detail Appendix F to this manual, in the "Petersburg Borough Travel Policy".

Employees will be reimbursed for all reasonable and necessary expenses they incur while traveling on Petersburg Borough business. Use your discretion, but try to keep costs low.

The Borough reserves the right to establish and amend its per diem meal allowance schedule at any time to provide for reasonable food costs.

Workers' Compensation

Petersburg Borough provides insurance to compensate for any illness or injury an employee might suffer in the scope of employment while working on Borough premises, traveling on official Borough business, or attending an activity officially sponsored by the Borough. If you become ill or injured, please get medical attention at once.

You must also report the details to your supervisor immediately. And you must complete a report for every injury, no matter how small, to keep the coverage in force and to get any benefits or other compensation to which you may be entitled.

Unemployment Compensation

The law provides unemployment compensation benefits to protect workers from economic hardship due to a loss of employment. A terminated employee who is unable to secure new employment may file a claim for unemployment compensation. An employee may be eligible for unemployment compensation if

he/she was terminated for reasons other than misconduct, as defined by state law. Generally, employees who voluntarily resign without "good cause" are not eligible for benefits.

When an employee files a claim for unemployment compensation, the employer is required to provide a written statement detailing the circumstances or reasons for the employee's termination. The employer will also be asked whether payment of unemployment compensation is opposed. The answer provided by the employer may determine the employee's eligibility for benefits. If either party disagrees with the initial determination with respect to coverage, an appeal can be made. A formal hearing is held in the event that there is an appeal.

APPENDIX A

Drug and Alcohol Policy

Petersburg Borough has a commitment to maintaining a workplace free of drugs and alcohol and discouraging drug and alcohol abuse by its employees. Misuse of alcohol or drugs by employees can impair the ability of employees to perform their duties, as well as adversely affect our resident's confidence in our service, and will not be tolerated. All Borough employees must maintain an ability to work in a constant state of alertness and in a safe manner while on the job.

Alcohol

Employees, elected officials and volunteers are prohibited from using or being under the influence of alcohol while performing Borough business, while operating a motor vehicle in the course of business or for any job-related purpose, or while on a worksite.

Illegal Drugs

Borough employees, volunteers and elected officials are prohibited from using or being under the influence of illegal drugs while performing borough business or while on a borough facility or worksite. You may not use, manufacture, distribute, purchase, transfer or possess an illegal drug while in Borough facilities, while operating a motor vehicle for any job-related purpose, while on the job, or while performing Borough business. This policy does not prohibit the proper use of medication under the direction of a physician; however, misuse of such medications is prohibited. Medical use of marijuana, while on the job or while performing Borough business, is not accommodated and will not be tolerated.

Disciplinary Action

Employees who violate this policy may be disciplined or terminated, even for a first offense. Violations include refusal to consent to and comply with testing and search procedures as described.

Searches

The Borough may conduct searches for illegal drugs or alcohol on Borough facilities or worksites without prior notice to employees. Such searches may be conducted at any time. Employees are expected to cooperate fully.

Searches of employees and their personal property may be conducted when there is reasonable suspicion to believe that the employee has violated this policy or when circumstances or workplace conditions justify such a search. Personal property may include, but is not limited to, purses, boxes, briefcases, as well as any Borough property that is provided for employees' personal use, such as desks, lockers, vehicles and files.

An employee's consent to a search is required as a condition of employment and the employee's refusal to consent may result in disciplinary action, including termination.

Categories of Employees Subject to Testing

Employees in positions subject to federal DOT regulations, as identified in the schedule at the end of this Appendix, are subject to the following tests:

- Pre-employment
- Reasonable Cause
- Post-Accident
- Random
- Return-to-Duty

All Borough employees performing work in safety-sensitive positions, as identified in the schedule at the end of this Appendix, are subject to the following tests:

- Pre-Employment
- Reasonable Cause
- Post-Accident
- Random
- Return-to-Duty

All other Borough employees are subject to the following tests, unless otherwise provided for in a collective bargaining agreement:

- Pre-employment
- Reasonable Cause

Employees of all categories may be subject to follow-up testing following a failed test or refusal to submit to a test.

Condition of Employment

Compliance with the Borough's drug and alcohol testing policy and procedures is a condition of employment.

Prohibited Conduct

The following conduct is prohibited, and shall result in discipline, up to and including dismissal.

1. The use, possession, manufacture, distribution or sale of a prohibited drug on or in Borough owned property (including Borough supplied vehicles and personal vehicles when used for Borough purposes), while on Borough business, or during working hours.

2. Storing any prohibited drug or alcohol in or on Borough owned or supplied property (including personal vehicles when used for Borough purposes).

3. Reporting to work, working, or representing the Borough while under the influence of prohibited drugs or alcohol.

4. Failing to notify an employee's supervisor before beginning work that the employee is taking medications or drugs which may interfere with the safe and effective performance of duties.

5. Refusing to submit to a drug or alcohol test when requested by the Borough in accordance with this policy and its procedures.

6. Failing to adhere to the requirements of any drug or alcohol treatment or rehabilitation program in which the employee is participating, either as a condition of continued employment or pursuant to a written agreement between the Borough and employee.

7. Violating any criminal drug or alcohol law or statute while working.

8. Failing to notify the Borough of any arrest or conviction under any criminal drug or alcohol law or statute by the next work day following the arrest or conviction.

9. Testing positive for any drugs or alcohol in violation of this policy and its procedures.

10. Tampering with, adulterating, altering, substituting, or otherwise obstructing any drug or alcohol testing required by the policy and its procedures.

11. Reporting to work or remaining on duty in a DOT-covered or safety sensitive position while having an alcohol concentration of 0.04 or greater, or, for all other Borough employees, if the employee is impaired by or under the influence of alcohol.

12. Consuming or using prohibited drugs or alcohol while on duty.

13. Performing a DOT-covered or safety sensitive duty within four hours of consuming or using alcohol. An on-call employee who consumes alcohol within four hours of being called in to perform DOT-covered duties must report the use of alcohol and may not report for duty.

14. Failing to report an accident.

15. Any conduct involving the consumption or use of prohibited drugs or alcohol which the Borough believes may adversely affect its operations, safety, or reputation.

Rehabilitation

Rehabilitation may be allowed at the discretion of the Borough Manager and the appropriate department head. It is the employee's responsibility to make arrangements for their own rehabilitation. While in the rehabilitation, the employee shall first use his or her accrued leave, and then leave without pay. The employee must, within 10 working days after the employee refused to take a test or tests positive, show the Borough's Drug Program Manager ("DPM") an action plan for rehabilitation. The rehabilitation plan, which may include either, or both, in-patient or out-patient care, must be signed off by an authorized Substance Abuse Professional ("SAP"). If the employee satisfactorily completes his or her rehabilitation plan, as determined by the SAP, and passes a return-to-duty test, the employee may return to work. If the employee returns to work, the employee will be subject to follow-up testing.

Costs to be paid by the Borough

The Borough shall pay the entire actual costs for drugs and alcohol testing, including the cost of transporting the employee to and from any off-site testing facility, required of the employees and applicants under this policy and its procedures.

Contact Person

The contact person available to answer questions about the Borough's Drug and Alcohol Testing Policy and Procedures is the Borough Manager.

Definitions

- **Accident:** An incident in which any of the following occur: (a) loss of human life; (b) operation of any Borough vehicle, including a commercial motor vehicle, that results in a citation under state or local law for a moving violation (c) medical treatment other than first aid administered away from the scene, or (d) property damage in excess of $1,000.00.

- **Air Blank**: A reading by an evidential breath testing devise (EBT) of ambient air containing no alcohol.

- **Alcohol**: The intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols including methyl or isopropyl alcohol.

- **Alcohol Concentration**: The amount of alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test conducted under the federal regulations.

- **Alcohol Use**: The consumption of any beverage, mixture, or preparation, including any medication, containing alcohol.

- **Blind Tests**: Urine samples submitted to the testing laboratory for quality control testing purposes. These "blind test" samples have fictitious identities so the testing laboratory cannot distinguish them from

employees' specimens. The "blind test" samples have known quantities of specific, or are blank (containing no drugs). Blind samples will be submitted at a rate of 3 samples for every 100 employee specimens submitted.

- **Breath Alcohol Technician ("BAT")**: An individual who instructs and assists individuals in the alcohol testing process and operates an EBT.

- **Canceled or Invalid Test**: Canceled or invalid tests means a test has been declared invalid by the MRO or as set forth in the Alcohol Testing Procedures or the federal DOT regulations.

- **Collection Site Person**: An individual authorized by the Petersburg Borough to collect samples in accordance with this Program and trained in procedures for such collection in accord with 49 CFR Part 40.

- **Commercial Driver's License ("CDL")**: A license issued by the state pursuant to applicable DOT regulations including 49 CFR Part 383.

- **Commercial Motor Vehicle**: A motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle (a) has a gross combination weight of 26,001 or more pounds inclusive of a towed unit with gross vehicle weight rating of more than 10,000 pounds; or (b) has a gross vehicle weight rating of 26,001 or more pounds; (c) or is designed to transport 16 or more passengers, including the driver; or (d) is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation act and which require the motor vehicle to be placed under the Hazardous Materials Regulations (49 CFR 172, subpart F).

- **Custody and Control Form**: A form that accompanies the urine specimen to account for the integrity of each specimen by tracking its handling and storage from point of specimen collection to its final disposition.

- **DOT-Covered Function**: Operation of a commercial motor vehicle as defined above.

- **DOT-Covered Employee or Position**: Any employee in a position performing any Commercial Motor Vehicle safety sensitive function and subject to federal DOT regulations.

