


# MEMORANDUM

CITY/BOROUGH OF JUNEAU  
City & Borough Manager's Office  
155 S. Seward St., Juneau, Alaska 99801  
[Rod\\_Swope@ci.juneau.ak.us](mailto:Rod_Swope@ci.juneau.ak.us)



Voice (907) 586-5240  
Fax (907) 586-5385

DATE: May 11, 2011  
TO: All CBJ Employees  
FROM: Rod Swope   
City & Borough Manager

**SUBJECT: CBJ Employment Impact of Temporary or Permanent Revocation of Alaska Driver's License or Alaska Commercial Drivers License**

I want to share with you, and have attached, CBJ's recently developed guidelines regarding the impact of the temporary or permanent loss of your Alaska Driver's license or a Commercial Drivers license due to receiving a Driving Under the Influence (DUI) or Refusal to Test arrest. These guidelines are effective immediately.

The decision to drive a motor vehicle after drinking is a bad decision. It is not only potentially harmful to you, but also harmful to your passengers, other motorists, and pedestrians. Last year, the Juneau Police Department had **259** DUI arrests. I am very disappointed that some of those citizens arrested were CBJ employees. As a result, I think it is important for all employees to understand the employment-related consequences of choosing to drink and drive.

If you want to go out and drink, please do so responsibly. Limit your intake, designate a sober driver, or call a cab to take you home. The cost of cab fare will be significantly less than the monetary impact of a DUI arrest. The decision to take a cab could save you from considerable public embarrassment or, much worse, the knowledge that you took an innocent person's life because of your decision to drink and drive.

If you believe you have a drinking problem that interferes with your ability to make good choices, please contact the Employee Assistance Program. Initial sessions are free of charge, and it may be the motivation you need to start down the path of recovery. The EAP program can be accessed through a toll free number, 1-800-295-9059. Assistance is confidential.

If you have questions or concerns regarding these guidelines, please contact the Human Resources/Risk Management Office at 586-5250.

## CBJ Employment Impact of Temporary or Permanent Revocation of Alaska Driver's License or Alaska Commercial Drivers License

Note: This information is provided as guidance only. Other mitigating factors, including the factors leading to the loss of license, and the employee's overall job duties and role in the organization will also be considered. Loss of licensure is significantly compounded if such loss results from on the job behavior.

DUI, or refusal to test, are the most common reasons for temporary or permanent loss of driving privileges. However, there are other violations that may also result in the same loss of privileges. It is the length of the loss of the driving privilege, as well as the underlying circumstances, that will be considered when reaching a determination about possible adverse employment action.

Offense	No Driver's License Required	Alaska Driver's License Required	CDL Required
<p><b><u>1<sup>st</sup> DUI or refusal to test:</u></b></p> <p>90 day loss of license with ability to obtain a temporary work permit after 30 days.</p> <p>CDL revoked for one year.</p> <p>Mandatory minimum 3 days of jail time.</p>	<ul style="list-style-type: none"> <li>• No consequence related to loss of license.</li> <li>• There may be disciplinary consequences for being unavailable for work if employee serves jail time beyond the 3-day mandatory minimum.</li> </ul>	<ul style="list-style-type: none"> <li>• Employee shall receive a one week disciplinary suspension without pay.</li> <li>• Employee may not return to work without the legal ability to drive. After serving a suspension, the employee may use his or her own leave if available.</li> <li>• If unable to obtain a temporary work permit after 30 days, unless exigent circumstances exist, the employee will be administratively separated.</li> <li>• In addition, there may be disciplinary consequences for being unavailable for work if jail time is required and it cannot be scheduled concurrent with the 30-day period away from work.</li> </ul>	<ul style="list-style-type: none"> <li>• Administrative Separation.</li> <li>•</li> </ul>

Offense	No Driver's License Required	Alaska Driver's License Required	CDL Required
<p><b><u>2<sup>nd</sup> DUI or refusal to test:</u></b></p> <p>12 month loss of license with ability to obtain a temporary work permit after 90 days.</p> <p>Mandatory minimum 20 days of jail time.</p> <p>Permanent revocation of CDL.</p>	<ul style="list-style-type: none"> <li>• Employee shall receive one week of unauthorized leave without pay while unavailable for work during the mandatory jail sentence.</li> <li>• The employee may use their accrued leave during the remainder of the mandatory jail time, up to a total absence of 20 work days.</li> <li>• If an employee is unavailable for work for more than 20 work days due to serving jail time, the employee may be administratively separated.</li> </ul>	<ul style="list-style-type: none"> <li>• Administrative separation.</li> </ul>	<ul style="list-style-type: none"> <li>• Administrative Separation.</li> </ul>
<p><b><u>3<sup>rd</sup> DUI or refusal to test:</u></b></p> <p>Loss of license for 3 years.</p> <p>Mandatory minimum 60 days of jail time.</p>	<ul style="list-style-type: none"> <li>• Employee will be administratively separated for inability to report to work.</li> </ul>	<ul style="list-style-type: none"> <li>• Administrative separation.</li> </ul>	
<p><b><u>4<sup>th</sup> DUI or refusal to test:</u></b></p> <p>Loss of license up to 5 years.</p> <p>Mandatory minimum 120 days of jail time.</p>	<ul style="list-style-type: none"> <li>• Employee will be administratively separated for inability to report to work.</li> </ul>	<ul style="list-style-type: none"> <li>• Administrative separation.</li> </ul>	

**16 PR 070. Effects of Violations of Federal or State Law.**

(a) An employee who receives a citation requiring a court appearance, or who is arrested or convicted, for a misdemeanor or felony, must report the citation, arrest, or conviction to the employee's department director within one working day. An employee who fails to report such citation, arrest or conviction may be subject to disciplinary action, up to and including dismissal.

(b) An employee who violates a federal or state law or regulation may be subject to disciplinary action up to and including dismissal if there is a clear nexus between the offense and the employee's duties, if a violation impairs the employee's ability to perform the duties of their position, or if the action adversely affects the CBJ. *(Res. No. 2370, 2006)*

**Note: All DUIs shall be reported by the employing department to the CBJ Human Resources Department within one business day of knowledge.**