

**NORTHWEST ARCTIC BOROUGH ASSEMBLY  
ORDINANCE 21-11**

**AN ORDINANCE OF THE  
NORTHWEST ARCTIC BOROUGH  
ASSEMBLY AMENDING CHAPTER 3.20  
OF THE BOROUGH CODE TO ADDRESS  
BOROUGH EMPLOYEE PERSONAL  
LEAVE AUTHORIZATION AND LEAVE  
PAYOUT, AND FOR RELATED  
PURPOSES.**

**WHEREAS:** Chapter 3.20 of the Borough Code addresses leave time for Borough employees; and

**WHEREAS:** Section 3.20.090 of the Borough Code establishes limits for the length of personal leave and leave accumulation, including the forfeiture of accrued leave following the end of each fiscal year unless granted a temporary extension; and

**WHEREAS:** in order to promote additional flexibility and employee benefits, the Borough seeks to amend the Borough Code to allow for discretionary leave payout in an amount up to 75 hours; and

**WHEREAS:** the Assembly has determined that it is in the Borough's best interest to amend Chapter 3.20 of the Borough Code as outlined in this Ordinance.

**NOW THEREFORE BE IT ENACTED BY THE  
NORTHWEST ARCTIC BOROUGH ASSEMBLY:**

**Section 1:** Chapter 3.20 of the Borough Code is amended as follows, with additions indicated by underline in blue and deletions by ~~strikethrough in red~~:

**3.20.060 Authorized leave.**

A. Personal leave may be taken when authorized by the supervisor. Personal leave must be scheduled at least 14 days in advance. For an absence due to sudden illness or other unanticipated events, employees must telephone their supervisor or a designated representative of the administration as soon as possible prior to the time the employee is

scheduled to report for work. Routine medical and dental appointments require prior approval.

B. Personal leave may be taken for medical reasons when an employee's supervisor is satisfied that the employee is absent for medical reasons. Whenever an employee is absent for more than three working days for medical reasons, a doctor's certification may be required. The following constitute medical reasons:

1. Medical disability of an employee or an emergency medical or dental appointment;
2. Medical disability or death of a member of the employee's extended family, if the disability is such that the attendance of the employee is required;
3. A medical condition of an employee which makes their presence at work a danger to the health of the employee or fellow employees;
4. Pregnancy and childbirth is a medical reason for a female employee to take personal leave. A female employee, otherwise qualified for a leave of absence, is entitled to take a maximum of 12 weeks' leave immediately preceding or following childbirth. If an employee's accrued personal leave is insufficient for this purpose, she is entitled to take leave without pay for the balance of the 12-week period.



### **3.20.090 Accumulation limit – Length of absence.**

A. Unused personal leave time may be accumulated up to and including 30 working days.

B. It shall be mandatory for employees accruing personal leave time to take all accrued time off, except as described in subsections (C) and (D) of this section.

C. If accrued personal leave time exceeds 30 working days in a year beginning July 1st and ending June 30th, the excess time shall be forfeited by the employee unless the mayor approves personal leave payout pursuant to subsection (D) or the employee's supervisor certifies in writing that the employee was denied use of accumulated leave time by the supervisor for reasons beyond the control of the employee. The supervisor



may postpone requested leave without loss for up to three additional months.

D. The mayor may allow an employee to receive a cash payment for the employee's accrued personal leave up to 75 hours once per fiscal year. Employees electing to receive cash payment for a portion of their accrued personal leave may be required to retain sufficient personal leave for future use, and shall only receive payment for actual hours accrued during the designated period. Donated personal leave may not be cashed out.

E. No employee shall use more than 16 consecutive working days of personal leave without the approval of the mayor.

Section 2: This Code Ordinance shall be effective immediately.

PASSED AND ADOPTED THIS <sup>24th</sup> ~~25th~~ DAY OF August, 2021.

  
Nathan Hadley, Jr., Assembly President

PASSED AND APPROVED THIS <sup>24th</sup> ~~25th~~ DAY OF August, 2021.

  
Lucy S. Nelson, Mayor

SIGNED AND ATTESTED TO THIS <sup>24th</sup> ~~25th~~ DAY OF August, 2021.

  
Helena Hildreth, Borough Clerk

ATTEST:

First Reading: July 27, 2021  
Second Reading: August 25, 2021  
24