- **DOT Procedures**: "Procedure for Transportation Workplace Drug Testing Programs" published in 49 CFR Part 40.

- **Drug Program Manager ("DPM")**: The DPM shall be responsible for implementation and monitoring of the drug and alcohol testing policy and procedures. The DPM shall also be responsible to notify employees when selected for random testing. The DPM shall be responsible to monitor return-to-duty and follow-up testing. The DPM shall maintain a locked file system on drug and alcohol testing results and overseeing the employee assistance program (EAP).

- **Evidential Breath Testing Device ("EBT")**: A device approved by the National Highway Traffic Safety Administration (NHTSA) for the evidential testing of breath and placed on NHTSA's "Conforming Products List" (CPL) of evidential breath measurement devices.

- **Employee Assistance Program ("EAP")**: A confidential counseling/referral service provided free-of-charge to employees and their dependents. EAP is designed to provide assistance to employees and their families to deal with personal problems which may affect their productivity, health or continued employment. All counseling, assessment and referral services will be provided by qualified, experienced clinicians with special training in short-term counseling and in assessing and treating drug and alcohol problems.

- **Failing A Drug or Alcohol Test**: Test results which show positive evidence of the presence of a prohibitive drug or a metabolite of such drug or alcohol in an employee's system in amounts that exceed cutoff levels established by DOT regulations.

- **Medical Review Officer ("MRO")**: The licensed physician who is responsible for receiving laboratory results generated by the Petersburg

Borough drug and alcohol testing program. The MRO must have knowledge of drug and alcohol testing disorders and have appropriate medical training to interpret and evaluate an individual's positive test result together with his or her medical history and any other relevant biomedical information.

- **Passing a Drug or Alcohol Test**: Test result does not show positive evidence of the presence of a prohibitive drug or a metabolite of such drugs or alcohol in an employee's system.

- **Performing a Covered or Safety Sensitive Function**: An employee is considered to be performing a covered or safety sensitive function during any period in which he/she is "on-duty" or actually performing, ready to perform, or immediately available to perform such covered functions.

- **Prohibited Drugs**: (1) marijuana, cocaine, opiates, phencyclidine (PCP), and amphetamines and (2) illegal drugs under AS 11.71, (3) any metabolite of such drugs; and (4) any legal drug being used without a valid prescription.

- **Refusal to Submit**: Refusal by an individual to provide a urine sample after he or she received notice of the requirement to be tested in accordance with the Petersburg Borough's Drug and Alcohol Testing Policy and Procedures. Behavior that constitutes a refusal to submit includes, but is not limited to:

  - Refusal to take test;
  - Inability to provide sufficient quantities of breath or urine to be tested without a valid medical explanation;
  - Tampering with or attempting to adulterate the specimen or collection procedure;
  - Not reporting to the collection site in the allotted time; or
  - Leaving the scene of an accident without a valid reason before the tests have been conducted.

- **Safety Sensitive Position**: Any position where public safety is a primary function of the position as determined by the Borough as set forth in Appendix A.

- **Screening Test or Initial Test**: An analytic procedure to determine whether an employee may have a prohibited concentration of alcohol in a breath specimen.

- **Substance Abuse Professional ("SAP")**: A licensed physician (Medical Doctor or Doctor of Osteopathy), or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol-related disorders.

Drug & Alcohol Test Descriptions

Pre-Employment Testing

If hired/transferred/promoted into a position covered by federal DOT regulations or another safety sensitive position with the Borough, an employee will be subject to a pre-employment drug and alcohol test. This also applies to employees returning from a leave of absence to a DOT-covered or safety sensitive position, regardless of the reason for the absence if the employee has not been tested for prohibited drugs or alcohol during the previous six months. A negative test result is required prior to performing covered or safety-sensitive functions.

Post-Accident Testing

The Borough shall promptly determine if the employee's performance contributed, in part or in full, to an accident. If so, and the employee is in a safety-sensitive position or subject to federal DOT regulations, as listed on Appendix A, the employee shall be subject to post accident testing. If the employee is not in a safety sensitive position, the Borough Manger shall decide, in the Borough Manager's discretion, whether the employee will be tested after an accident.

If an employee is to be tested after an accident, the Borough must take all reasonable steps to obtain a urine specimen from the employee(s) involved in an accident, but any injury should be treated first. Each accident involved employee shall be drug and alcohol tested as soon as possible but not later than 32 hours after the accident for drugs and 8 hours for alcohol.

After returning from the collection site, the employee should not be allowed to perform work, including covered functions, pending the results of the drug and alcohol test.

Random Testing

The primary purposes of random testing are to deter prohibited drug and alcohol use and to ensure a drug-free and alcohol-free workforce. Employees in safety sensitive positions or who are subject to federal DOT regulations, as listed in Appendix A, shall be subject to drug and alcohol testing on an unannounced and random basis. Fifty percent (50%) of a testing pool must be randomly selected for drug and alcohol testing each year and twenty-five percent (25%) must be selected for alcohol. The selections must be spread reasonably over a 12-month period.

Covered employees must remain in the random selection pool at all times, regardless of whether or not they have been previously selected for testing.

Employees shall be selected for testing by using a computer based random number generator or equivalent random selection method that is matched with an employee's social security number or employee ID number. The process will be unannounced as well as random.

The DPM shall notify the appropriate department head, who will notify the employee to be tested to report to the DPM's office at a specified time. The employee will not be notified of the test until after reporting for duty.

Employees shall report immediately after notification of a random test to the testing site.

Reasonable Cause Testing

Reasonable cause testing is designed to provide management with a tool to identify drug or alcohol-affected employees who may be at work in a condition that raises concern regarding their safety, or the safety of others, or the employee's productivity. Under these circumstances, supervisors shall decide whether there is reasonable cause to believe an employee is using or has used a prohibited drug or alcohol.

The decision to test must be based on a reasonable and articulable cause or belief that the employee is using a prohibited drug or alcohol on the basis of specific, contemporaneous physical, behavioral, or performance indicators of probable drug and alcohol use. At least two Borough supervisors, both of who are trained in detection of the possible symptoms of drug or alcohol use, shall substantiate and concur in the decision to test an employee.

When a determination of such reasonable cause is made, the employee shall be immediately relieved of his/her duties, pending further action.
In determining reasonable cause, the factors to be considered include, but are not limited to the following:

- Pattern of unsatisfactory work performance where there is some evidence of drug or alcohol related behavior.
- Physical signs and symptoms consistent with drug and alcohol use.
- Evidence of prohibited drug use, possession, sale, or delivery while on duty.
- Occurrence of a serious or potentially serious accident that may have been caused by human error, or flagrant violations of established safety, security, or other operational procedures.

For example, any of the following, either alone or in combination, may constitute reasonable cause:

1. Slurred speech;
2. Irregular or unusual speech patterns;
3. Impaired judgment;
4. Alcohol odor on breath;
5. Uncoordinated walking or movement;
6. Unusual or irregular behavior such as inattentiveness, listlessness, hyperactivity, hostility or aggressiveness;
7. Possession of drugs or alcohol;
8. Observation of drug or alcohol use prior to reporting to work or during working hours.

Upon the determination that there is reasonable cause for testing, the employee may be required to immediately submit to a drug and/or alcohol test.

Transport the employee. The potentially affected employee should not be allowed to proceed alone to or from the collection site. In addition to the safety concerns for the employee, accompanying the employee also assures that

there is no opportunity en route to the collection site for the employee to ingest anything that could affect the test result or to acquire "clean" urine from another person.

Document the events. Record the behavioral signs and symptoms that support the determination to conduct a reasonable cause test. This documentation of the employee's conduct should be prepared and signed by the witnesses within twenty-four hours (24) of the observed behavior or before the results of the tests are released, whichever is earlier.

Following collection. After returning from the collection site, the employee shall not perform duties pending the receipt of the drug or alcohol test results. The employee should make arrangements to be transported home. The employee should be instructed not to drive any motor vehicle if there is reasonable cause belief that they may be under the influence of a drug or alcohol. Should the drug or alcohol test come back negative, any time off work while awaiting the test results shall be considered administrative leave and shall not adversely affect the employees pay.

Return-to-Duty Testing

Drugs: A covered employee who refuses to take or fails a drug test may not return to duty until the employee undergoes a drug test and receives a verified negative test result for prohibited drugs.

Alcohol: An employee who refuses to take an alcohol test or who is found in testing to have an alcohol concentration of 0.02 or higher may not return to duty until the employee undergoes an alcohol test with a result indicating an alcohol concentration of less than 0.02.

If the employee has been dismissed because he or she refused to take a drug or alcohol test, or failed a drug or alcohol test, under this policy and its procedures, but later reapplies and passes a return-to-duty test, the employee may be rehired if a vacant position exists for which the employee is qualified. The decision to rehire the employee shall be at the sole discretion of the Borough Manager.

Follow-Up Testing

An employee who returns to duty following a failed test or refusal to submit to a test shall be subject to unannounced follow-up drug and alcohol tests as directed by the SAP following the employee's return to duty. The SAP may terminate the requirement for follow-up testing at any time after some follow-up tests have been administered, if the SAP determines that further such testing is no longer necessary.

Testing Procedures

Collections

a. A designated collection site shall be any suitable location where a specimen can be collected under conditions set forth in 49 CFR Part 40.

b. The collection site shall have all necessary personnel, materials, equipment, facilities, and supervision to provide for the collection, security, temporary storage, and shipping or transportation of urine specimens to a certified drug testing laboratory designated by the Borough. An independent medical facility may also be utilized as a collection site.

c. Detailed Specimen Collection Procedures are outlined in 49 CFR Part 40 at each collection site or are available for review by contacting the Borough's DPM.

