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2009

Introduced: 2/17/83
Referred: State Affairs and
Finance

1 IN THE HOUSE

BY BUSSELL

2

HOUSE BILL NO. 209

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act placing emergency guards employed by the
7 department of public safety in the ^{partially} exempt service."

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

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* Section 1. AS 39.25.¹²⁰~~110~~ is amended by adding a new paragraph to read:

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¹⁹
(22) emergency guards employed by the Department of Public

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Safety.



JUNEAU, ALASKA

Alaska State Legislature

BLUE RIBBON COMMISSION ON THE
STATE PERSONNEL ACT

Senator Bill Ray, Chairman

Pouch YG
Mail Stop 3123
Juneau, Alaska 99811
(907) 465-4442

MEMORANDUM

February 24, 1983

TO: Members of the House State Affairs Committee

FROM: Teresa B. Cramer *Teresa B. Cramer*
Administrative Assistant

SUBJECT: House Bill 207 - Placing Emergency Guards Employed by the
Department of Public Safety in the Exempt Service

The Blue Ribbon Commission is recommending that emergency guards employed by the Department of Public Safety be moved from the classified service to the exempt service. In 1979, the commission sponsored legislation to place greater restraints on the employment of both nonpermanent and emergency classified state workers. These restrictions have created some difficulties for the Department of Public Safety because of the large number of emergency guards they hire. In 1982 the department hired 495 emergency guards. There were only 112 other emergency appointments in the state.

An emergency employee is defined as "an employee appointed for a period not to exceed 30 calendar days, whose appointment was made under conditions requiring immediate action to carry on work that is required in the public interest." AS 39.25.200(3). Departments are required to report the reason for hiring an emergency employee within 15 working days of the appointment. Personnel practices require that departments prepare Personnel Action forms at the beginning and ending of an emergency appointment. Departments are not required to report as extensive for an appointment to an exempt position.

According to the Division of Personnel's "Report on Nonpermanent and Emergency Employment 1982", the Department of Public Safety made 495 emergency guard hires in 1982. These employees guard prisoners or seized property in rural areas where a one- or two-person post prevents a trooper from maintaining 24-hour per day watch. The period required for the emergency service is between arrest and either arraignment or transportation to a correctional facility or until other arrangements are made to maintain custody of the seized property. According to the Department of Public Safety, typical appointments last from two to four days.

In its report, the Division of Personnel states that the conditions for making emergency appointments place a significant paperwork burden on the Department of Public Safety, and on the Divisions of Personnel, Finance, and Retirement and Benefits in the Department of Administration. The division and the department recommend that emergency guards working for the Department of Public Safety be placed in the exempt service. The division points out that there are similarities between these positions and emergency firefighters in the department, who are already included in the exempt service by statute. AS 39.25.110(19).

The Blue Ribbon Commission agrees with the recommendation. Emergency guards are typically employed repeatedly in the locations which need them, but for short times each time. ~~The paperwork burden on the department would be substantially reduced with little effect on the employee because the appointments are of such short duration.~~ (The protections for emergency appointments are not much greater, if at all, than for exempt employees.) The continuing need for these appointments has been adequately documented.

The problem for the Department of Public Safety derives from the large number of emergency guards which they must hire. The following table shows the five job classes in which emergency appointments were most frequently made in 1982.

<u>JOB CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>NUMBER OF APPOINTMENTS</u>
Guards	Public Safety	495
Fish Culturist I	Fish and Game	30
Fish & Game Tech II	Fish and Game	17
Psychiatric Nurses Ass't I	Health & Social Services	12
Fish & Game Tech III	Fish and Game	9

Bill Analysis

Section 1 adds emergency guards employed by the Department of Public Safety to the section of the State Personnel Act which lists exempt positions.

STATE OF ALASKA
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: HB 209 Date on Bill: 2-17-83
 Title: "An Act placing emergency guards..."
 Sponsor: Bussel
 Requestor: _____

1. Estimated fiscal impacts on:

No fiscal impact is anticipated.

a. Expenditures:

(Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86
Capital				
Operating				
Total	-0-	-0-	-0-	-0-

b. Revenues:

Revenue				
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2. Source of funds to offset fiscal impact of bill:

3. Assumptions:

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor. It therefore does not represent the final estimate of fiscal impact.

Prepared By: Francis C. Allan *F.C.A.* Phone: 269-5691
 Division: Alaska State Troopers *mck* Date: 2-23-83

Approved by Commissioner: *[Signature]* Date: 2-1-83
 Department: Department of Public Safety

5. Distribution:

- Original to Legislative Finance
- Copy to OMB
- Copy to Sponsor
- Copy to Requestor

2/15/83

ination unless the questions are to be used in future examinations.
(§ 18 ch 144 SLA 1960; am § 5 ch 112 SLA 1982)

Effect of amendments. — The 1982 amendment, effective July 1, 1982, substituted the present provisions of this section for the provisions set out in the main pamphlet.

Editor's notes. — This section was redrafted by the revisor of statutes to remove personal pronouns in conformity with AS 01.05.031(c) and § 4, Chapter 58, SLA 1982.

Article 2. Coverage of Personnel.

Section

- 90. Coverage of chapter
- 110. Exempt service
- 120. Partially exempt service

Section

- 130. Extension of partially exempt and classified services

Sec. 39.25.090. Coverage of chapter. This chapter and the rules adopted under it apply to all positions in (1) the classified service, and (2) the exempt and partially exempt service as specifically provided.
(§ 3 ch 144 SLA 1960; am § 6 ch 112 SLA 1982)

Effect of amendments. — The 1982 amendment, effective July 1, 1982, inserted "exempt and" in item (2).

Sec. 39.25.110. Exempt service. Unless otherwise provided by law, the following positions in the state service constitute the exempt service and are exempt from the provisions of this chapter and the rules adopted under it:

- (1) persons elected to public office by popular vote or appointed to fill vacancies in elected offices;
- (2) justices, judges, magistrates, and employees of the judicial branch including employees of the Judicial Council;
- (3) employees of the state legislature and its agencies;
- (4) the head of each principal department in the executive branch;
- (5) officers and employees of the University of Alaska;
- (6) certificated teachers and noncertificated employees employed by a regional educational attendance area established and organized under AS 14.08.031 — 14.08.041 to teach in, administer, or operate schools under the control of a regional educational attendance area school board;
- (7) certificated teachers employed by the Department of Education as correspondence teachers or teachers in skill centers operated by the Department of Education;
- (8) patients and inmates employed in state institutions;
- (9) persons employed in a professional capacity to make a temporary or special inquiry, study or examination as authorized by the governor;
- (10) members of boards, commissions, or authorities;

(11) the officers and employees of the following boards, commissions, and authorities:

- (A) Alaska Gas Pipeline Financing Authority;
- (B) Alaska Permanent Fund Corporation;
- (C) Alaska Energy Center;
- (D) Alaska Industrial Development Authority;
- (E) Alaska Commercial Fisheries Entry Commission;
- (F) Alaska Commission on Postsecondary Education;

(12) the executive secretary and legal counsel of the Alaska Municipal Bond Bank Authority;

(13) licensed physicians, as defined in AS 47.30.340(9), employed by the state;

(14) petroleum engineers and petroleum geologists employed in a professional capacity by the Department of Natural Resources and by the Oil and Gas Conservation Commission, except for those employed in the division of geological and geophysical surveys in the Department of Natural Resources;

(15) officers, agents, and employees of the Alcoholic Beverage Control Board granted limited peace officer powers by the Alcoholic Beverage Control Board under AS 04.06.110;

(16) persons employed by the division of marine transportation as masters and members of the crews of vessels who operate the state ferry system and who are covered by a collective bargaining agreement provided in AS 23.40.040;

(17) officers and employees of the state who reside in foreign countries;

(18) employees of the Alaska Seafood Marketing Institute;

(19) firefighters employed by the Department of Natural Resources for a fire emergency;

(20) employees of the Office of the Governor and the office of the lieutenant governor, including the staff of the governor's mansion;

(21) [Repealed June 30, 1988] Employees of the Citizens' Advisory Commission on Federal Areas in Alaska (AS 41.37.010). (§ 5 ch 144 SLA 1960; am § 1 ch 48 SLA 1961; am § 1 ch 133 SLA 1961; am § 3 ch 93 SLA 1962; am § 3 ch 24 SLA 1966; am § 31 ch 46 SLA 1970; am § 65 ch 69 SLA 1970; am § 13 ch 113 SLA 1970; am § 3 ch 78 SLA 1971; am § 18 ch 78 SLA 1974; am § 42 ch 127 SLA 1974; am § 2 ch 32 SLA 1975; am § 2 ch 79 SLA 1975; am § 37 ch 124 SLA 1975; am § 1 ch 157 SLA 1976; am § 3 ch 90 SLA 1978; am § 7 ch 18 SLA 1980; am § 43 ch 106 SLA 1980; am § 10 ch 131 SLA 1980; am § 4 ch 148 SLA 1980; am § 4 ch 103 SLA 1981; am §§ 2, 3 ch 57 SLA 1982; am § 7 ch 112 SLA 1982)

Effect of amendments. — The 1981 amendment added a paragraph (26), relating to employees of the Alaska Seafood Marketing Institute. These provi-

sions are now contained in paragraph (18) of this section as amended by ch. 112, SLA 1982.

