

Introduced: 1/24/86
Referred: Labor & Commerce,
State Affairs and Finance

1 IN THE HOUSE

BY MARTIN

2

HOUSE BILL NO. 511

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to certified professional secre-
7 taries."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 39.25.150 is amended to read:

10 Sec. 39.25.150. SCOPE OF THE RULES. The personnel rules shall
11 provide for

12 (1) the preparation, maintenance, and revision by the
13 director of personnel, subject to approval of the commissioner of
14 administration and the personnel board, of a position classification
15 plan for all positions in the classified and partially exempt ser-
16 vices; the position classification plan shall include

17 (A) a grouping together of all positions into classes
18 on the basis of duties and responsibilities;

19 (B) an appropriate title, a description of the duties
20 and responsibilities, training and experience qualifications, and
21 other necessary specifications for each class of positions;

22 (2) the preparation, maintenance, revision, and adminis-
23 tration by the director of personnel of a pay plan for all positions
24 in the classified and partially exempt services; the pay plan (A)
25 shall be based upon the position classification plan; (B) shall pro-
26 vide for fair and reasonable compensation for services rendered, and
27 reflect the principle of like pay for like work; (C) may be amended,
28 approved, or disapproved by the legislature in regular or special
29 session; after the pay plan is in effect, a salary or wage payment may

1 not be made to a state employee covered by the plan unless the payment
2 is in accordance with this chapter and the rules adopted under this
3 chapter or unless the payment is in accordance with a valid agreement
4 entered into in accordance with AS 23.40;

5 (3) the use of employee selection methods, including open
6 competitive examinations, when appropriate, that will fairly test the
7 capacity and fitness of the person examined to discharge the duties of
8 the class in which employment is sought;

9 (4) the establishment and maintenance of eligible lists for
10 appointment and promotion providing the names of eligible candidates
11 in order of their relative performance in the examinations;

12 (5) the procedure for certifying eligible candidates; the
13 rule adopted under this paragraph may include procedures providing a
14 preference for certifying local residents when appropriate;

15 (6) promotions from within the state service when there are
16 qualified candidates in the state service; vacancies shall be filled
17 by promotion whenever practicable and in the best interest of the
18 state service and promotion shall be by competitive examination when-
19 ever possible; in considering promotions, the applicants' qualifica-
20 tions, performance records, seniority, and conduct shall be evaluated;

21 (7) a period of probation not to exceed one year before an
22 appointment to a position becomes permanent, except that a permanent
23 employee receiving a promotional appointment retains permanent status
24 in the service and job class from which appointed for the duration of
25 the probationary period and may be demoted to a former class without
26 right of appeal, notwithstanding AS 39.25.170, but if the employee is
27 dismissed from the service the appeal rights under AS 39.25.170 apply;

28 (8) nonpermanent and emergency appointments to positions in
29 the state service in accordance with AS 39.25.195 - 39.25.200;

- 1 (9) provisional appointment without competitive examination
2 when appropriate eligible lists are not available;
- 3 (10) transfers from one department to another and from
4 another merit system jurisdiction to the state service;
- 5 (11) transfers from one area of the state to another;
- 6 (12) the reinstatement of a person who resigns in good
7 standing;
- 8 (13) layoffs for reason of lack of money or work, abolition
9 of positions, or material changes in duties or organization; both
10 performance and seniority records shall be considered in the develop-
11 ment of layoff orders;
- 12 (14) the development, maintenance, and use of employee
13 performance records;
- 14 (15) the establishment of disciplinary measures which may
15 include disciplinary suspension without pay;
- 16 (16) the procedures for review of disputed personnel
17 actions, for resolving employee and interagency grievances, and for
18 resolving grievances of the general public concerning the operation of
19 the state personnel system;
- 20 (17) hours of work for all employees in the state service;
- 21 (18) methods and procedures covering overtime work and pay;
- 22 (19) the granting of employment preference rights to a
23 veteran not within the area of promotion, when the veteran possesses
24 the necessary qualifications in the job classification applied for
25 under this chapter; in an examination to determine the qualification
26 of applicants for entrance into the classified service under merit
27 system examination, five additional points shall be added to the
28 passing grade of a veteran and 10 [TEN] additional points shall be
29 added to the passing grade of a disabled veteran, but the additional

1 points may be used only the first time the veteran obtains a position
2 in the classified service; if a position in the classified service is
3 eliminated, employees shall be released in accordance with rules that
4 [WHICH] give due effect to all factors; if all job qualifications are
5 equal, the veteran shall be given preference over the nonveteran and
6 the veteran shall be kept on the job; this paragraph may not be inter-
7 preted to amend the terms of a collective bargaining agreement; in
8 this paragraph

9 (A) "veteran" means a person with 181 days or more
10 active service in the armed forces of the United States who has
11 been honorably discharged after having served during any period
12 between April 6, 1917, and December 1, 1919, between September
13 16, 1940, and December 31, 1947, or between June 27, 1950, and
14 November 7, 1975;

15 (B) "disabled veteran" means a veteran who is entitled
16 to compensation under laws administered by the United States
17 Veterans' Administration, or a person who was honorably dis-
18 charged or released from active duty because of a service-con-
19 nected disability;

20 (20) the employment of persons in permanent positions on a
21 part-time basis of 15 hours or more a week, including the employment
22 of two persons to fill one permanent full-time position; these employ-
23 ees shall be designated as permanent part-time employees;

24 (21) the granting of employment preference to severely
25 handicapped persons; this includes the right to provisional appoint-
26 ment without competitive examination for periods up to four months and
27 the granting of eligibility to a severely handicapped person provi-
28 sionally appointed under the rules who demonstrates ability to perform
29 the job for permanent appointment without competitive examination;

1 provisional employment under this paragraph may not exceed four months
2 during a 12-month period; "severely handicapped" as used in this
3 paragraph means persons certified by the director of the division of
4 vocational rehabilitation to be severely handicapped;

5 (22) the establishment of programs facilitating the employ-
6 ment of disadvantaged persons;

7 (23) the delegation, when feasible, of personnel responsi-
8 bilities and duties to the principal departments of the executive
9 branch;

10 (24) the establishment of a transition period of up to 12
11 months for an employee to be reappointed to a classified position if
12 the employee's position is withdrawn from the partially exempt or
13 exempt service and placed in the classified service;

14 (25) the granting of employment preference to candidates who
15 hold the rating of certified professional secretary in job classes and
16 positions requiring skills tested by the certified professional secre-
17 tary exam; and

18 (26) other rules and administrative regulations, not incon-
19 sistent with this chapter, that are necessary for its enforcement.

20 * Sec. 2. AS 39.27 is amended by adding a new section to read:

21 Sec. 39.27.016. CERTIFIED PROFESSIONAL SECRETARIES. (a) A
22 state employee who receives the rating of certified professional
23 secretary is entitled to a one-step increase over the normal pay. The
24 increase does not affect the employee's eligibility for other pay
25 increases.

26 (b) A person who holds the rating of certified professional
27 secretary shall be hired at an advanced step.

28 (c) This section applies to positions that require skills tested
29 by the certified professional secretary exam.