Testing

Initial Test The initial test shall use an immunoassay which meets the requirement of the Food and Drug Administration for commercial distribution.

Confirmatory Test All specimens identified as positive on the initial test shall be confirmed using gas chromatography/mass spectrometry (GC/MS) techniques at the cutoff values listed in this paragraph for each drug. All confirmations shall be by quantitative analysis. Concentrations which exceed the linear region of the standard curve shall be documented in the laboratory record as "greater than highest standard curve value."

The most current cutoff levels established by federal regulation shall be used when screening specimens to determine whether they are negative for these drugs.

Reporting Results

a. The laboratory shall report test results to the Borough's MRO within 7 working days after receipt of the specimen by the laboratory. Before any test result is reported (the results of initial tests, confirmatory tests, or quality control data), it shall be reviewed and the test certified as an accurate report by the responsible individual. The report shall identify the drugs/metabolites tested for, whether positive or negative, the specimen number assigned by the employer, and the drug testing laboratory specimen.

b. The laboratory shall report as negative all specimens which are negative on the initial test or negative on the confirmatory test. Only specimens confirmed positive shall be reported positive for a specific drug.

c. The MRO may request from the laboratory and the laboratory shall provide quantitation of the test results. The MRO shall report whether the test is positive or negative and may report the drug(s) for which there was a positive test, but shall not disclose the quantitation of test results to the Borough. The MRO may reveal the quantitation of a positive test result to the Petersburg Borough, the employee, or the decision maker in a lawsuit, grievance, or other proceeding initiated by or on behalf of the employee and arising from a verified positive drug test.

d. The laboratory may transmit results to the MRO by various electronic means (e.g., fax, or email) in a manner designed to ensure confidentiality of the information. Results may not be provided verbally by telephone. The laboratory and employer must ensure the security of the data transmission and limit access to any data transmission, storage, and retrieval system.

e. The laboratory shall send only to the MRO the original or a certified true copy of the drug testing custody and control form (copy 1), which, in the case of a report positive for drug use, shall be signed (after the required certification block) by the individual responsible for day-to-day management of the drug testing laboratory or the individual responsible for attesting to the validity of the test reports, and attached to which shall be a copy of the test report.

Alcohol Testing Procedures

Preparation for Breath Alcohol Testing

a. Upon entering the alcohol testing location, the breath alcohol technician (BAT) will require the employee to provide positive identification (photo I.D.).

b. On request, the BAT will provide positive identification to the employee. The BAT will explain the testing procedure to the employee.

Screening Tests

a. The BAT will complete Step 1 on the breath alcohol testing form, and the employee will then complete Step 2 on the form, signing the certification. Refusal by the employee to sign this certification will be regarded as a refusal to take the test.

b. An individually sealed mouthpiece will be opened in view of the employee and BAT and attached to the evidential breath testing device (EBT) in accordance with the manufacturer's instructions.

c. The BAT will instruct the employee to blow forcefully into the mouthpiece for at least 6 seconds or until the EBT indicates that an adequate amount of breath has been obtained.

d. If the EBT does not have a printer capable of generating a printed result, a sequential test number, the manufacturer's name for the device, the device's serial number, and the time and date of the test: the BAT will show the employee the result displayed on the EBT. The BAT will record the displayed result, test number, testing device, serial number of the testing device, date, time, and quantified result. In Step 3 of the form record the test number, date of the test, name of the BAT, location, and quantified test result in a log book if used. The employee will initial the log book entry.

e. If the EBT provides a printed result, but does not print the results directly onto the form, the BAT will show the employee the result displayed on the EBT. The BAT will then affix the test result printout to the breath alcohol test form in the designated space, using a method that will provide clear evidence of removal (e.g., tamper-evident tape).

f. If the EBT prints the test results directly onto the form, the BAT will show the employee the result displayed on the EBT.

g. In any case in which the result of the screening test is a breath alcohol concentration of less than 0.02, the BAT will date the form and sign the certification in Step 3 of the form. The employee will sign the certification and fill in the date in Step 4 of the form.

h. If the employee does not sign the certification in Step 4 of the form or does not initial the log book entry for a test, it will not be considered a refusal to be tested. In this event, the BAT will note the failure to sign or initial in the "Remarks" section of the form.

i. If a test result printed by the EBT does not match the displayed result, the BAT will note the disparity in the remarks section. Both the employee and the BAT will initial or sign the notation. The test is then invalid and the Borough and the employee will be so advised.

j. In the event of a result less than 0.02, no further testing is authorized. The BAT will transmit the result of less than 0.02 to the DPM in a confidential manner, and will receive and store the information so as to ensure that confidentiality is maintained as required.

k. If the result of the screening test is an alcohol concentration of 0.02 or greater, a confirmation test will be performed. If the confirmation test will be conducted by a different BAT, the BAT who conducts the screening test will complete and sign the form and log book entry if used. The BAT will provide the employee with Copy 2 of the form.

l. The BAT will conduct an "air blank" to ensure that the device is working correctly. The air blank result must be 0.00. If the reading is greater than 0.00, the BAT will conduct one more air blank. If the reading is greater than 0.02, testing will not proceed using that instrument. However, testing may proceed on another instrument.

m. The BAT will instruct the employee not to eat, drink, put any object or substance in his or her mouth, and, to the extent possible, not belch during a waiting period before the confirmation test. This time period begins with the completion of the screening test, and will not be less than 15 minutes. The BAT will explain to the employee the reason for this requirement (i.e., to prevent any accumulation of mouth alcohol leading to an artificially high reading) and the fact that it is for the employee's benefit. The BAT will also explain that the test will be conducted at the end of the waiting period, even if the employee has disregarded the instruction. If the BAT becomes aware that the employee has not complied with this instruction, the BAT will so note in the "Remarks" section of the form.

n. If a BAT other than the one who conducted the screening test is conducting the confirmation test, the new BAT will initiate a new Breath Alcohol Testing form. The BAT will complete Step 1 on the form. The employee will then complete Step 2 on the form, signing the certification. Refusal by the employee to sign this certification will be regarded as a refusal to take the test. The BAT will note in the "Remarks" section of the form that a different BAT conducted the screening test.

o. A breath alcohol test is invalid under the following circumstances:

1. Re-verification of the EBT will be performed within 24 hours of each positive test.

2. The breath alcohol technician does not observe the minimum 15-minute waiting period prior to the confirmation test.

3. The breath alcohol technician does not perform an air blank of the EBT before a confirmation test, or such an air blank does not result in a reading of 0.00.

4. The breath alcohol technician does not sign the form.

5. The breath alcohol technician fails to note in the remarks section of the form that the employee has failed or refused to sign the form after the test has been conducted.

6. An EBT fails to print a confirmation test result.

7. The sequential test number or alcohol concentration displayed on the EBT is not the same as the sequential test number or alcohol concentration on the printed result.

Testing Laboratory

The Borough shall use a qualified medical facility certified by the Department of Health and Human Services ("DHHS") as a Substance Abuse and Mental Health Services Administration ("SAMHSA") testing laboratory, which shall provide services in accordance with 49 CFR 40 and 49 CFR 391.

The laboratory shall permit inspections by the Borough, the FHWA Administrator, or if the Borough is subject to the jurisdiction of a state agency, a representative of the state agency.

The Borough's drug and alcohol testing policy and procedure shall be included in the Borough's policy manual. Each department head, or his/her designee, shall post the policy and procedures in a prominent location readily accessible to all covered employees. A copy of the policy and procedures, and the federal DOT regulations and state law referred to herein, will be available from the Personnel Officer upon request by an employee.

All employees shall be notified at least thirty (30) days prior to the policy and procedures being implemented or before instituting any revisions.

As required by law or a collective bargaining agreement, the Borough acknowledges its obligation to bargain with the unions regarding implementation of the Borough's drug and alcohol testing policy or procedures for union members, and any non-mandatory changes to the testing policy and procedures after its initial implementations.

Blind Performance Test

The Borough shall use blind testing quality control procedures as provided in this section.

On behalf of the Borough, the contractor who administers the Borough's drug and alcohol program shall submit one blind performance test specimen for each 100 employee specimens it submits, up to a maximum of 50 blind performance test specimens submitted per quarter.

Test Results and MRO Responsibilities

The Borough shall contract the services of a Medical Review Officer (MRO). The MRO shall be a licensed physician with knowledge of drug or alcohol abuse disorders. The MRO shall review all negative and positive drug test results and interview individuals tested positive to verify the laboratory report before the Borough is notified. The review of negative test may be an administrative process to ensure the chain-of-custody procedures were intact. The MRO in conjunction with the SAP may also recommend to the Borough whether and when an employee who refused to take or did not pass a drug test may return to work and schedule follow-up unannounced drug testing for a period of sixty (60) months.

Reporting and Review of Results

1. The MRO shall review confirmed positive results. An essential part of the drug testing program is the final review of confirmed positive results from the laboratory. A positive test result does not automatically identify an employee/applicant as having used drugs in violation of a DOT regulation or this policy. This review shall be performed by the MRO prior to the transmission of results to Borough administrative officials. The MRO review shall include review of the chain-of-custody to ensure that it is complete and sufficient on its face.

2. The duties of the MRO with respect to negative results are purely administrative.

3. The MRO will inform the Employee that upon notification of the verified positive test result that they have 72 hours to request a re-test of the split sample. A re-test is an analysis of the "B" sample bottle. The re-test can be sent to a SAMHSA certified laboratory of the employee's choice. The employee will be responsible for payment of the re-test and will be reimbursed by the Borough if the sample comes back as negative.