Section 2 of the first 1982 amendatory

Sec. 39.25.195. Appointment of nonpermanent employees.

Cross references. — For local hiring exception, see AS 39.25.196

Sec. 39.25.196. Local hiring exception. (a) Notwithstanding the provisions of AS 39.25.195, a hiring department or agency may grant a preference to local residents in the appointment of nonpermanent employees or in the appointment of permanent employees to perform seasonal work assignments of 180 calendar days or less in a 12-month period. If there are no local residents on the applicable eligible list for a nonpermanent or a permanent seasonal position or if the local residents on the applicable eligible list are unavailable, the hiring department or agency may obtain referrals of qualified job applicants for these positions from the job service office of the Department of Labor serving the area and from those applicants select a qualified person who is a local resident for the position.

(b) Appointment of a nonpermanent employee in accordance with (a) of this section does not require the prior written approval of the director under AS 39.25.195. (§ 3 ch 89 SLA 1982; AS 39.25.181)

Effective dates. — Section 4, ch. 89, SLA 1982, makes this section effective June 5, 1982, in accordance with AS 01.10.070(c).

Editor's notes. — This section was enacted as AS 39.25.181 but was renumbered by the revisor of statutes pursuant to AS 01.05.031(b).

Sec. 39.25.200. Definitions. In AS 39.25.195 — 39.25.200

(1) "certified" means signed by the head of a department or agency or by a responsible person designated by him;

(2) "director" means the director of the division of personnel;

(3) "emergency employee" means an employee appointed for a period not to exceed 30 calendar days, whose appointment was made under conditions requiring immediate action to carry on work that is required in the public interest;

(4) "nonpermanent employee" means a person who is employed in state service in a position which is not in the exempt or partially exempt service and who is not a permanent or an emergency employee;

(5) "permanent employee" means an employee who has been appointed to an authorized, permanent full-time or part-time or permanent seasonal position in the classified service and who is in the process of completing or has successfully completed the required probationary service in that position;

(6) "program or project employee" means a nonpermanent employee, including a student intern, who is employed in state service with prior written understanding that employment in that position will continue for most the duration of a specified program or project which is not a regular and continuing function of a department or agency and which

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Effect amendm

Section 11. Sal

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has an established probable date of termination. (§ 4 ch 67 SLA 1979; am § 79 ch 59 SLA 1982)

Effect of amendments. — The 1982 amendment, effective May 28, 1982, deleted "and labor relations" following "division of personnel" in paragraph (2).

Chapter 27. Pay Plan for State Employees.

Section

11. Salary schedule

Sec. 39.27.011. Salary schedule. (a) The following monthly basic salary schedule is approved as the pay plan for classified and partially exempt employees in the executive branch of the state government who are not members of a collective bargaining unit established under the authority of the Public Employment Relations Act:

Range No.	Step A	Step B	Step C	Step D	Step E	Step F
05	1,253	1,292	1,330	1,367	1,408	1,445
06	1,330	1,367	1,408	1,445	1,487	1,530
07	1,408	1,445	1,487	1,530	1,578	1,627
08	1,487	1,530	1,578	1,627	1,673	1,726
09	1,578	1,627	1,673	1,726	1,782	1,832
10	1,673	1,726	1,782	1,832	1,889	1,946
11	1,782	1,832	1,889	1,946	2,010	2,073
12	1,889	1,946	2,010	2,073	2,145	2,218
13	2,010	2,073	2,145	2,218	2,295	2,379
14	2,145	2,218	2,295	2,379	2,463	2,556
15	2,295	2,379	2,463	2,556	2,639	2,739
16	2,463	2,556	2,639	2,739	2,838	2,941
17	2,639	2,739	2,838	2,941	3,041	3,146
18	2,838	2,941	3,041	3,146	3,249	3,371
19	3,041	3,146	3,249	3,371	3,475	3,605
20	3,249	3,371	3,475	3,605	3,714	3,851
21	3,475	3,605	3,714	3,851	3,971	4,115
22	3,714	3,851	3,971	4,115	4,251	4,408
23	3,971	4,115	4,251	4,408	4,554	4,725
24	4,251	4,408	4,554	4,725	4,885	5,050
25	4,554	4,725	4,885	5,050	5,236	5,433
26	4,725	4,885	5,050	5,236	5,433	5,629
27	4,885	5,050	5,236	5,433	5,629	5,843
28	5,050	5,236	5,433	5,629	5,843	6,047
29	5,236	5,433	5,629	5,843	6,047	6,259
30	5,433	5,629	5,843	6,047	6,259	6,480

(b) Repealed by § 38 ch 3 SLA 1980.

(c) If a state officer or employee is appointed a deputy department head or a division director and, at the time of appointment, the officer

AN ACT

Authorizing preference for hiring local residents for positions in the state service; and providing for an effective date.

Section 1. AS 39.25.150(6) is amended to read:

(6) the procedure for certifying eligibles, including the granting of employment preference to local residents in accordance with AS 39.25.181 or under appropriate circumstances;

Sec. 2. AS 39.25.150(9) is amended to read:

(9) nonpermanent appointments to positions in the state service in accordance with AS 39.25.195 - 39.25.200, including the granting of employment preference to local residents in accordance with AS 39.25.181;

Sec. 3. AS 39.25 is amended by adding a new section to read:

Sec. 39.25.181. LOCAL HIRING EXCEPTION. (a) Notwithstanding the provisions of AS 39.25.195, a hiring department or agency may grant a preference to local residents in the appointment of nonpermanent employees or in the appointment of permanent employees to perform seasonal assignments of 180 calendar days or less in a 12-month period. If there are no local residents on the applicable eligible list for a nonpermanent or a permanent seasonal position or if the local residents on the applicable eligible list are unavailable, the hiring department or agency may obtain referrals of qualified job applicants for these positions from the job service office of the Department of Labor serving

Chapter 89

1 the area and from those applicants select a qualified person who is a
2 local resident for the position.

3 (b) Appointment of a nonpermanent employee in accordance with (a)
4 of this section does not require the prior written approval of the
5 director under AS 39.25.195.

6 * Sec. 4. This Act takes effect immediately in accordance with AS 01.16
7 070(c).

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SCS CSMB 839

Relating to

BE IT ENACTED

Received
1/20/83
1/20/83
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A Report on Nonpermanent
and Emergency Employment 1982

Prepared by the
Division of Personnel

January, 1983

NONPERMANENT EMPLOYMENT

FOURTH ANNUAL REPORT

January 1, 1983

PURPOSE:

The purpose of this report is to be in compliance with AS 39.25.195 (Ch. 67, SLA 1979). That statute in pertinent part requires:

The director shall present a report on nonpermanent and emergency hire practices in state government to the legislature within the first 10 days of each regular legislative session. . . . The report shall include information on the number of nonpermanent employees authorized under this section and the number of emergency employees hired in each department, a description of the procedures used in authorizing the hiring of nonpermanent employees, and any recommendations for legislation required to implement the intent of this section. (AS 39.25.295 (h))

The statute became effective January 1, 1980. This report covers the third full calendar year of activity. The format has been expanded to report on the effect of local preference in nonpermanent appointments which became effective June 5, 1982 (Ch. 89, SLA 1982).

The Number of Nonpermanent Employees Authorized:

AS 39.25.195-200 provides for four types of nonpermanent appointments: program, project, substitute, and (for lack of a specific statutory label) normal. During calendar year 1982, departments had submitted formal requests to establish 126 program, 197 project, and 101 normal nonpermanent positions. One hundred eighty-seven nonpermanent positions authorized in prior years continued into 1982. The departments also indicated their intent to fill 203 permanent positions with nonpermanent substitutes. Table 1 compares 1980, 1981 and 1982 figures.

Table 1

Nonpermanent Positions Requested

	<u>1980</u>	<u>1981</u>	<u>1982</u>
Program	254	149	126
Project	237	198	197
Normal	225	71	101
Subtotal	<u>716</u>	<u>418</u>	<u>424</u>
Permanent Positions to be filled with substitutes	179	229	203

The Legislative Findings and Intent connected with AS 39.25.195-200 included the intent to unmask poor planning. The schedule established by the Division of Personnel for identifying the need for a nonpermanent position places two and one-half months advance notice as the criterion to call a position planned. Of the 24 program, project and normal nonpermanent positions identified by departments, one meets the two and one-half month criterion for planning and 423 do not. Table 2 compares these figures to 1980 and 1981.

Table 2

Nonpermanent Positions - Planned Versus Unplanned

	<u>1980</u>	<u>1981</u>	<u>1982</u>
Planned	58	4	1
Unplanned	<u>658</u>	<u>414</u>	<u>423</u>
Total	716	418	424

As of December 15, 1982, there were 165 program, project and normal nonpermanent employees on the State payroll. Table 3 provides a comparison with the previous three years. Summary data by department of program, project and normal nonpermanent employees is presented in Addendum A.

