



# MEMORANDUM

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**Resolution 24-076, A Resolution of the City Council of Homer, Alaska Amending City of Homer Personnel Regulations, Chapter 10, Discipline – Causes and Actions and Chapter 11, Communication, Grievance and Appeal Procedures to Delegate Authority for Personnel Appeals to the State of Alaska Office of Administrative Hearings. City Manager/HR Director.**

**Item Type:** Backup Memorandum  
**Prepared For:** Mayor Castner and Homer City Council  
**Date:** June 27, 2024  
**From:** Andrea Browning, HR Director  
**Through:** Melissa Jacobsen, Interim City Manager

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## **Overview**

The City Attorney has recommended and worked with me on a change to the current Personnel Regulations, Chapter 10, Discipline Causes and Actions and Chapter 11, Communication, Grievance and Appeal Procedure.

Pursuant to Homer City Code Section 2.28.010, the City Personnel Regulations shall be adopted by Council resolution and administered by the City Manager. There is a resolution on the consent agenda outlining the changes, for your consideration.

## **Background**

Our current Personnel Regulations leave some ambiguity about steps forward after a Pre-Deprivation Hearing, since the language is contradictory in two separate sections. Attorney Gatti has cleaned up that language, and additionally advises that the City is much better off delegating authority for personnel appeals to the State of Alaska Office of Administrative Hearings.

Currently Personnel Regulations stipulate that if we go to arbitration, we solely use the American Arbitration Association (AAA), unless both parties agree. It is very slow and very expensive. The Office of Administrative Hearings is more expedient, more economical, and affords both sides a resolution.

This is not in response to a current matter designated for arbitration. Any personnel appeals that are in-process prior to Council approval of the resolution before you, are still subject to grievance procedures set forth in current Personnel Regulations, and will utilize AAA for arbitration proceedings. This request stems from a grievance that started in 2023, which highlighted the contradictions in our current Personnel Regulations and need to update the language.

## **Recommendation:**

I respectfully request Council consideration to update Personnel Regulations to include recommended changes to Section 10 and Section 11, as outlined in the resolution.