4. If the MRO determines there is a legitimate medical explanation for the positive test result, the MRO shall report the test result to the Borough as negative.

Verification for Opiates; Review for Prescription Medication

Before the MRO verifies a confirmed positive result for opiates, the MRO shall either determine that there is clinical evidence in addition to the urine test of unauthorized use of any opium, opiate, or opium derivative (e.g., morphine/codeine) or confirm the presence of 6-monoacetylmorphine through a separate test.

Reconfirmation Analysis Authorization

1. Should any question arise as to the accuracy or validity of a positive test result, only the MRO is authorized to order a reconfirmation of the original sample and such re-tests are authorized only at laboratories certified by DHHS.

2. The MRO shall authorize a reconfirmation of the original sample if requested in writing by the employee within 72 hours of the employee having received actual notice of the positive test.

3. If the re-test is negative, the MRO shall cancel the test.

Employee Rights Regarding Test Results

1. An employee has the right to a confirmatory drug test (a re-test) to be reviewed by a licensed physician or doctor of osteopathy after an initial positive drug test result as provided in the re-testing of samples section below.

2. Upon written request, an employee has the right to obtain a copy of the written test results within 6 months after the date of the test. The Borough will provide such copy to the employee within five working days after receipt of the request.

3. Upon written request within 10 working days after receipt of positive test results, an employee has the right to explain positive test results in a confidential setting. The Borough will provide such opportunity within 72 hours after receiving such request or before taking adverse employment action.

Disclosure of Information

Except as provided in this paragraph, the MRO shall not disclose to any third party medical information provided by the individual to the MRO as a part of the testing verification process.

The MRO may disclose such information to the Borough, DOT, or other governmental agency, if required by law. Any other release of information must be accompanied by a written release of information signed by the employee.

Retention of Samples

Samples that yield positive results on confirmation must be retained by the laboratory in properly secured, long-term, frozen storage for at least 365 days.

Within this 365 day period, the employee or designated representative, FHWA or other state agencies with jurisdiction, or the Borough may request in writing that the sample be retained for an additional period.

If the laboratory does not receive the request to retain the sample within the 365 day period, the sample may be discarded.

Retesting of Samples

An employee/applicant may request in writing to the MRP a re-test of the sample within 72 hours of notification of a positive test result from the MRO.

The employee may specify that the specimen be re-tested by the original laboratory or sent to another SAMHSA certified laboratory. If the employee requests a retest as a secondary laboratory, then the original laboratory must follow the approved custody and control procedures in transferring a portion of the specimen.

Because some analysis deteriorates or are lost during freezing and/or storage quantitation for a retest is not subject to a specific cutoff requirement but must provide data sufficient to confirm the presence of drug or metabolite.

Employees Assistance Program

- The EAP will provide education and training on drug and alcohol use to all employees including, but not limited to:

- A community service telephone number (1-800-295-9058) and online resource (at guidanceresources.com; Company ID is QP1003K) for employee assistance.

- Distribution of the Borough's policy regarding the use of prohibited drugs and the misuse of alcohol to all employees, including Appendix B "Alcohol Intervention."

Supervisor Training

All managers, supervisors, and any other personnel who may be responsible for determining whether a Borough employee must be drug or alcohol tested based

on reasonable cause shall receive annual training including but not limited to (1) 60-minute period of training on the specific, contemporaneous physical, behavioral, and performance indicators of probable drug use and (2) 60-minute period of training on the effect of alcohol.

Record Keeping Procedures & Confidentiality

The DPM (or designee) shall maintain employees' drug and alcohol test results in a secure location with controlled access.

Drug and alcohol tests results shall not be included in personnel files, however, any disciplinary action taken against an employee or a rehabilitation plan proposed by the employee for violation of this policy and its procedures shall be included in the employee's personnel file.

Information regarding an individual's drug or alcohol testing results or rehabilitation is confidential and may be released only upon written consent of the individual, except:

1. Such information must be released regardless of consent to FHWA by a government safety agency with regulations authority over the Petersburg Borough or its employees, or other government agency as a part of an accident investigation;

2. Such information may be disclosed regardless of consent in a lawsuit, grievance, or other proceeding initiated by or on behalf of the individual and arising from a verified positive drug test; or

3. Upon written request by the employee to the Borough:

Statistical data related to drug testing and rehabilitation that is non name-specified and training records may be released to FHWA or other governmental safety agency with regulatory authorization over the Petersburg Borough or its employees, upon request.

Records Retention

Records that demonstrate the collection process conforms to DOT regulations shall be retained for a 2-year period for all employees.

Employee drug and alcohol test results that show positive and test type (pre-employment test, random test, post-accident test, or post-rehabilitation test), and

records that demonstrate rehabilitation (including the MRO's determination) shall be retained for a 5-year period and must include the following information:

- Job classification and functions of employee;
- Prohibited drug(s) or alcohol used; and
- Disposition of employee (i.e., rehab, suspension, termination, etc.).

Employee drug and alcohol tests that demonstrate negative results shall be retained for a period of 1 year.

A record indicating the total number of employees tested and the results of tests separated into categories shall be retained for a 5-year period.

Training records confirming that supervisors and employees have been trained and copies of training material used shall be retained for a 2-year period.

Personnel and Services

Drug Program Manager (DPM)
Office 772-4519, ext. 21 or 23

SAMHSA Laboratory, PAML
110 W. Cliff Avenue
Spokane, WA 99220
1-877-778-9590/Fax 509-922-5281

Medical Review Officer (MRO)
Dr. David Nahin, M.D.
9501 Northfield Blvd.
Denver, CO 80238-3536
1-877-585-7366/Fax: 303-595-5263

Employee Assistance Program
ComPsych Guidance Resources
online: guidanceresources.com
Company ID: QP 1003K
1-800-295-9058

Substance Abuse Professionals (SAP)

Petersburg Mental Health
PO Box 1309
201 N. Nordic
Petersburg, AK 99833
1-907-772-3332
www.raincountry.org

True North Counseling & Consultation, LLC
PO Box 2155
Hallingstad-Peratrovich Building
15 12th Street
Petersburg, AK 99833
1-907-650-7292
www.foundtruenorth.com

ALCOHOL INTERVENTION

Why you should get involved

The Borough recognizes that alcoholism and alcohol misuse are problems throughout America.

There are three good reasons why you should be concerned if any of your coworkers are using drugs or alcohol on the job:

- Your health and safety may be at risk.
- Alcohol misuse costs you money.
- Alcohol creates a negative work environment.

According to the National Institute on Alcohol Abuse and Alcoholism, drug and alcohol use on the job cost society an estimated $102 billion a year. Since most of this cost is passed on to you in the form of higher health insurance rates or in the prices you pay for things, drug and alcohol use on the job costs you and your fellow workers.

Absenteeism among problem drinkers or alcoholics is 3.8 to 8.3 times greater than normal. If your fellow workers don't come to work, you may have to do their jobs in addition to your own.

Workers who misuse alcohol don't function at their full potential. Not only is absenteeism a problem, when they are at work these employees may have reduced capabilities and productivity.

No matter what your employment, there is something you can do to ensure that drug and alcohol use on the job never becomes a problem at the Borough. Acceptance of any misuse puts you, the Borough, and the public at risk.

Effects of alcohol misuse on an individual's health, work, & personal life

Alcohol is a central nervous system depressant. Taken in large quantities it causes not only the euphoria associated with "being drunk" but also adversely affects your judgment, your ability to think, and your motor functions. Drink enough alcohol fast enough and it can kill you.

Long term overuse of alcohol can cause liver damage, heart problems, sexual dysfunction, and other serious medical problems.

In some cases, alcohol use can lead to physical and psychological dependence on alcohol. Alcoholism is a serious chronic disease. Left untreated it will inevitably get worse.

Workers who use alcohol (and other drugs) affect everyone. Studies show that compared to alcohol-free and drug-free workers, drug and alcohol workers are far less productive, miss more workdays, are more likely to injure themselves or someone else, and file more workers' compensation claims.

The measurable dollar costs of workplace drug and alcohol misuse from absenteeism, overtime pay, tardiness, sick leave, insurance claims, and workers' compensation can be substantial. The hidden costs resulting from workplace drug or alcohol use can include diversion of supervisory and managerial time, friction among workers and damage to equipment can result in a large drain of taxpayer dollars and can cause damage to the Borough's public image.

Alcohol can also destroy relationships, lead to serious problems with the law (e.g., drunk driving), and even cause harm to the people you love.

If drinking affects your work life, it could lead to job loss and all of the financial problems that would follow.

Available methods of evaluating & resolving problems associated with the misuse of alcohol:

Outpatient programs exist in a variety of settings:

- Community mental health centers.
- Family service agencies.
- Private physicians' and therapists' offices.
- Occupational settings.
- Specialized alcoholism treatment facilities.

Inpatient services, designed for those with more serious alcohol problems, can be found in hospitals, residential care facilities, community halfway houses, and some alcoholism clinics. Your local phone directory will list helpful referral organizations such as:

- Local council on alcoholism.
- Alcoholics Anonymous.
- Community alcoholism or mental health clinic.
- Social services or human resources department.
- Borough medical society.