Table 3

Nonpermanent Employees as of December 15

<u>1979*</u>	<u>1980</u>	<u>1981</u>	<u>1982</u>
425..	99	130	165

*Temporary employees in agencies subject to AS 39.25.195-200

Since June 5, 1982, (the effective date of Ch. 89, SLA 1982) 59 program, project and normal nonpermanent appointments were made based on eligible lists issued by the Division. Ten of the 59 appointments were of qualified applicants referred by Job Service. The locations of the positions and the local referrals are shown in Table 4.

Table 4

Location of Nonpermanent Positions Filled by
Local Preference Job Service Referral,
June 5 to December 31, 1982

Juneau	8
Anchorage	1
Ketchikan	1
	<u>10</u>

The Number of Emergency Employees Hired:

AS 39.25.195-200 incorporated provisions of the Personnel Rules regarding emergency employees. While little change was required to implement this portion of the law for most agencies, the most frequent use of emergency appointments - guarding prisoners and protecting seized property - has been significantly impacted. The Department of Public Safety hires emergency employees to guard prisoners or seized property in rural areas where a one or two person post prevents a Trooper from maintaining 24-hour per day watch. The period required for emergency service is between arrest and either arraignment or transportation to a correctional facility or until other arrangements are made to maintain custody of the seized property. It is not possible to predict the situations requiring those services with sufficient detail to make regular nonpermanent appointments. For each appointment all of the paperwork to hire an emergency Guard, document the emergency, and separate the employee must be completed. The Department of Public Safety made 495 such emergency appointments in 1982.

Departments made 114 emergency appointments, other than emergency Guards, during 1982. Table 5 shows that number of emergency appointments by Division and Department ranked according to the number of such appointments. Addendum B provides details on these appointments.

Table 5
Emergency Appointments ^① 1982

<u>Department</u>	<u>Division</u>		
Fish & Game	F.R.E.D.	38	
	Commercial Fisheries	19	
	Game	13	
	Subsistence	4	
	Sport Fish	<u>2</u>	74
Health & Social Services	Mental Health	14	
	Corrections	6	
	Public Health	<u>2</u>	22
Law	Criminal	5	
	Civil	<u>1</u>	6
Education	Adult & Continuing Education	<u>3</u>	3
Transportation & Public Facilities	Interior Region, Maintenance & Operations	<u>3</u>	3
Public Safety	State Troopers	<u>3</u>	3
Military Affairs	Military Affairs	<u>2</u>	2
Natural Resources	Admin. & Management	<u>1</u>	1
			<u>114</u>

¹Other than guarding of prisoners.

A Description of Procedures Used in Authorizing the Hiring of Nonpermanent Employees:

The initial procedures to implement the nonpermanent law were attached to the first annual report. Amendments were made in 1980 and the updated procedures were attached to the second annual report. No changes in procedures were made during 1981. Ch. 89, SLA 1982, "An Act authorizing preference for hiring local residents for positions in the state service; and providing for an effective date," became effective June 5, 1982. Personnel Rule amendments incorporating local preference became effective on June 30. On August 25, the changes in the law and Rules were incorporated in the procedures for hiring nonpermanent employees. The procedures are 32 pages in length. Ten copies have been supplied to Legislative Affairs with this report. Additional copies are available by contacting the Division office at:

Division of Personnel
Pouch C-0201
Juneau, AK 99811-0201

or calling (907) 465-4430.

Recommendation for Legislation Required to Implement the Intent of this Section:

Prior to the effective date of the nonpermanent law the Personnel Rules provide flexibility in the emergency hiring of guards for prisoners. The definition of "emergency employee" in AS 39.25.200(3) is less flexible and presents a significant paperwork burden on the Department of Public Safety, and consequently the Divisions of Personnel, Finance, and Retirement and Benefits. As indicated under "The Number of Emergency Employees Hired," the Department of Public Safety made 495 emergency guard hires in 1982. However, only 136 different employees were hired. Several potential solutions to the situation have been discussed with the management of the Department. We and they have concluded that the best long-range solution is to place these positions in the exempt service. There are many similarities between these positions and emergency firefighters of the Department of Natural Resources, which are already placed in the exempt service (AS 39.25.110(19)). We therefore recommend the adoption of an additional subsection as follows: "AS 39.25.110(22) emergency guards employed by the Department of Public Safety."

ADDENDUM A

Program, Project, and Normal Employees by Department

December 15

<u>Department</u>	<u>Program</u>			<u>Project</u>			<u>Normal</u>			<u>Department Total</u>		
	1980	1981	1982	1980	1981	1982	1980	1981	1982	1980	1981	1982
Administration	1	2	4	1	14	6	1	0	1	3	16	11
Law	6	3	4	0	1	2	0	0	0	6	4	6
Revenue	0	4	13	22	8	25	0	0	0	22	12	38
Education	5	13	20	1	1	2	0	0	0	6	14	22
Health & Social Services	0	0	1	0	7	19	0	0	0	0	7	20
Labor	15	3	0	1	1	1	0	0	0	16	4	1
Commerce & Economic Development	0	0	0	0	6	0	0	0	0	0	6	0
Military Affairs	0	0	0	0	0	0	0	0	0	0	0	0
Natural Resources	15	38	49	1	15	4	4	1	1	34	54	54
Fish and Game	1	1	4	0	10	2	5	1	0	6	12	6
Public Safety	0	0	0	0	0	3	1	0	3	1	0	6
Environmental Conservation	0	0	0	0	0	0	0	0	0	0	0	0
Community & Regional Affairs	5	0	0	0	1	1	0	0	0	5	1	1
Transportation & Public Facilities	0	0	0	0	0	0	0	0	0	0	0	0
TOTALS	48	64	95	40	64	65	11	2	5	99	130	165

ADDENDUM B
Emergency Employees By Department and Division, 1982

Fish and Game
F.R.E.D.

<u>NAME</u>	<u>Job Class</u>	<u>Appt. Date</u>	<u>Sep. Date</u>	<u>Reason</u>
Cole, Dale A.	Fish Culturist I	05/10/82	05/12/82	No Interest People Off Register
Rhodes, James M.	Fish Culturist I	05/17/82	05/31/82	No Interested People Off Register
McMichael, Deborah K.	Fish Culturist I	04/08/82	04/30/82	Replace Permanent Employee
Hayward, Thomas B.	Fish Culturist I	06/07/82	06/30/82	Replace EM Hire
Ness, Edward R., Jr.	Fish Culturist I	05/25/82	06/23/82	Replace Permanent Employee
Monrich, Clark S.	Fish Culturist I	05/26/82	06/18/82	Replace Permanent Employee
Peratrovich, Corrine	Fish Culturist I	05/27/82	06/07/82	Replace Permanent Employees
Heacock, Marta L.	Fish Culturist I	05/17/82	06/07/82	Replace Permanent Employees
Hamilton, Lori E.	Fish Culturist I	05/17/82	06/15/82	Replace Permanent Employee
Brannen, Jennifer	Fish Culturist I	05/19/82	06/15/82	Replace Permanent Employee
Morrison, Ann E.	Fish Culturist I	05/17/82	06/01/82	Replace Permanent Employee
Lalik, Heather E.	Fish Culturist I	05/17/82	06/15/82	Replace Permanent Employee
Birnbaum, Molly K.	Fish Culturist I	05/19/82	06/15/82	Replace Permanent Employee
Link, Gerald	Fish Culturist I	06/07/82	07/02/82	Replace Permanent Employee
Tremblay, Ryan R.	Fish Culturist I	09/08/82	09/17/82	Take care of work backlog
Collins, Donna	Fish Culturist I	06/21/82	06/21/82	Replace Permanent Employee
Murphy, Marjorie K.	Fish Culturist I	05/03/82	05/26/82	Help with work overload
Thompson, Carol L.	Fish Culturist I	08/02/82	08/13/82	Take care of backlog
Rosenbalm, Glenda M.	Fish Culturist I	08/02/82	08/31/82	Take care of backlog
Kunkler, Carol L.	Fish & Game Technician II	08/02/82	08/24/82	Take care of work backlog
Sullivan, Sharon A.	Fish & Game Technician II	08/10/82	08/24/82	Replaced Permanent Employee
Jacobs, Laura L.	Fish & Game Technician II	07/30/82	08/24/82	Replaced Permanent Employee
Jacobs, Laura L.	Fish Culturist I	08/31/82	09/23/82	Replace Permanent Employee
Sugita, Brent T.	Fish & Game Technician II	07/01/82	07/01/82	Replaces Permanent Employee
Souze, Victoria	Fish Culturist I	07/15/82	07/29/82	Take care of work backlog
Patton, Ellie	Fish Culturist I	07/15/82	07/29/82	Take care of work backlog
Kaneshiro, Stuart K.	Fish Culturist I	07/15/82	08/13/82	More work than expect
Elston, David L.	Fish Culturist I	07/15/82	07/29/82	Take care of work backlog
Henry, Charles B.	Fish Culturist I	09/01/82	09/30/82	Replace Permanent Employee
Goodwin, John, Sr.	Fish Culturist I	09/01/82	09/30/82	Replace Permanent Employee
Goodwin, Pearl	Fish Culturist I	09/07/82	09/30/82	Replace Permanent Employee
Foster, Amos, Sr.	Fish Culturist I	09/01/82	09/03/82	Take care of work backlog
Nelson, Gary S.	Trades Helper VII	05/19/82	05/25/82	Repair Water Line
Stalcup, Richard B.	Maintenance Worker I	05/19/82	05/26/82	Replace Permanent Employee, Repair Waterline
Bowling, Robert D.	Trades Helper VII	02/16/82	03/12/82	Repair Water System
McCracken, Kenneth	Trades Helper VII	02/16/82	03/01/82	Repair Water System
Burnett, Robert C.	Fish Culturist I	06/15/82	07/14/82	Take care of work backlog
Mann, Paul A.	Fish & Game Technician II	06/15/82	06/30/82	Replace Permanent Employee