SIGNS AND SYMPTOMS Of ALCOHOL MISUSE:	**Any one or more of the following signs may indicate a drinking problem**
	➢ *Family or social problems caused by drinking*
	➢ *Job or financial difficulties related to drinking*
	➢ *Loss of a consistent ability to control drinking*
	➢ *"Blackouts" or the inability to remember what happened while drinking.*
	➢ *Distressing physical and/or psychological reactions if you try to stop drinking.*
	➢ *A need to drink increasing amounts of alcohol to get the desired effect.*
	➢ *Marked changes in behavior or personality when drinking.*
	➢ *Getting drunk frequently.*
	➢ *Injuring yourself--or someone else--while intoxicated.*
	➢ *Breaking the law while intoxicated.*
	➢ *Starting the day with a drink.*

DOT and Safety Sensitive Covered Positions by Department & Job Classification

DOT COVERED POSITIONS

Power & Light

- Groundman
- Groundman/Operator
- Laborer/Operator
- Line Foreman
- Lineman
- Apprentice Lineman
- Lineman Operator
- Mechanic
- Powerhouse Mechanic/Operator
- Maintenance Workers

Public Works

- Heavy Equipment Operator
- Laborer I & II
- Motor Pool Foreman
- Motor Pool Mechanic
- Public Works Director
- Public Works Foreman
- Utility Worker
- Assistant Public Works Director

Fire Department

- Fire Marshal

- EMS Coordinator
- Fire Department Director

Water/Wastewater Utility

- Wastewater Operations Supervisor
- Wastewater Operator
- Water Operations Supervisor
- Water Operator

Sanitation

- Baler/Landfill Operator
- Sanitation Driver/Baler Assistant
- Sanitation Operations Supervisor

SAFETY SENSITIVE POSITIONS

Police Department

- Police Officer
- Police Sergeant
- Police Captain
- Police Chief

Parks & Recreation Department

- Lifeguard II
- Grounds Keeper
- Parks Assistant
- Maintenance Workers

Facilities Maintenance

- Maintenance Foreman
- All Maintenance Workers

APPENDIX B

Family and Medical Leave Rights

Authorities

The Alaska Family Leave Act, AS 23.10.500-23.10.550, and the federal Family and Medical Leave Act of 1993 (Public Law 103-3) (collectively referred to as the "FMLA") entitle employees to unpaid leaves of absence from work for childbirth or adoption of a child, and for purposes necessitated by a serious health condition which renders the employee unable to perform job duties, or to care for a close relative with a serious health condition. The purpose of these laws is to help balance the demands of the workplace with the needs of employees and their families, to promote stability and economic security of the family unit, and to promote public interest in preserving family integrity. This policy is intended to comply with the requirements of state and federal law. The terms used in this section have the meanings defined in those Acts.

Should any provision of this policy conflict with the Alaska Public Employees Association Bargaining Unit Contract or, in the case of Municipal Light and Power employees, the IBEW Contract, such conflicts are resolved in favor of the interpretation more generous to the employee's leave rights.

Employee Eligibility Requirements

Employees must meet eligibility requirements before the leave is scheduled to begin. However, an employee may qualify under the state law, begin to use the state entitlement, and then qualify for the federal law. As an example, an employee could qualify and begin to use state entitlement on an intermittent basis, during which time they could qualify for the federal entitlement.

Comparison of Eligibility Requirements

Federal	State
Employed 12 months AND worked at least 1,250* hours during the previous 12-month period. *Note: Leave and holidays are not to be considered when determining the hours worked.	Employed for at least 35 hours a week for at least 6 consecutive months OR at least 17 1/2 hours a week for at least 12 consecutive months.

Qualifying Conditions

Eligible employees are entitled to medical leave "to care for" a spouse, child or parent with a serious health condition. The phrase "to care for" includes both physical and psychological care, and making arrangements for third-party care for a family member (e.g., nursing home, home care nurse). The regulations allow health care providers to either certify that the third-party care is required or that the employee's presence would be beneficial to the ill family member.

A serious health condition, further defined, is an illness, injury, impairment or physical and medical condition that involves either:

- Any period of incapacity or treatment, in connection with or consequent to inpatient care (i.e., overnight stay) in a hospital, hospice, or residential medical facility,

- Any period of incapacity requiring absences from work, school or other regular daily activities, for more than three calendar days, that also involves continuing treatment by a health care provider, or

- Continuing treatment by a health care provider for a chronic or long-term health condition that is incurable or so serious that if not treated would likely result in a period of incapacity of more than three calendar days; or for prenatal care.

Inpatient care for substance abuse is considered a serious health condition.

Short-term conditions requiring only brief treatment and recovery are not "serious health conditions." Normally these types of conditions are covered under regular employee sick leave policies. This would include such conditions as flu and surgeries that require neither hospitalization nor prolonged recovery periods. Voluntary or cosmetic treatments (such as orthodontia or acne) which are not medically necessary are not "serious health conditions" unless inpatient hospitalization is required.

Comparison of Qualifying Conditions

Federal	State
The birth of the employee's child and to care for the infant;	Pregnancy and birth of a child of the employee or placement of a child, other than a stepchild, with the employee for adoption.
The placement of a son or daughter with the employee for adoption or foster care;	To care for the employee's child, spouse or parent who has a serious health condition.
To care for a spouse, son, daughter or parent of the employee for a serious health condition;	
The employee's own serious health condition that makes the employee unable to perform the functions of the employee's position.	

Measuring Period

Eligibility Measuring Period

The period during which an employee is eligible for family or medical leave shall be a "rolling" twelve or twenty-four month period, depending upon the applicable law, measured backward from the date an employee begins family or medical leave. Every time an employee requests family or medical leave, their entitlement will be measured according to the amount of family or medical leave taken in the past twelve or twenty-four month period.

Continuous, intermittent, and reduced scheduled leave

Leave taken due to a serious health condition of the employee or for the employee to care for a qualified family member may, at the employee's discretion, be taken any of the following ways:

Continuous: A consecutive leave of absence in which the entitlement is taken all at one time.

Intermittent: Leave of periods from an hour to several weeks. Examples of such leave include leave taken occasionally for medical appointments or leave taken several days at a time over a period of several months, for treatment sessions such as chemotherapy.

Reduced schedule: Leave that decreases an employee's usual number of working hours per week or per day.

Leave taken due to the birth, adoption or placement of a child will be taken on a continuous basis unless, in the department head's discretion, it is determined that permitting the employee to take the time off on an intermittent or reduced schedule basis would be in the best interests of the Petersburg Borough.

Leave Entitlements

Where there is entitlement under both state and federal law, the use of Family Medical Leave runs concurrently. Provisions most generous to the employee will apply. Any Collective Bargaining Agreement provisions also run concurrently.

The **federal law** provides that spouses employed by the same employer are jointly entitled to a combined total of 12 workweeks of family leave for the birth or placement of a child for adoption or foster care, and to care for a parent who has a serious health condition.

The **state law** does not require that spouses combine family leave for these purposes. It does, however provide that the Borough is not required to grant family leave simultaneously for these conditions when spouses are employed by the same employer. For these purposes, "employer" means the Petersburg Borough.

Legal holidays will be used in calculating the allowable absence as long as the employee is in pay status both the day before and the day after the holiday.

If an employee normally works part-time, the leave entitlement for intermittent use is determined on a pro rata basis by comparing the employee's normal schedule with the employee's new schedule. For example, if an employee who normally works 30 hours per week were only able to work 20 hours a week, the ten hours of leave would equal one-third of a week.*

To determine the "workweek" leave entitlement for part-time employees taking a consecutive segment of leave, use the employee's normal workweek schedule. For example, if an employee normally works a 25-hour workweek, then 25 hours equals one week for family leave purposes.*

Employees requesting family or medical leave shall first exhaust their accrued medical and vacation leave before utilizing leave without pay. Employees who have exhausted their family or medical leave may request leave without pay under the relevant provisions of either the Personnel Rules or the I.B.E.W. or P.M.E.A. collective bargaining agreements, whichever is applicable.

**Note: If an employee's schedule varies from week to week, the average weekly hours worked during the 12 weeks prior to the start of the leave will be used to calculate the employee's normal work week for this purpose.*

Comparison of Leave Entitlements

	Federal	State
Medical leave for serious health condition.	12 workweeks during a 12 month period—may be taken intermittently or on a reduced leave schedule.	18 workweeks during any 24 month period—may be taken intermittently or on a reduced leave schedule.
Service Member Family Leave to care for a covered service member.	26 workweeks during a 12 month period–may be taken intermittently or on a reduced leave schedule.	
Family leave maximum for pregnancy, birth of a child, placement of a child, adoption other than the employee's stepchild.	12 consecutive workweeks—expires 12 months from the birth, foster care, placement or adoption of a son or daughter. Must be used in a single block of time.	18 consecutive work-weeks—expires 12 months from the birth or adoption of a child. Must be used in a single block of time.

Application Period

For all Petersburg Borough employees, Family leave is requested using the Application for Family or Medical Leave form obtained from the Human Resources/Clerk's Office. For each qualifying absence, all Borough employees must also submit a Status Change leave slip clearly marked as Family or Medical leave in the comment section of the form. Time sheets of individuals on FML should also be clearly marked as Family or Medical leave.

When possible, employees are required to provide 30 days notice of Family or Medical leave absences. Notice is required as soon as practical for any unforeseen Family or Medical leave absences, usually 2-3 days. In the event of an unforeseen or emergency condition, notice may be given via phone, by the employee's spouse or other family member if the employee is unable to do so.

If a supervisor has knowledge that an eligible employee's absence is caused by a qualifying Family or Medical leave condition, the supervisor will ensure that the employee or employee's spouse or other family member is provided with a complete copy of this procedure.

Employees are not obligated to apply for or use Family or Medical leaves; in which case normal leave approval procedures apply.

If an employee initially chooses not to apply for Family or Medical leave for a qualifying absence and then later changes his or her mind, Family or Medical leave will be activated retroactive to the day the employee first took leave for the condition.

Upon the department head's approval, the application and leave slips are to be forwarded to the Borough Manager or Personnel Officer who will determine whether the absence qualifies for Family or Medical leave, establish the start date, and notify the employee.