Fish and Game
Commercial Fisheries

<u>NAME</u>	<u>Job Class</u>	<u>Appt. Date</u>	<u>Sep. Date</u>	<u>Reason</u>
Echols, Catherine	Fish & Game Technician II	06/24/82	07/17/82	Replace Permanent Employee
McNatt, JoAnn	Clerk Typist III	11/30/82	12/28/82	Replace Permanent Employee
Harman, Kathy	Fish & Game Technician II	06/28/82	07/28/82	Replaces Permanent Employee
Mangiardi, Joseph L.	Fishery Biologist I	06/06/82	07/16/82	Replace Permanent Employee
Smoker, Frances	Fish & Game Technician II	07/06/82	07/16/82	Replace Permanent Employee
Harrison, Robert	Fish & Game Technician III	05/18/82	06/08/82	Replace Permanent Employee
Peters, William F.	Fish & Game Technician III	07/16/82	08/13/82	Replaced Permanent Employee
Boyle, Donald	Fish & Game Technician II	11/10/82	11/23/82	Replace Permanent Employee
Fillingham, Phillip H., Jr.	Fish & Game Technician III	07/16/82	07/23/82	Replaced Permanent Employee
Tranfro, Peter	Fishery Biologist I	07/02/82	07/20/82	Replace Permanent Employee
Burt, Emily	Fish & Game Technician II	07/04/82	07/20/82	Replace Permanent Employee
Eubanks, Elizabeth	Fish & Game Technician III	07/16/82	08/02/82	Replaced Permanent Employee
Palmer, Stephen F.	Fish & Game Technician III	07/22/82	08/17/82	Take care of work backlog
Alexari, Danny T., Sr.	Fish & Game Technician I	05/17/82	06/23/82	Obtain harvest data
Puckett, Donnie R.	Fish & Game Technician I	05/17/82	06/11/82	Obtain harvest data
Kumaek, Susan K.	Fish & Game Technician II	06/23/82	07/01/82	Replace Permanent Employee
Constantine, Michael	Fish & Game Technician I	05/17/82	05/21/82	Obtain harvest information
Lanco, Todd E.	Fish Culturist I	06/02/82	07/01/82	No Interested People Off Register
Ashworth, Karen	Data Entry Clerk I	07/16/82	07/29/82	Work backlog

Fish and Game
Game

<u>NAME</u>	<u>Job Class</u>	<u>Appt. Date</u>	<u>Sep. Date</u>	<u>Reason</u>
Bilb, Almo	Clerk Typist III	08/05/82	09/03/82	Replaced Permanent Employee
Ferguson, Norris	Secretary I	02/19/82	03/08/82	Replace Permanent Employee
Yaska, Vincent	Fish & Game Technician II	03/01/82	03/11/82	Replace Permanent Employee
Hogarth, Keith	Fish & Game Technician II	08/10/82	09/09/82	To assist with bison depredation control
Honua, James S.	Fish & Game Technician III	09/01/82	09/27/82	Take care of work backlog
Yasha, Vincent	Fish & Game Technician II	09/01/82	09/26/82	Take care of work backlog
Gillaspie, Sherree L.	Fish & Game Technician II	08/26/82	09/24/82	Take care of work backlog
Huntington, Gilbert	Fish & Game Technician II	09/03/82	09/26/82	Take care of work backlog
Holbrook, Janet L.	Fish & Game Technician III	09/11/82	09/26/82	Take care of work backlog
Henry, Arthur, Jr.	Fish & Game Technician III	09/15/82	09/20/82	Take care of work backlog
Rogers, Phyllis M.	Clerk Typist III	02/01/82	03/02/82	Replace Permanent Employee

Fish and Game
Subsistence

<u>NAME</u>	<u>Job Class</u>	<u>Appt. Date</u>	<u>Sep. Date</u>	<u>Reason</u>
Peel, Janet C.	Clerk Typist III	01/04/82	01/10/82	Replace Permanent Employee
Sumida, Valerie A.	Secretary I	01/25/82	02/23/82	Fill Permanent Position
Thomas, Daniel	Fish & Game Resource Spec. II	01/11/82	02/05/82	Complete Report
Dindinger, Carole	Administrative Assistant II	11/16/82	12/15/82	Help with budget preparation

Fish and Game
Sport Fish

<u>NAME</u>	<u>Job Class</u>	<u>Appt. Date</u>	<u>Sep. Date</u>	<u>Reason</u>
Jensen, Kathleen A.	Fish & Game Technician III	08/10/82	09/02/82	Take care of work backlog
Virgin, David H.	Fish & Game Technician II	06/19/82	07/04/82	Replace Permanent Employee

Health & Social Services
Mental Health

<u>NAME</u>	<u>Job Class</u>	<u>Appt. Date</u>	<u>Sep. Date</u>	<u>Reason</u>
Anderson, David	Food Services Worker I	03/11/82	04/09/82	Provide meals to patients
Wilson, Jubal	Psychiatric Nurse Asst. I	07/12/82	07/18/82	Replaces Permanent Employee
Maxwell, Audra	Psychiatric Nurse Asst. I	07/07/82	07/12/82	Increased patient load
Schmitt, Kelcy V.	Psychiatric Nurse Asst. I	07/07/82	07/12/82	Increased patient load
Nelson, Mark W.	Psychiatric Nurse Asst. I	07/07/82	07/12/82	Increased Patient Load
Schoenberg, Marc C.	Psychiatric Nurse Asst. I	07/07/82	07/12/82	Increased Patient Load
Anshutz, Robert G.	Psychiatric Nurse Asst. I	07/07/82	07/12/82	Increased Patient Load
Harley, Keith R.	Psychiatric Nurse Asst. I	07/07/82	07/12/82	Increased Patient Load
Conn, John A., II	Psychiatric Nurse Asst. I	07/07/82	07/12/82	Increased Patient Load
Eastlake, Steven R.	Psychiatric Nurse Asst. I	07/07/82	07/12/82	Increased Patient Load
King, James G.	Psychiatric Nurse Asst. I	07/07/82	07/12/82	Increased Patient Load
Olsen, Jeffrey W.	Psychiatric Nurse Asst. I	07/07/82	07/12/82	Increased Patient Load
Taylor, Diane	Clerk II	11/03/82	12/02/82	Replace Permanent Employee
French, Judith L.	Psychiatric Nurse Asst. I	07/21/82	08/03/82	Replaced Permanent Employee

Health & Social Services
Corrections

<u>NAME</u>	<u>Job Class</u>	<u>Appt. Date</u>	<u>Sep. Date</u>	<u>Reason</u>
McCollister, Gary L.	Correctional Officer I	08/16/82	10/04/82	Take care of work backlog
Hanson, Gregory	Correctional Officer I	08/18/82	09/29/82	Take care of work backlog
Storms, Donald	Correctional Officer I	12/03/82		Maintain adequate security
Lyon, Tabitha	Correctional Officer I	06/07/82	06/30/82	Replace Permanent Employee
Lyon, Tamitha A.	Correctional Officer I	02/15/82	03/15/82	Replace Permanent Employee
Condi-Voltz, Julie A.	Correctional Officer I	06/08/82	07/08/82	Facility Short Staffed

Health & Social Services
Public Health

<u>NAME</u>	<u>Job Class</u>	<u>Appt. Date</u>	<u>Sep. Date</u>	<u>Reason</u>
Morrison, Linda D.	Clerk Typist II	02/16/82	02/25/82	Provide Clerical Support to P.H.N.
McLane, Margaret D.	Clerk Typist II	04/13/82	04/30/82	Replace Permanent Employee

Law
Criminal

<u>NAME</u>	<u>Job Class</u>	<u>Appt. Date</u>	<u>Sep. Date</u>	<u>Reason</u>
Mayer, Laurio A.	Legal Secretary I	03/04/82 <i>20 days</i>	03/24/82	Replace Permanent Employee
Unerti, Roberta A.	Clerk Typist III	06/07/82 <i>30 days</i>	07/07/82	Replace Permanent Employee
Dentler, Georgeanne	Clerk Typist III	08/09/82 <i>30 days</i>	09/10/82	Replaced Permanent Employee
Hoadley, Marion G.	Legal Secretary II	09/21/82 <i>- -</i>	09/21/82	Replace Permanent Employee
Smithson, Kim M.	Clerk Typist III	03/11/82 <i>5 days</i>	03/16/82	Replace Permanent Employee on Annual Leave

Law
Civil

<u>NAME</u>	<u>Job Class</u>	<u>Appt. Date</u>	<u>Sep. Date</u>	<u>Reason</u>
Skurla, Karen L.	Clerk Typist III	05/28/82 <i>(u/k)</i>	06/04/82	Replace Permanent Employee