In order to determine whether a leave request qualifies for Medical leave, employee's requesting Family or Medical leave shall provide the department head with a medical certification form completed by a health care provider. The certification form is obtained from the Human Resources/Clerk's Office.

A second or third opinion (at the employer's expense), periodic updates from the employee or medical provider, and a fitness for duty report completed by a medical provider to return to work may also be required.

**FMLA begins under the following circumstances: An employee requests leave be designated under the FMLA policy; It comes to the attention of the employer that leave being used qualifies under FMLA.*

Record Keeping Procedures

The Personnel Officer is required to keep and preserve the following records for no less than three years after a Family or Medical leave absence:

- Basic payroll and identifying employee data, including name, address, title, rate of pay, daily and weekly hours worked per pay period, and a detail of compensation paid per pay period;

- Dates Family or Medical leave is taken;

- If the leave is taken in increments of less than full days, the hours of the leave; and

- A record of any dispute between the employer and an employee regarding designation of leave as qualifying Family or Medical leave.

Records and documents relating to medical certifications or medical histories of employees or employee's family members must be maintained in separate files and be treated as confidential medical records. An application for Family or Medical leave is not considered confidential.

Return to Work Procedure

Prior to returning to work, employees who have been on Family and Medical leave due to their own serious health condition are required to present a certificate from the employee's health care provider indicating that the employee is able to resume work.

The failure of an employee to return to work upon the expiration of a Family or Medical leave of absence will subject the employee to immediate termination unless an extension is granted. An employee who requests an extension of leave must submit the request in writing to the employee's Department Head.

This written request should be made as soon as the employee realizes that she or he will not be able to return at the expiration of the leave period. If Family or Medical leave entitlements are exhausted, employees may apply for other types of leave.

An employee eligible for Family or Medical leave will be restored to his or her position or to a position with equivalent pay, benefits, and other terms and conditions. A determination as to whether a position is an "equivalent position" will be made by the Borough Manager in consultation with the Personnel Officer and his or her Department Head.

Posting & Employee Notification Procedure

The federal law contains specific notice requirements, both in the form of posting and notifying the employee of their rights and obligations at the time the employee informs a department head of the intent to use family leave.

Department heads are required to provide to employees a copy of the posting notice at the time an employee informs the Department Head of the intent to use

family or medical leave or when the leave is invoked.

Department Heads are required to maintain a posting of the notice at all departmental worksites.

Benefits Coverage Procedure

Federal law requires that an employee be retained on the employer's health plan under the same conditions that applied before a period of family or medical leave commenced. This means that the employer is required to continue and pay for the basic coverage while the employee is in pay status. To continue the health coverage, the employee is required to make any contributions that he or she made to the plan, such as the employee buy up portion of the health plan required by some Collective Bargaining Agreements.

State law does not provide for continued employer-paid health insurance coverage.

In the event an employee's Family or Medical leave absence results in LWOP, the Personnel Officer shall coordinate the required health insurance coverage for the 12 week federal requirement.

Employees should contact the Human Resources/Clerk's Office for further details regarding health insurance coverage and other impacts to benefits resulting from family or medical leave use.

Definitions Under Federal and State Acts

	Federal	State
Parent; Son or Daughter; Spouse*	PARENT: Biological or an individual who stood in loco parentis to an employee when the employee is a son or daughter.	PARENT: Biological or adoptive parent, a parent-in-law, or a stepparent.
*Domestic partners who are not married are not considered to be spouses for purposes of family or medical leave.	SON OR DAUGHTER: Biological, adopted, stepchild, legal ward, foster child, or a child of a person standing loco parentis, who is (A) under 18 years of age; or (B) 18 years of age or older and incapable of self-care because of a mental or physical disability.	CHILD: Under 18 years of age; or 18 years of age or older and incapable of self-care because of mental or physical disability.
	SPOUSE: Husband or wife.	SPOUSE: Husband or wife.
Covered Service Member	A member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.	
Health Care Providers	Doctors of Medicine; Doctors of Osteopathy; Podiatrists; Dentists; Clinical Psychologist; Optometrists; Chiropractors; Nurse Midwifes; Nurse Practitioners; Clinical Social Workers; Christian Science Practitioners registered with the First Church of Christ, Boston Massachusetts; any health care provider from whom the State's health insurance carrier or a health trust covering our employees accepts certification of the existence of a serious health condition to substantiate a claim for benefit; and any health care provider listed above who practices an another country, who is authorized to practice in accordance with the law of that country and who is performing within the scope of the practice as defined under law.	Dentists licensed under AS 08.36; Physicians licensed under AS 08.64; Psychologists licensed under A.S. 08.86

APPENDIX C

Military Leave

Your Rights Under USERRA (The Uniformed Services Employment and Reemployment Rights Act)

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

Re-employment Rights

You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:

- You ensure that your employer receives advance written or verbal notice of your service;
- You have five years or less of cumulative service in the uniformed services while with that particular employer;
- You return to work or apply for reemployment in a timely manner after conclusion of service; and
- You have not been separated from service with a disqualifying discharge or under other than honorable conditions.

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

Right to be Free from Discrimination and Retaliation

If you:

- Are a past or present member of the uniformed service;
- Have applied for membership in the uniformed service; or
- Are obligated to serve in the uniformed service;

then an employer may not deny you:

- Initial employment;
- Reemployment;
- Retention in employment;
- Promotion; or
- Any benefit of employment

because of this status.

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

Health Insurance Protection

If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military.

Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

Enforcement

The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations.

For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-866-4USA-DOL or visit its website at http://www.dol.gov/vets. An interactive online USERRA Advisor can be viewed at http://www.dol.gov/elaws/userra.htm.

If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice for representation.

You may also bypass the VETS process and bring a civil action against the Borough for violations of USERRA.

The rights listed here may vary depending on the circumstances.

State Law

Additionally, state law provides that employees who are members of the reserves or auxiliary component of the U.S. Armed Forces are entitled to 16 1/2 workings days of paid leave in any 12 month period without loss of pay, time or efficiency rating for all days during which the employee is ordered to training duty, for instruction, or when under direct military control in a search and rescue mission. If the governor calls the employee to active duty, an employee is entitled to a five-day leave of absence without loss of pay, time or efficiency rating.

APPENDIX D

HIPAA Privacy Practices and Rights

Petersburg Borough
Notice of HIPAA Privacy Practices and Rights

Your Information. Your Rights. Our Responsibilities.

This notice describes how medical information about you may be used and disclosed by **covered components** of the Borough and how you can get access to this information. **Please review it carefully.**

"Covered components" of the Borough are as follows:

- Fire Department EMS responses and billings.
- Mt. View Manor Assisted Living and Elderly Housing functions.
- Administration Department functions regarding receipt or transmission of an employee's personal health information pursuant to the Department's functions as a sponsor of the Borough's health plan, or as a health plan administrator.

All of your rights described below apply to all covered components, except where indicated as applying to only those functions associated with either only Health Plan Administration or only with Provider (Fire Dept. EMS or Mt. View Manor assisted living) functions.

SUMMARY

Your Rights

You have the right to:

- Get a copy of your health and claims records
- Correct your health and claims records
- Request confidential communication
- Ask us to limit the information we share
- Get a list of those with whom we've shared your information
- Get a copy of this privacy notice
- Choose someone to act for you
- File a complaint if you believe your privacy rights have been violated

Your Choices

You have some choices in the way that we use and share information as we:

- Provide disaster relief
- Market our services and sell your information

For Health Plan Administration Only

- Answer coverage questions from your family and friends

For Health Provider Services and Billing Only

- Tell family and friends about your condition
- Raise funds

Our Uses and Disclosures

We may use and share your information as we:

- Run our organization
- Help with public health and safety issues
- Do research
- Comply with the law
- Respond to organ and tissue donation requests and work with a medical examiner or funeral director
- Address workers' compensation, law enforcement, and other government requests
- Respond to lawsuits and legal actions\
- Disclose records and information regarding mental health to a physician or a provider of health, mental health, or social and welfare services involved in caring for, training or rehabilitating the patient

For Health Plan Administration Only

- Help manage the health care treatment you receive
- Pay for your health services
- Administer your health plan

For Health Provider Services and Billing Only

- Treat you
- Bill for your services

SPECIFIC PRIVACY PRACTICES AND RIGHTS

Your Rights

When it comes to your health information, you have certain rights. This section explains your rights and some of our responsibilities to help you.

Get an electronic or paper copy of your medical health and claims records

- You can ask to see or get an electronic or paper copy of your medical health and claims records and other health information we have about you. Ask us how to do this.
- We will provide a copy or a summary of your health and/or claims records, usually within 30 days of your request. We may charge a reasonable, cost-based fee.

Ask us to correct health and claims records

- You can ask us to correct your health and claims records if you think they are incorrect or incomplete. Ask us how to do this.
- We may say "no" to your request, but we'll tell you why in writing within 60 days.

Request confidential communications

- You can ask us to contact you in a specific way (for example, home or office phone) or to send mail to a different address.
- We will consider all reasonable requests, and must say "yes" if you tell us you would be in danger if we do not.

Ask us to limit what we use or share

- You can ask us not to use or share certain health information for treatment, payment, or our operations.
- We are not required to agree to your request, and we may say "no" if it would affect your care.

For Health Provider Services and Billing Only

- If you pay for a service or health care item out-of-pocket in full, you can ask us not to share that information for the purpose of payment or our operations with your health insurer. We will say "yes" unless a law requires us to share that information.