Education
Adult & Cont. Education

<u>NAME</u>	<u>Job Class</u>	<u>Appt. Date</u>	<u>Sep. Date</u>	<u>Reason</u>
Tippit, Michael	Laborer VIII	08/11/82	08/12/82	To help clean up fire damage
Svabik, Mark	Laborer VIII	08/11/82	08/12/82	To help clean up fire damage
Ronne, Mark S.	Laborer VIII	08/11/82	08/12/82	To help clean up fire damage

(2 days)

Transportation & Public Facilities
Interior Region H & O

<u>NAME</u>	<u>Job Class</u>	<u>Appt. Date</u>	<u>Sep. Date</u>	<u>Reason</u>
Dodge, Larry T.	Security Guard I	02/11/82	03/18/82	Replace Permanent Employee
Dodge, Larry	Security Guard I	01/09/82	01/23/82	Replace Permanent Employee
Kaiser, Wendell	Building Management Spec. II	09/01/82	09/16/82	Replace Permanent Employee

Military Affairs
Military Affairs

<u>NAME</u>	<u>Job Class</u>	<u>Appt. Date</u>	<u>Sep. Date</u>	<u>Reason</u>
Brown, Randall	Laborer VIII	01/20/82	01/20/82	Prevent Float from Sinking
Price, Frank	Laborer VIII	01/20/82	01/20/82	Prevent Float from Sinking

(1 day)

Public Safety
State Troopers

<u>NAME</u>	<u>Job Class</u>	<u>Appt. Date</u>	<u>Sep. Date</u>	<u>Reason</u>
Stirn, Andrea	Data Entry Clerk I	05/17/82	06/11/82	Take care of work backlog
O'Bloness, Barbara	Data Entry Clerk I	05/17/82	06/11/82	Take care of work backlog
Allen, Hazel	Data Entry Clerk I	05/17/82	06/11/82	Take care of work backlog

Natural Resources
Admin. & Management

<u>NAME</u>	<u>Job Class</u>	<u>Appt. Date</u>	<u>Sep. Date</u>	<u>Reason</u>
Foster, Robin	Administrative Officer III	03/30/82	05/01/82	Assume duties of Citizens Advisory Commission

1 Month

TO: All Personnel Officers

DATE: January 31, 1980

FILE NO:

TELEPHONE NO:

FROM: Bruce Cummings
Director
Division of Personnel
Department of AdministrationSUBJECT: Nonpermanent Appointment
Procedures: Appendix J

With this memorandum I am sending the procedures to follow in establishing and filling nonpermanent positions through the Department of Labor, WIN (work incentive) program. These procedures are explained in "Appendix J".

Please distribute "Appendix J" and the new "Appendix Contents" to those employees in your departments who earlier received copies of "Nonpermanent Appointment Procedures."

BC/n1
Attachments
M9/R

WORK INCENTIVE (WIN) PROGRAM PUBLIC SERVICE
EMPLOYMENT POSITIONS BY CONTRACT WITH
DEPARTMENT OF LABOR

The following actions are necessary for the establishment and filling of nonpermanent positions established as a condition of a contract with the Department of Labor, Employment Security Division, WIN Program.

ESTABLISHMENT OF POSITIONS

The employing department shall establish the position(s) in accordance with steps A through C of "Nonpermanent Appointment Procedures." The position shall be identified as a program position funded under WIN contract with the Department of Labor. The ending date of the position shall be consistent with the contract and may be changed as the contract is amended or renewed.

FILLING OF THE POSITION

- A. WIN funded PSE positions will be developed for program registrants by an authorized representative of the local WIN office. The WIN representative will contact an appropriate department when they have a WIN eligible registrant who meets the State's minimum qualifications for the intended job class. The referral need not be on the corresponding state register to be held in consideration for the position. If the department has good and sufficient reason to participate in the WIN PSE program, the WIN office will refer the eligible registrant(s) for an interview. The employing department will make the final decision on all hiring.
- B. Determination for eligibility for WIN PSE positions rests with the local WIN office and not the employing department; only WIN registrants meeting the appropriate PSE criteria and the State minimum qualifications for the job class will be referred to the hiring department. The WIN office will send the following form with the registrant being considered for employment:

Completed State of Alaska Employment Application (02-250)
- C. Should employing department decide to appoint the WIN registrant(s), it shall notify the local WIN office.
- D. Upon appointment, personnel action shall be completed by the employing department and attached to the employee's State Application.
- E. The employing department shall then proceed with the Steps E and F of "Nonpermanent Appointment Procedures."

WORK INCENTIVE (WIN) PROGRAM PUBLIC SERVICE

EMPLOYMENT POSITIONS BY CONTRACT WITH

DEPARTMENT OF LABOR

The following actions are necessary for the establishment and filling of nonpermanent positions established as a condition of a contract with the Department of Labor, Employment Security Division, WIN Program.

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FILLING OF THE POSITION

- A. WIN funded PSE positions will be developed for program registrants by an authorized representative of the local WIN office. The WIN representative will contact an appropriate department when they have a WIN eligible registrant who meets the State's minimum qualifications for the intended job class. The referral need not be on the corresponding state register to be held in consideration for the position. If the department has good and sufficient reason to participate in the WIN PSE program, the WIN office will refer the eligible registrant(s) for an interview. The employing department will make the final decision on all hiring.
- B. Determination for eligibility for WIN PSE positions rests with the local WIN office and not the employing department: WIN registrants meeting the appropriate PSE criteria at the State minimum qualifications for the job class will be referred to the hiring department. The WIN office will send the following form with the registrant being considered for employment:

Completed State of Alaska Employment Application (02-250)
- C. Should employing department decide to appoint the WIN registrant(s), it shall notify the local WIN office.
- D. Upon appointment, personnel action shall be completed by the employing department and attached to the employee's State Application.
- E. The employing department shall then proceed with the Steps E and F of "Nonpermanent Appointment Procedures."

5 03.9 Preference in State Employment for Alaskans

Preference shall be provided for Alaskans wherein Alaskans shall be certified in rank order ahead of any non-Alaskans on the eligible list.

5 04.0 Position Must Be Classified Before Being Filled

No appointment can be made except to a position that has been classified, or a nonpermanent position that has been approved, and where minimum qualifications have been established and a salary range assigned.

5 04.1 No commitment of appointment or salary rate may be made to a prospective employee until a position has been established, or a nonpermanent position has been approved, and the classification action has been completed, and the proper procedures for filling the vacancy have been followed.

5 05.0 Permanent Appointments

All vacancies in positions in the classified service having an expected duration in excess of the probationary period established for the positions shall be filled by appointment from certification from eligible lists except as otherwise provided in these Rules.

5 06.0 Nonpermanent Appointments

Except when otherwise stated, this Rule shall apply to regular nonpermanent appointments and to nonpermanent program or project appointments.

Requests for authorization to hire a nonpermanent employee require prior written approval of the Director.

The hiring department or agency must certify the following to the Director when seeking authorization for nonpermanent hire: 1) that the Legislature appropriated money for the work in question knowing that it is to be performed by a nonpermanent employee; or 2) that there is an immediate need to fill an authorized, permanent position and it is impractical either to establish the position or to make certification within a reasonable time; or 3) that they could not reasonably have been expected to anticipate the need; or 4) that a program or project exists; (this requirement is necessary only when a department or agency is seeking approval to hire program or project employees); and 5) adequate money is available for the duration of the appointment. A person who make a false certification is personally liable in a civil action to an individual terminated under AS 39.25.197 for any resultant damages and for punitive damages of an amount not to exceed three times the gross monthly salary at which the nonpermanent employee was appointed.

Nonpermanent appointments shall be made from eligible lists in accordance with Rule 4, unless in appropriate circumstances the Director has waived this requirement, or unless a Job Service referral is appointed under Rule 5 03.2.

Nonpermanent employees may not be placed on the State payroll unless the Director has first approved the personnel action for the employee's department, unless the appointment is made under Rule 5 03.2.

A department or agency may not employ any individual as a nonpermanent employee for more than 120 calendar days in a 12-month period unless the Director authorizes an extension. This limitation does not apply to program or project employees.

A department or agency may not use nonpermanent employees to perform a given work assignment for more than 120 calendar days in a 12-month period. This limitation does not apply to program or project employees.

Appointments of program or project employees require prior approval of the Director who must agree a program or project exists.

With prior approval of the Director, an appointing authority may appoint a nonpermanent employee to perform the work of a permanent employee when the permanent employee is on medical, personal or military leave, or in other situations in which the Director determines the appointment of an emergency or permanent employee would be inappropriate or when delay in making a temporary replacement would cause serious disruption. Such employees are not limited to the 120 calendar day limitation. Nonpermanent employees appointed under the provisions of this Rule do not have the rights of employees who hold substitute appointments.

5 07.0 Emergency Appointments

An emergency appointment is an appointment for a period not to exceed thirty (30) calendar days, made under conditions necessitating immediate action to provide for carrying on work that must be continued in the public interest.

An emergency appointment and the circumstances which required it shall be reported to the Director within fifteen days after it is made on a form prescribed by the Director.

In any case in which the need for action for filling a vacancy shall have been known, or could have been known by the exercise of due diligence, far enough in advance to afford opportunity for appropriate action under some other provisions of the Act and these Rules, no emergency shall be deemed to exist and no emergency appointment shall be made.