Get a list of those with whom we've shared information

- You can ask for a list (accounting) of the times we've shared your health information for six years prior to the date you ask, who we shared it with, and why.
- We will include all the disclosures except for those about treatment, payment, and health care operations, and certain other disclosures (such as any you asked us to make). We'll provide one accounting a year for free but will charge a reasonable, cost-based fee if you ask for another one within 12 months.

Get a copy of this privacy notice

You can ask for a paper copy of this notice at any time, even if you have agreed to receive the notice electronically. We will provide you with a paper copy promptly.

Choose someone to act for you

- If you have given someone medical power of attorney or if someone is your legal guardian, that person can exercise your rights and make choices about your health information.
- We will make sure the person has this authority and can act for you before we take any action.

File a complaint if you feel your rights are violated

- You can complain if you feel we have violated your rights by contacting us at PO Box 329, Petersburg, AK 99833; or calling 907-772-4519..
- You can file a complaint with the U.S. Department of Health and Human Services Office for Civil Rights by sending a letter to 200 Independence Avenue, S.W., Washington, D.C. 20201, calling 1-877-696-6775, or visiting **www.hhs.gov/ocr/privacy/hipaa/complaints/.**
- We will not retaliate against you for filing a complaint.

Your Choices

For certain health information, you can tell us your choices about what we share. If you have a clear preference for how we share your information in the situations described below, talk to us. Tell us what you want us to do, and we will follow your instructions.

In these cases, you have both the right and choice to tell us to:

- Share information with your family, close friends, or others involved in payment for your care

- Share information in a disaster relief situation

If you are not able to tell us your preference, for example if you are unconscious, we may go ahead and share your information if we believe it is in your best interest. We may also share your information when needed to lessen a serious and imminent threat to health or safety.

In these cases we *never* share your information unless you give us written permission:

- Marketing purposes
- Sale of your information

For Health Provider Services and Billing Only

In these cases, we never share your information unless you give us permission:

- Most sharing of psychotherapy notes
- In the case of fundraising, we may contact you for fundraising efforts, but you can tell us not to contact you again.

Our Uses and Disclosures

How do we typically use or share your health information?

We typically use or share your health information in the following ways.

Help manage the health care treatment you receive, or treat you.

We can use your health information and share it with professionals who are treating you.

Examples: (1) A doctor sends us information about your diagnosis and treatment plan so we can arrange additional services, or (2) an EMS assisted living provider shares information regarding your condition with a treating doctor.

Run our organization

- We can use and disclose your information to run our organization and contact you when necessary.

  For Health Plan Administration Only
- We are not allowed to use genetic information to decide whether we will give you coverage and the price of that coverage. This does not apply to long term care plans.

Example: We use health information about you to develop better services for you.

For Health Provider Services and Billing Only

- Bill for your services

We can use and share your health information to bill and get payment from health plans or other entities.

Example: We give information about you to your health insurance plan so it will pay for your services.

Pay for your health services

For Health Plan Administration Only

We can use and disclose your health information as we pay for your health services.

Example: We share information about you with your dental plan to coordinate payment for your dental work.

Administer your plan

For Health Plan Administration Only

We may disclose your health information to your health plan sponsor for plan administration.

Example: Your company contracts with us to provide a health plan, and we provide your company with certain statistics to explain the premiums we charge.

How else can we use or share your health information?

We are allowed or required to share your information in other ways – usually in ways that contribute to the public good, such as public health and research. We have to meet many conditions in the law before we can share your information for these purposes. For more information see:

www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/index.html.

Help with public health and safety issues

We can share health information about you for certain situations such as:

- Preventing disease
- Helping with product recalls
- Reporting adverse reactions to medications
- Reporting suspected abuse, neglect, or domestic violence
- Preventing or reducing a serious threat to anyone's health or safety

Do research

We can use or share your information for health research.

Comply with the law

We will share information about you if state or federal laws require it, including with the Department of Health and Human Services if it wants to see that we're complying with federal privacy law.

Respond to organ and tissue donation requests and work with a medical examiner or funeral director

- We can share health information about you with organ procurement organizations.
- We can share health information with a coroner, medical examiner, or funeral director when an individual dies.

Address workers' compensation, law enforcement, and other government requests

We can use or share health information about you:

- For workers' compensation claims
- For law enforcement purposes or with a law enforcement official
- With health oversight agencies for activities authorized by law
- For special government functions such as military, national security, and presidential protective services

Respond to lawsuits and legal actions

We can share health information about you in response to a court or administrative order, or in response to a subpoena.

Our Responsibilities

- We are required by law to maintain the privacy and security of your protected health information.
- We will let you know promptly if a breach occurs that may have compromised the privacy or security of your information.
- We must follow the duties and privacy practices described in this notice and give you a copy of it.

- We will not use or share your information other than as described here unless you tell us we can in writing. If you tell us we can, you may change your mind at any time. Let us know in writing if you change your mind.

For more information see:

www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/noticepp.html.

Changes to the Terms of this Notice

We can change the terms of this notice, and the changes will apply to all information we have about you. The new notice will be available upon request, on our web site, and we will mail a copy to you.

Miscellaneous

- The Effective Date of this re-Notice is July 1, 2014.

- The Borough's Privacy Official is the Borough Clerk, who is currently Kathy O'Rear, whose email address is korear@petersburgak.gov, and whose telephone number is (907) 772-4519 ext. 23.

APPENDIX E

Lock Out/Tag Out Procedures

Below is a summary of the key provisions of OSHA's lock out/tag out requirements. Petersburg Borough will provide additional training on these issues as needed to ensure the safety of our workforce.

Definitions

Lock Out: A lock out is a locking device, which may be a padlock, which locks a switch, lever or valve in the off position in order to prevent injuries caused by accidental machine startups or accidental energy and electrical releases during maintenance or cleaning activities. The lock may only be removed by the employee who installed it.

Tag Out: A tag out is a conspicuous written warning, used in conjunction with a lock out, that prohibits employees not to operate a switch or any other mechanism that may release hazardous energy or set a machine in motion. The tag identifies who locked out the equipment, the date of lockout and for what purpose. The tag is signed by the staff member who locks out the equipment. The tag may only be removed by the employee who installs it.

Affected Employees: Employees designated to operate machinery or equipment for which maintenance or servicing is performed under lock out and tag out, or whose job requires them to work in an area which maintenance or servicing is being performed. If affected employees encounter a locked out piece of equipment, they shall contact the employee identified on the tag out for further information on the length of equipment down time. Under no circumstances shall any employee remove a lock out or tag out that is not under their control.

Authorized Employees: Employees designated to lock out and tag out machines or equipment in order to perform servicing or maintenance on equipment or machinery. Such employees shall have the key to the lock on their person while work is being performed on the locked out equipment and shall not transfer the key or lock to any other authorized personnel until the work is complete and the subject equipment is unlocked for normal use.

Lock Out/Tag Out General Requirements

Each affected Borough department shall adopt specific procedures regarding the control of hazardous energy, equipment isolation, preparation for shutdown, lock out/tag out application, release of stored energy, verification of isolation, and the restoration of equipment back to normal production operations. Procedures must be implemented to ensure safety when equipment is tested during servicing, when a crew servicing equipment needs a multiple lock out, when outside contractors are working at the site, and when personnel or shifts change. All "affected employees" must be notified that a lock out or tag out system is to be followed, and that each lock out/tag out device shall only be removed by the worker who applied it. "Authorized employees" must be knowledgeable about the same issues, as well as the type and magnitude of energy required by the equipment and specific hazards involved.

Sequence of Lock Out/Tag Out System Procedures

Although supplemental training will be provided as needed, below are the basic lock out/tag out procedures to be followed by authorized employees for equipment maintenance or repair.

- Prepare by conducting a survey to identify and locate all valves, switches, and/or other energy isolating devices that are associated with the equipment that is to be locked and tagged out. It is possible that more than one energy source (mechanical, electrical or others) is involved in an operating system.
- Shut down equipment or machine that is operating by using the normal stopping procedure. This will isolate the equipment.
- Use reliable methods such as blocking, bleeding down, and repositioning to dissipate stored energy.
- Have an authorized individual apply lock out/tag out energy isolating devices.
- Ensure that personnel are not exposed to equipment hazards, and check to see if energy is disconnected, by operating the push button or other normal operating controls to make certain equipment will not operate. Operating controls must be returned to off position after the test.

- When servicing or maintenance is complete and equipment is ready to be operated, ensure that no one is exposed to any energy source by checking the area around the machine or equipment.
- Remove all lock out and tag out devices only after all tools have been removed from equipment or machine, guards have been reinstalled, and employees are in the clear.
- Machine or equipment may be restored to normal operation.

The Borough recognizes that the control of hazardous energy sources for prevention of workplace accidents is a serious issue. It is critical that employees remain aware of possible dangers associated with energy sources and adhere strictly to the lock out/tag out procedures described in this policy and in supplemental training.

APPENDIX F

Travel Policy

Effective May 1, 2014

Introduction

The Borough's specific rules for travel authorization and reimbursement of travel expenses are described in more detail in this Appendix.

Employees will be reimbursed for all reasonable and necessary expenses they incur while traveling on Petersburg Borough business. Use your discretion, but try to keep costs low.

The purpose of the Borough's travel policy is to provide employees with adequate transportation, lodging, meals, and other services that are a necessary part of doing business. Such provisions for business travel are made through a travel advance, employee reimbursement or, in certain instances, direct payment of expenses.

Each member of management is jointly responsible with the Human Resources and Finance Department for administration of and compliance with this policy.
All travel expenses are to be uniformly and properly accounted for and authorized.