5 08.0 Provisional Appointments

5 08.1 When authorized by the Director and in the absence of an appropriate eligible list, a provisional appointment of a

MEMORANDUM

State of Alaska

TO: All Personnel Officers

DATE: August 25, 1982

FILE NO:

TELEPHONE NO:

FROM:

Kenneth L. Kareen
Kenneth L. Kareen
Director
Division of Personnel & Labor Relations
Department of Administration

SUBJECT: Procedures;
Nonpermanent Employees

*Received
2/3/85
Jr*

Attached please find revised Nonpermanent Procedures which incorporates procedures to accommodate AS 39.25.196, Local Hiring Exception.

If you have any questions concerning the revised procedures, please feel free to call Mike McMullen, Carolyn DeBerry or myself.

KLK/dm

NONPERMANENT APPOINTMENT PROCEDURES

There are four types of nonpermanent appointments. They are: 1) substitute; 2) program; 3) project; and 4) normal. There is also a not permanent, not nonpermanent type of appointment: emergency.

All nonpermanent appointments require that a position be established prior to the appointment.

Nonpermanent appointments made via Job Service referral in accordance with AS 39.25.181 do not require approval of the appointing Personnel Action in order to be placed on the State payroll. In all other nonpermanent appointments, the employee may NOT be placed on the State payroll unless the appointing Personnel Action is approved by the Director of Personnel.

The procedures for emergency appointments differ from the procedures for nonpermanent appointments; they are addressed separately in Section G.

The types of nonpermanent appointments are addressed in the normal sequence of actions which is:

- A - Identification of Need for Nonpermanent Employee
- B - Certification of Conditions and Funds
- C - Position Approval
- D - Selection of Employee
- E - Appointment
- F - Follow Up on Time Restrictions

A. IDENTIFICATION OF NEED FOR NONPERMANENT EMPLOYEE.

Normal, Program, and Project Appointments.

Two and one-half months prior to the anticipated month of hire the hiring department must submit a completed "Nonpermanent Employee Need Identification" card (02-256) to the Division of Personnel. If a nonpermanent position has already been established and is available for filling, the department does not need to submit a new card.

Illustration II shows the reporting time frame.

Appendix C is a sample of the form including the instructions for completing it.

Nonpermanent Substitute Appointments

To request authority to make a nonpermanent substitute appointment, the hiring department must submit a partially completed "Nonpermanent Employee Need Identification" card along with a "Request for Certification" (02-254). When a department wishes to employ a substitute for more than one position in the same class all position control numbers shall be listed in the Comments. Such a nonpermanent substitute may be called to work during any leave of any of the incumbents. The nonpermanent substitute may not fill in for a vacant position nor do nonpermanent substitute work when all incumbents are present, i.e.; a nonpermanent substitute may not be used to increase the total workforce.

Those portions of the "Nonpermanent Employee Need Identification" card which must be completed are:

1. (a) Department
(b) Division
(d) Geographical Code
(e) Beginning Date
2. (b) Ending Date

Comments: .

Identify the position control number or numbers being filled on a substitute basis and state if the incumbent(s) of record is/are on medical, personal or annual leave.— If the incumbent(s) is/are on some other type of leave, specify the type.

6. Signature of individual filing this report.
7. (a) Date of report.

The form "Request for Nonpermanent Position and/or Authority to Appoint Nonpermanent Employee" (02-230) is not required for substitute appointments.

B. CERTIFICATION OF CONDITIONS AND FUNDS

The form titled "Request for Nonpermanent Position and/or Authority to Appoint Nonpermanent Employee" constitutes certification by the employing agency that funds are available for the requested position, and that conditions exist in the agency which justify the appointment of a nonpermanent employee in accordance with AS 39.25.200(1).

If a "Nonpermanent Employee Need Identification" form has not been previously submitted, the department must submit a completed card along with the request. If one has been previously submitted, only the request form is required.

This form is to be completed in duplicate. The hiring department must send the form with original signatures to the Director of Personnel. The department Personnel Officer should retain the second copy of the forms.

C. POSITION APPROVAL

The Director of Personnel will indicate approval of the position requested and authority to proceed with an appointment in "Section E -- Approval" of the request form.

Before proceeding with the appointment, the hiring department should note if the approval is "as requested" or "with qualifications stated."

If the request is for a nonpermanent substitute appointment, the authority for the department to make an appointment will be issued by "Section B -- Certification or Authorization" of the "Request for Certification."

D. SELECTION OF EMPLOYEE

The selection of an employee to fill the position by union dispatch, from the appropriate eligible list, or by referral from Job Service must be consistent with collective bargaining agreements, Personnel Rules and statutes. The appointment shall be via union dispatch for Labor, Trades and Crafts positions and an eligible list for other positions (except where other procedures apply as explained below). If, in working an eligible list, NO local residents are interested in or available for the nonpermanent position, the hiring department may obtain referrals of and make appointment from among qualified local job applicants from the Job Service office of the Department of Labor serving the area, or may continue working the eligible list.

In some instances another procedure for selecting an employee may be authorized (such as intern hiring procedures). When another procedure is authorized, the approval will indicate "with qualifications as stated" and instructions shall be detailed in the comments portion of the Approval Section. (Section E of "Request for Nonpermanent Position and/or Authority to Appoint Nonpermanent Employee.")

If there are any questions about the instructions, the department Personnel Officer must obtain clarification from the Division of Personnel before proceeding.

E. APPOINTMENT

The appointment of a nonpermanent employee shall follow established department procedures. Nonpermanent employees appointed as a result of a Job Service referral as provided for in AS 39.25.181 will NOT require Director of Personnel approval of the appointing Personnel Action (02-023) prior to placing the employee on the State payroll. These Personnel Actions, with a notation in the comments section indicating the appointment was made from a Job Service referral in accordance with Local Hire procedures, and with an employment application (02-250) and copy of the Job Service referral card attached, should be processed and distributed according to normal established procedures as applied to permanent appointments.

In all other nonpermanent appointments, the nonpermanent employee may NOT be placed on the State payroll unless the appointing Personnel Action has been approved by the Director of Personnel. After the Personnel Action has been completed, signed and is ready for Payroll, the department must send at least the central Payroll copy and the central Personnel copy (the

entire P.A. is acceptable) directly to the Division of Personnel for approval. For a nonpermanent substitute for more than one position in the same class, the position control number for the first position cited should be used.

Those actions approved by the Division of Personnel will be forwarded to central Payroll. Actions not approved will be returned to the originating agency.

F. FOLLOW UP ON TIME RESTRICTIONS

All nonpermanent employees are time restricted. The normal restriction is 120 days in a 12 month period. Project and program employees are limited by the duration of the specific program or project. Substitute appointments are restricted by the department's identified ending date or the return of the permanent employee, whichever occurs first.

It is the employing department's responsibility to monitor all nonpermanent appointments and originate timely separating Personnel Actions on or before the date that the employment authority has expired.

G. EMERGENCY APPOINTMENTS

Emergency appointments do not require prior approval, eligible list certification or dispatch, or the Director's approval of the Personnel Action. However, use of an eligible list or a dispatch is not precluded.

An emergency employee is:

. . . an employee appointed for a period not to exceed 30 calendar days, whose appointment was made under conditions requiring immediate action to carry on work that is required in the public interest. AS 39.25.200(3)

Once an agency has determined that an emergency exists, the agency is not bound by the minimum qualifications for a job class. Prudent management dictates that every effort should be made to find a qualified person including the use of existing eligible lists where time permits. However, given the emergency condition, employees who would not otherwise be qualified may, by necessity, be hired. This Division will not review emergency appointments for minimum qualifications, therefore, a State of Alaska application will not be necessary with the appointing documents.

The preceding paragraph does not relieve the appointing authority from the requirements of other State statutes. For example; statutes requiring licensure in order to perform certain activities in this State, as in nursing, must be satisfied.

Within 15 days following an emergency appointment, the employing department shall certify the reasons for the appointment to the Director of Personnel. There is not a prescribed form for this purpose. The certification shall be in the format of a letter or memorandum and must address the following subjects:

1. The reasons for appointing an emergency employee, including description of the work requiring continuance in the public interest and the location of the work.
2. What alternative actions to the appointment were considered or taken, such as:
 - a. Reassignment of other employees.
 - b. Authorized overtime.
 - c. Request for assistance from other government agencies.
3. The name of the emergency employees appointed.
4. The statement: "I hereby certify that the reported facts and statements are correct and that the emergency appointment is justified in accordance with AS 39.25.200(3)."

Date

Signature of Appointing Authority

This report must be certified by the Commissioner or person designated by the Commissioner under AS 39.25.020(2) as the appointing authority and must be received by the Director of Personnel within 15 working-days of the appointment.