All persons traveling on Borough business will adhere to the same travel policies as described including, but not limited to, Borough Assembly members, advisory board members, staff and employees. The purpose of the Borough's travel policy is to provide employees with adequate transportation, lodging, meals, and other services that are a necessary part of doing business. Such provisions for business travel are made through a travel advance, employee reimbursement or, in certain instances, direct payment of expenses.

Each member of management is jointly responsible with the Human Resources and Finance Department for administration of and compliance with this policy.
All travel expenses are to be uniformly and properly accounted for and authorized.

All persons traveling on Borough business will adhere to the same travel policies as described including, but not limited to, Borough Assembly members, advisory board members, staff and employees.

Responsibility

A Travel Authorization Form obtained from the Finance Department must be submitted in advance by the appropriate administrative officer for prior approval by the Borough Manager.

Every person traveling on Borough business is responsible for making an adequate accounting of all travel-related expenses, including lodging, transportation, etc.; on a Travel Expense Report. Original receipts must accompany all claims for reimbursement. Flexibility will be provided when accounting for expenses such as the use of local transportation or parking fees, where obtaining a receipt is impossible. Travelers are required to submit an expense report for reimbursement of all authorized expenses to the Accounts Payable Clerk, within five days following return from pre-authorized travel.

Questions concerning business-related expenses should be raised prior to a monetary commitment or an expense report being filed. All expenses must be properly approved. Undocumented travel expenses are neither reimbursable nor eligible for payment from advance travel funds. In the event that advance travel funds have been expended for undocumented expenses, the traveler shall make repayment to the Borough within one week following his or her return.

Receipts

All expenses requested on the pre-travel authorization form must have an original receipt supporting the request for the reimbursement. Full reimbursement for reasonable transportation and lodging expenses will be paid upon presentation of original receipts with a full explanation of changes.

If requested on the pre-travel authorization form, transportation and lodging arrangements may be made by credit card and paid in advance by the Borough.

Cash Advances

If requested on the pre-travel authorization form, a travel advance may be issued, for up to 100% of the expenses, to include both lodging and meals for each overnight stay. The travel advance for meals shall not exceed the maximum per diem allowance of $50.00/day times the number of travel days; for days in transit, the meal allowance will be prorated for the destination.

Meals

The Borough will reimburse the cost of meals and refreshments during overnight stays at a flat rate of $60 per day (including tax and gratuity).

For days in transit, the meal allowance will be prorated based on time away from Petersburg.

- Breakfast: $14.00
- Lunch: $16.00
- Dinner: $30.00

Funds spent toward lobbying activities should be noted separately on the Travel Expense Report. If this activity includes a meal, the traveler's meal will count toward their daily meal allowance.

Lodging

It is the policy of the Borough to use good commercial-grade hotel facilities that are comfortable and appropriate for conducting business. Suites and concierge-level rooms are not acceptable. All persons traveling on Borough business should request government rates where available. When conferences, seminars or workshops are held at a hotel, it is recommended to stay at the event site rather than at a less expensive hotel elsewhere when taxi fares and/or car rental rates are taken into consideration.

For your safety and security always investigate security measures for your hotel room (e.g., door locks, fire exits, and alarm systems).

The Borough will not reimburse or pay for "no show" charges. The employee will only be reimbursed in cases where he or she was unable to keep the reservation because of an emergency.

Any expenses related to spouses or companions are not reimbursable.

Hotel Expense Reporting

Hotel charges should be separated on the expense report form into the appropriate types of expense categories (e.g., room, business meals, etc.). These charges as well as other expenses (such as taxi or bus transportation) should be reported for *each day so that the daily expenses of the trip are indicated on the authorization form.*

Hotel charges may be paid by Borough credit card, cash advance, or directly by the employee. The paid hotel receipt must be attached to the expense report for reimbursement.

Air Travel

Advance Planning

Travel plans are to be made at least two weeks in advance whenever possible. Penalty or nonrefundable fares provide substantial savings but need to be assessed carefully to determine the risk of change or cancellation. Always check with your supervisor prior to booking a penalty fare.

Travelers are required to accept the lowest fare of any airline available that is within two hours of (prior to or after) the desired flight time. Employees choosing an airline for its amenities or frequent flyer programs will be responsible for the difference in cost.

All travelers will fly coach if the air time is less than four hours. All trips over four hours may fly business class if available. First class travel is prohibited. Any additional expense for upgrade of air travel class will be the responsibility of the employee and is not reimbursable by the Borough.

Billing procedures

It is recommended that all air fare be purchased over the Internet using Alaska Airlines EasyBiz and a Borough credit card.

When a group is traveling or a person is changing airlines, Viking Travel, (907) 772-3818, is the Borough approved travel agency. Viking Travel will bill the Borough directly for airfares.

Travelers may use personal credit cards for business air travel.

Frequent flyer programs

Travel plans should not be coordinated on the basis of an employee's frequent flyer program. Although at the present time the Borough awards the benefits of frequent flyer clubs, car rental programs, and hotel programs to its employees, it reserves the right to change its policy. Any resulting taxation will be the personal responsibility of the employee. Use of the frequent flyer program for personal gain will result in all such charges being paid for by the employee.

Ground Transportation

Hotel Shuttle Service

Shuttle service is encouraged for travel to and from airports.

Taxi

Employees working beyond 8:00 p.m. may use taxi service instead of mass transportation. Also, travelers who do not have access to a personal automobile for required travel between offices during the workday may use a taxi service. All costs must be accounted for on the expense report. Original receipts must be attached.

Bus

Employees will be reimbursed for bus transportation incurred for business purposes. Original bus fare receipts must be attached and submitted on the expense report.

Charges for tolls and reasonable parking fees (including at airports) incurred while the traveler is on Borough business are reimbursable. Original receipts must be attached to the expense report.

Automobile Rental

Automobile rental is allowed only when other transportation (buses, taxis, etc.) is not available or when the cost of other transportation exceeds car rental expenses. Rental will be limited to mid-size cars. Travelers are encouraged to take the most cost-effective, reliable car available. Contracts for car rentals will be made only in the traveler's name and only the traveler who signs the rental agreement will drive the vehicle. All invoices and contracts should be reviewed in detail prior to signing. Attach the original car rental agreement as well as the payment receipt to the expense report.

Travelers are required to refill the gas tank before returning the vehicle to the original rental location. The Borough will not pay for nor reimburse the employee for "drop-off" charges.

Ferry

Stateroom rates will be in lieu of a hotel charge.

Emergencies

If there is an unforeseen change in your travel plans requiring additional funds contact your Department Head or the Finance Department, at the earliest time you become aware of the need. They will be responsible for seeing appropriate payment arrangements will be made.

Other Reimbursable Expenses

Telephone business calls made by travelers outside of the Borough facilities are reimbursable. The original phone bill or other original receipt (e.g., hotel bill) must be submitted with the expense report.

Business-related costs while traveling of such items as faxes, e-mails, postage and overnight delivery services will be reimbursed by the Borough. Receipts for all expenses must be attached to the expense report.

Non-Reimbursable Expenses

Personal expenses of a nature that would be incurred by a traveler regardless of his or her Borough-related responsibilities are not reimbursable.

Amounts incurred for reimbursable items in excess of amounts considered reasonable are not reimbursable.

When a business trip is extended for personal reasons, the cost of the personal portion of the trip is not reimbursable.

Expenditures prohibited by law or not deductible to the Borough in arriving at taxable income are not reimbursable.

The following specific expenditures are not reimbursable:

- Political or charitable contributions
- Dues and membership fees for any social clubs
- Alcohol
- Lost tickets
- Travel insurance
- In-room movies at hotels
- Cost of joining an airline club lounge
- Cost incurred for traffic violations

Approval of Expense Report

All expense reports must be approved by a supervisor with signing authority. Even though individual travelers may have signing authority, their personal expense reimbursements must be submitted to their supervisor for approval.

By signing the expense report, the approver is also attesting to the propriety of the charges, the reasonableness of the amount, and that all supporting documentation is attached to the report. Expense audit and compliance with Borough policy is the joint responsibility of the approver, Human Resources Department, and Finance Department.

Preparation & Submission of Expense Report

The expense report should be completely and legibly filled out and signed by the traveler. It is the responsibility of the employee's supervisor to expedite the approval process so that a reasonable reimbursement time frame may be met. Properly documented and approved expense reports will be reimbursed through accounts payable during the next scheduled check run after receiving the completed report.

Corrections & Changes

A correction and/or change to the expense report as a result of an Accounts Payable audit of the report will be documented with a correction notice. For errors in arithmetic, the original copy of the correction notice denoting errors will be sent to the traveler along with the reimbursement check. Accounts Payable will retain a file copy.

For disallowed items, the original copy of the correction notice will be sent to the approving supervisor along with the original expense report. The supervisor will comment on the disallowed items and then return the expense report to Accounts Payable. The supervisor will notify the traveler of any disallowed items. Accounts Payable will retain a file copy of the correction notice.

Acknowledgment

I have received my copy of the Petersburg Borough Employee Policy Manual. It is my responsibility to read and understand the policies and practices set forth in the Policy Manual. I also understand that, if my position is covered by a collective bargaining agreement, any inconsistent terms will be resolved in favor of the terms in the collective bargaining agreement.

I understand that no statement contained in this Policy Manual creates any guarantee of continued employment or creates any obligation, contractual or otherwise, on the part of the Borough. I will not rely on any promises, statements, or representations inconsistent with the Policy Manual unless they are in writing and signed by the current Borough Manager. I further understand that I am obligated to familiarize myself with Borough safety, health, and emergency procedures as outlined in this Policy Manual or in other documents.

I understand and acknowledge that the Borough has the right, without prior notice, to modify, amend, or terminate any policies or practices contained in this Policy Manual.

_____ _____

Employee Signature Date