TYPE OF NONPERMANENT OR EMERGENCY	FORMS REQUIRED		STATUS CODE	NORMAL APPOINTMENTS FROM	DURATION OF APPOINTMENT
	ID CARD (02-256)	CERTIFICATIONS (02-230)			
EMERGENCY: Appointment made under conditions requiring immediate action to carry on work required in the public interest; appointments limited to 30 days.	NO	NO ¹	EM		UP TO 30 DAYS
PROGRAM: Appointments to nonpermanent positions created primarily to help the employee; appointment limited to duration of the program.	YES	YES	NG	DISPATCH/ELIGIBLE LIST/JOB SERVICE REFERRAL	DURATION OF PROGRAM
PROJECT: Appointments to complete specific work which is not a regular and continuing function of the department, but which requires more than 120 days to complete; appointments limited to duration of project.	YES	YES	NJ	DISPATCH/ELIGIBLE LIST/JOB SERVICE REFERRAL	DURATION OF PROJECT
NORMAL: Appointment to complete a given work assignment which does not exceed 120 calendar days in a 12 month period in one department.	YES	YES	NT	DISPATCH/ELIGIBLE LIST/JOB SERVICE REFERRAL	UP TO 120 DAYS
SUBSTITUTE: A nonpermanent appointment to a position or group of positions in the same job class which is temporarily vacated by a permanent employee(s) on leave. Appointment limited to duration of the incumbent's leave or an earlier date specified by the department.	YES ²	NO	NS	DISPATCH/ELIGIBLE LIST/JOB SERVICE REFERRAL	DURATION PER PRIOR LIMIT OF DEPARTMENT OR RETURN OF PERMANENT EMPLOYEE(S)

1. THE FORM IS NOT REQUIRED. CERTIFICATION IN FORM OF LETTER OR MEMORANDUM IS REQUIRED.
2. PARTIALLY COMPLETED CARD REQUIRED.

<u>Planned Appointment</u>	<u>Need Identification Due</u> *	<u>Certifications Due</u> *	<u>Expect Approval</u> *
January	October 15	November 5	December 1
February	November 15	December 5	January 1
March	December 15	January 5	February 1
April	January 15	February 5	March 1
May	February 15	March 5	April 1
June	March 15	April 5	May 1
July	April 15	May 5	June 1
August	May 15	June 5	July 1
September	June 15	July 5	August 1
October	July 15	August 5	September 1
November	August 15	September 5	October 1
December	September 15	October 5	November 1

* If the listed date is a Saturday, Sunday or holiday then the first working day following the date indicated shall be considered appropriate.

APPENDIX CONTENTS

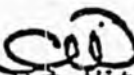
<u>APPENDIX</u>	<u>SUBJECT</u>
A	Ch. 67 SLA 1979.
B	"Certifying Officer Affidavit" AS 39.25.195-200 (02-1271), with memorandum of instructions.
C	"Nonpermanent Employee Need Identification" (02-256).
D	Nonpermanent Positions Intended and Authorized (R 01).
E	"Request for Nonpermanent Position and/or Authority to Appoint Nonpermanent Employee" (02-230) with instructions.
F	"Request for Certification" (02-254) for Nonpermanent Eligibles.
G	Prior memorandums on subject not already included (two memorandums dated August 21, 1979, and <u>September 14</u> , 1979).
H	WIN positions by Contract with the Department of Labor.
I	1982 revisions to Nonpermanent Law AS 39.25.196.
J	Personnel Rules 5 03.2 and 5 06.0 as amended July 1, 1982.

TO: All Personnel Officers

DATE: November 19, 1979

FILE NO.

TELEPHONE NO.

FROM:  Sandra Withers
Director
Division of Personnel & Labor Relations
Department of Administration

SUBJECT: Certifying Officer's
Affidavit - AS 39.25.195(c)

Amendments to AS 39.25 which became effective January 1, 1980. require approval from the Director of Personnel and Labor Relations before a department may hire a nonpermanent employee. Before approving such a request, the Director must have certification from the hiring department that the conditions specified in AS 39.25.195 exist. Under the law, the Certifying Officer is personally liable for false certification.

The law specifies that the Certifying Officer is the head of a department or agency, unless this person delegates the authority to someone else. To delegate this authority, the Commissioner should sign a Certifying Officer's Affidavit and obtain a signature from the person to whom the authority is delegated.

You should distribute copies of the affidavit according to the distribution list on the form, providing original signatures as requested. New affidavits should be submitted whenever there is a change in Certifying Officers.

SW/nl
MJ1/C1

STATE OF ALASKA
 CERTIFYING OFFICER'S AFFIDAVIT
 AS 39.25.195-200

I hereby designate _____ to certify documents in accordance with AS 39.25.200(1).

This designation is for a period of twelve months beginning from the date of the Department Head's signature. The designation is automatically ended at the time that the employee designated separates from employment with this department. This designation is subject to being revoked at any time by the Department Head notifying the Director of Personnel and Labor Relations in writing of such revocation.

DEPARTMENT _____

SIGNATURE OF DEPARTMENT HEAD _____

DATE _____

I have read and understand AS 39.25.195 - AS 39.25.200. The use of my signature stamp in exercising this designation shall be the same as if I personally sign the document and does not in any way diminish my responsibility.

Signature _____

Date _____

Distribution:

Director of Personnel & Labor Relations*
 Director of Finance
 Employing Agency*
 Employee Concerned

* Must have original signatures.

APPENDIX C

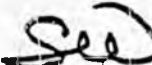
MEMORANDUM

TO: [All Personnel Officers

DATE: September 19, 1979

FILE NO:

TELEPHONE NO:


 FROM: Sandra Withers, Director
 Division of Personnel &
 Labor Relations
 Department of Administration

SUBJECT: Nonpermanent Employee
 Need Identification
 January-March 1980

The enclosed forms are for your use in planning for nonpermanent positions needed during the first quarter of 1980. The requested information will be used to identify recruitment needs and to develop the procedures necessary to assure compliance with Chapter 67, SLA 1979.

Please ask those in your department responsible for projecting employment needs to complete one form for each nonpermanent appointment you plan to make during the period January 1, through March 31, 1980. You will be asked to project your needs for the second quarter later.

The completed forms must be submitted to the Division of Personnel and Labor Relations by close of business October 3, 1979.

SW/ja



STATE OF ALASKA

APPENDIX C

DIVISION OF PERSONNEL & LABOR RELATIONS

NONPERMANENT EMPLOYEE NEED IDENTIFICATION

1.	a) <input type="text"/>	b) <input type="text"/>	c) <input type="text"/>	d) <input type="text"/>	a) <input type="text"/>	<input type="text"/>	<input type="text"/>
	Dept.	Div.	Class Code	Geo. Code	Mo.	Day	Year
	Beginning Date						
2.	a) <input type="text"/>	<input type="text"/>	<input type="text"/>				b) <input type="text"/>
	Supervisor Social Security Number						Mo.
							Day
							Year
	Ending Date						
3.	<input type="text"/>						
	Supervisor's Name		Last	First	M.		
4.	<input type="text"/>						
	Class Title of Nonpermanent Position						
5.	<input type="text"/>						
	Location of Nonpermanent Position						
COMMENTS:					Div. of Personnel & Labor Relations		
					Received		
					Recorded		
					Verified		
Signature of Individual Filing This Report					Reported		
6.							
7.	a) Date	b) Social Security Number					<input type="checkbox"/>
							B/U
							Identification

C2-256(19/79) Per AS39.25.195-200

INSTRUCTIONS

This form is a planning tool to be used in identifying future needs for nonpermanent employees. It is not a formal request for hire. This information will allow the Division of Personnel & Labor Relations to anticipate your needs and direct its recruitment efforts accordingly.

Please complete a separate form for each nonpermanent position following the instructions below. Use the space for comments to provide additional information or explanation.

- Line 1:
- a) Department code
 - b) Division code for the division the nonpermanent position will be assigned to.
 - c) Class code. Most will have four digits, but some classes with more than one eligible list will have a letter in addition.
 - d) Geographic code for the location of the nonpermanent position.
 - e) Beginning date. That date the nonpermanent employee will report for work.

- Line 2:
- a) Social security number of person who will be assigned to supervise the nonpermanent employee.
 - b) Ending date. When will the work of the nonpermanent employee be completed?

Line 3: Name of the supervisor of the nonpermanent employee.

Line 4: Include the complete class title from the classification outline.

Line 5: Location of nonpermanent position. If there is more than one location, explain in the comments section.

Line 6: Signature of the person who by filing this report verifies the probable need for this nonpermanent position.

- Line 7:
- a) Date of report
 - b) Social security number of person filing the report.

12/79

STS: STATUS CODES

TYPE

- I Indicates an intended position.
- A Indicates an authorized position.
- D Indicates a position that has been filled and the work has been completed.
- E Indicates a position for which the authorization or the intended dates have passed.

- G Indicates program
- J Indicates project
- T Indicates normal
- E Indicates emergency

Request for Nonpermanent Position
and/or
Authority to Appoint Nonpermanent Employees
(02-230)

INSTRUCTIONS

Section A - Identification

- 1) Fill in the six character identification established for the position.

or

If no prior identification has been assigned complete a "Nonpermanent Employee Need Identification" card. Attach this card to the form and check (✓) the box indicating that it is attached.

- 2) Job Class: Indicate the class title of the position being requested.
- 3) Indicate if the position being requested is "normal" or "program" or "project." If the request is for a project position, statement 4 of Section C must be certified. If the request is for a program position, statement 5 of Section C must be certified. The distinction between program and project exists in the purpose of the employment. If the employment is to assist the individual employed such as CETA, student interns, and apprentices, the position is a program position and the employee must be appointed as such. If an additional position is being requested to complete a specific work project which is not a regular and continuing function of the department or agency, but will exceed 120 days, the position is a project position and the employee must be appointed as such.
- 4) Indicate if the position will be filled from a certification of eligibles or union dispatch or by other means consistent with AS 39.25.195-200 and the applicable collective bargaining agreement. If "other" is indicated sufficient explanation must be given.

Section B - Funds Certified

This section must be signed by the Commissioner of the department or by a person designated by the Commissioner as a Certifying Officer in accordance with AS 39.25.200 (1).

Section C - Reason Certified

The reason or reasons for the nonpermanent employee are indicated in this section. Not less than one of the five indicated reasons must be certified by the Commissioner or his designee per AS 39.25.200 (1). If more than one statement is appropriate each statement that is a correct description of the circumstances should be signed.



STATE OF ALASKA
REQUEST FOR NONPERMANENT POSITION
AND/OR
AUTHORITY TO APPOINT NONPERMANENT EMPLOYEE

APPENDIX F

SECTION A - IDENTIFICATION								
1) <table border="1" style="display:inline-table; border-collapse: collapse;"><tr><td style="width:20px; height:20px;"></td><td style="width:20px; height:20px;"></td><td style="width:20px; height:20px;"></td><td style="width:20px; height:20px;"></td><td style="width:20px; height:20px;"></td><td style="width:20px; height:20px;"></td></tr></table> Position Control Number							OR	<input type="checkbox"/> Nonpermanent employee need identification card (02-256) is attached.
2) Job Class								
3) This request is for a nonpermanent position as indicated: <input type="checkbox"/> Normal (120 day appt.) <input type="checkbox"/> Program <input type="checkbox"/> Project								
4) If approved appointment will be made from: <input type="checkbox"/> Eligible List Certification <input type="checkbox"/> Union Dispatch <input type="checkbox"/> Other: _____								
SECTION B - FUNDS CERTIFIED		SECTION D - EXPLANATION						
I certify that adequate money is available for the anticipated duration of this appointment		1) REASON FOR REQUEST						
Signature of Certifying Officer	Date	<p style="text-align: center;">CONTINUE ON REVERSE IF NECESSARY</p>						
SECTION C - REASON CERTIFIED								
SIGN WHICHEVER OPTION APPLIES TO YOUR SITUATION								
1) I certify that the legislature has appropriated money for the position proposed knowing that it is to be performed by a nonpermanent employee. The appropriation code and budget page reference is cited in Section D.								
Signature of Certifying Officer	Date							
2) I certify that there is an immediate need to fill an authorized, permanent position and it is impractical to establish the position or to make certification within a reasonable time. The authority, position and circumstances are explained in detail in Section D.								
Signature of Certifying Officer	Date							
3) I certify that an immediate need exists which this agency could not have reasonably anticipated and met through the creation of a permanent position. The circumstances and the reasons we could not anticipate this need are explained in Section D.								
Signature of Certifying Officer	Date							
4) I certify that a project exists and the need for an employee can be most appropriately met through the use of a project employee. The project and our needs are described in Section D.								
Signature of Certifying Officer	Date							
5) I certify that a program exists and the need for an employee can be most appropriately met through the use of a program employee. The program and our needs are described in Section D.								
Signature of Certifying Officer	Date							
SECTION D (2) FUNDING SOURCE								
SECTION D (3) DESCRIPTION OF DUTIES (P402 Optional)								
CONTINUE ON REVERSE IF NECESSARY								
SECTION E - APPROVAL								
Approved as Requested	Director of Personnel & Labor Relations	Date						
Approved with Qualifications as Stated on Reverse in Comment								

SECTION E: COMMENTS

SECTION D (1) Reason for Request - Continued

SECTION D (3) Description of Duties - Continued

It is not necessary that sections B and C be signed by the same person. The person certifying Section C is also certifying the correctness of the explanations contained in Section D.

Section D - Explanation

This section is for detailed explanation of: 1) the reason for the request 2) identification of the funding source by sufficient codes so that the Division of Budget and Management can identify the source of the funds without additional information and 3) sufficient explanation of the duties assigned to this position so that proper class allocation can be verified.

**DIVISION OF PERSONNEL
Request for Certification**

Section A. To: Department of Administration, Division of Personnel

Request Date
7/1/82

FROM: Department Name
Fish and Game

Department No.
11

DIVISION USE ONLY
CL INDEX _____

Employee Replaced
n/a

Date of Separation
n/a

Date CLS Action
Auth 6/6/82

TCLE _____

TCSL _____

Position Title
Fish Culturist II

Position Control No.
11B016

Class Code
6124

TCOP _____

TCERTL _____

Position Location
Karluk

B0704

Location Code
CBA

Date _____ Operate _____

TYPE LIST

- O Open Competitive
- D Departmental
- I Interdepartmental
- N Non Permanent
- L Layoff

TYPE EMPLOYMENT

- A Permanent Full time
- B Permanent Part time
- C Permanent Seasonal
- N Non Permanent

- Flexed Position
- Related List Requested
- Subfill Requested
- Coupled Class

Special Request: _____

Class Title _____ Cod _____

Class Title _____ Cod _____

Signature of Appointing Authority

Signature

Title

Personnel Officer

Section B. Certification Authorization

Date _____

The following Certification is hereby issued pursuant to your request:

- Complete Certification
- Incomplete Certification (May be declined per Rule 5 03.5)
- ATTACHED MASTER LIST NO. (_____) FOR (_____) CONSTITUTES THE CERTIFICATION OF ELIGIBLES TO FILL THIS POSITION.
- ATTACHED MASTER LIST NO.'S (_____) FOR (_____) AND (_____) FOR (_____) CONSTITUTE THE CERTIFICATION OF ELIGIBLES TO FILL OR SUBFILL THIS POSITION RESPECTIVELY.
- ATTACHED MASTER LIST NO.'S (_____) FOR (_____) AND (_____) FOR (_____) CONSTITUTE THE CERTIFICATION OF ELIGIBLES TO FILL THIS POSITION. THE ELIGIBLE LIST FOR (_____) HAS BEEN AUGMENTED FROM THE ELIGIBLE LIST FOR (_____). ANY APPOINTMENT SHOULD BE MADE TO THE CLASS OF (_____).

The following Authorization is hereby issued in response to your request:

- Provisional Appointment (If no selection has been reported by _____ this authority is automatically rescinded.)
- In absence of appropriate eligible list
- Incomplete eligible list
- Subfilling with _____ class
- Non-permanent Appointment
- Other _____

By _____
for Director of Personnel

Section C. Action of Appointing Authority - Return to Department of Administration Division of Personnel as soon as you have made your selection. If not from the eligible list, attach application.

DIVISION USE ONLY

Appointee

Social Security Number

THIR _____

TLIS _____

TINA _____

Effective Date of Appointment

Rank

Bargaining Unit

Range

Date _____ Operate _____

TYPE APPOINTMENT

- Probationary
- Non permanent
- Subfill
- Substitute
- Provisional
- No Appointment Made Reason _____

Signature of Appointing Authority

Title

Date

STATE
of ALASKA

MEMORANDUM

APPENDIX G

TO: [All Personnel Officers
All Administrative Directors

DATE: August 21, 1979

FILE NO:

TELEPHONE NO:

FROM: *S. Withers*
Sandra Withers, Director
Division of Personnel and,
Labor Relations
Department of Administration

SUBJECT: Non-permanent Employees

Effective January 1, 1980, Chapter 67, SLA 1979, goes into effect. This new law will substantially change procedures governing the hire and retention of non-permanent (temporary) employees.

We are preparing draft regulations to administer the law, and plan to hold personnel council meetings to review the draft and solicit recommendations. The first meeting is scheduled at 10:00 a.m. on September 4, 1979, in the testing room of the Division of Personnel and Labor Relations, 10th floor, State Office Building. The meeting should be attended by each department Personnel Officer and their immediate supervisors, if desired. This meeting will address principles, general needs and the changes which must be made in how we handle non-permanent employment. Of particular concern is that we be prepared to comply with this law on January 1, 1980. We must have procedures ready at that time to:

- 1) Expedite the processing of requests for non-permanent hire;
- 2) Provide for certification of eligible lists; and
- 3) Know the specific numbers, job classes and locations of prospective non-permanent positions.

In the near future, we will be asking for you to identify non-permanent employment needs, and we will request that the information be provided for each department for the first quarter of calendar year 1980. This information will be part of the data base for reports to the Legislature and will direct recruiting efforts to assure that projected employment needs can be met.

Temporary appointments made up to the close of business on December 31, 1979, may last for 120 days from January 1, 1980 or six months from the date of appointment, whichever is less. After that time, the 120 day limit on non-permanent appointments will be in effect. Please note that the law requires prior approval for all non-permanent appointments. It is imperative that you inform all program managers within your department of these new limitations immediately so they may begin planning for what amounts to a substantial change in the way we do business.

If these changes are going to necessitate the establishment of permanent positions in the absence of temporaries to meet your program needs, we strongly suggest that you begin immediately to develop position descriptions and secure necessary budget approval.