



AGENDA
BIG LAKE CITY COUNCIL WORKSHOP
COUNCIL CHAMBERS

APRIL 27, 2022
5:00 p.m.

- 1) CALL TO ORDER**
- 2) ROLL CALL**
- 3) PROPOSED AGENDA**
- 4) BUSINESS**
 - 4A. Review 2022 City Personnel Policy Amendments
 - 4B. Review On-Site Fuel Options
 - 4C. New Ideas Discussion
- 5) OTHER**
- 6) ADJOURN**

Disclaimer: This agenda has been prepared to provide information regarding an upcoming work session of the Big Lake City Council. This document does not claim to be complete and is subject to change.



WORKSHOP ITEM

Big Lake City Council

Prepared By: <i>Deb Wegeleben, Finance Director</i>	Meeting Date: <i>4/27/2022</i>	Item No. 4A
Item Description: <i>2022 City of Big Lake Personnel Policy Amendments</i>	Reviewed By: <i>Hanna Klimmek, Interim City Administrator</i> Reviewed By: <i>Personnel Committee</i>	

COUNCIL DIRECTION REQUESTED

Provide direction on the proposed amendments to the Personnel Policy.

BACKGROUND/DISCUSSION

The proposed changes to the personnel policies are as follows:

- ✓ **Whistleblower Projections – page 12**
 - Add the Whistleblower Projections section
 - The City’s policies in the past never had the actual information pertaining to Whistleblower Protections and Staff just wanted all employees to know that they are protected and should always report any illegal or dishonest actions.
- ✓ **Suspension With or Without Pay – page 29**
 - Add the language that they city administrator may suspend an employee and that it could lead to immediate dismissal. In addition, additional language was added that pertaining to Department Head suspension that last longer than two weeks needs to be approved by City Council at the next regular meeting. This replaces the prior language pertaining suspension. This is for transparency to the public.
- ✓ **Sick pay upon separation – page 34**
 - Add the language that an employee can received up to 20 days of accumulated sick leave if that employee resigns with the city in good standing.
 - The employee will only receive the sick leave balance if they give a two weeks’ notice, and have worked for the City for at least 10 years. This is the same language as what is in the Police and Public Works Union contracts.
- ✓ **Vacation Accrual for New Hires – page 36**
 - Remove the language that New Hires after 9/1/2019 can accrue no more than 200 hours of paid time off(vacation). This is direct conflict of the union contracts, so Staff is recommending removing the section all together. All employees cannot carry forward to the next year more than 200 hours of leave time.
- ✓ **Funeral Leave – page 37-38**
 - Change the language to allow the employee to have up to three consecutive working days, with pay instead of just one day with pay, for an immediate family member. This is inline with best practices as well as recommendation from the League.

FINANCIAL IMPACT

N/A

STAFF RECOMMENDATION

Move forward with the proposed amendments

ATTACHMENTS

City of Big Lake Personnel Policies – changes highlighted in yellow



**CITY OF BIG LAKE
RESOURCES & BENEFITS INFORMATION
PERSONNEL POLICY AS OF 1/1/2017
*Approved December 14, 2016***

Revised September 23, 2020

- if there is reasonable public notice and the goods are sold at public auction; or
- if it is sold by a sealed bid, process and the officer or employee is the highest responsible bidder.

The council member, officer or employee who buys the property must not be involved in the auction or sealed bid process.

No member of the council, official, or employee may accept any gift or gratuity in any size under circumstances in which it could be reasonably thought to influence him or her in the performance of his or her official duties or appears to be a reward for any official action on his or her part.

Whistleblower Protections

An employee of the city who, in good faith, reports an activity that he/she considers to be illegal or dishonest to one or more of the parties may have whistleblower protections. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate city management officials are charged with these responsibilities.

Examples of illegal or dishonest activities include violations of federal, state or local laws; billing for services not performed or for goods not delivered; and other fraudulent financial reporting.

If an employee has knowledge of or a concern of illegal or dishonest fraudulent activity, the employee is to contact his/her immediate supervisor or the City Administrator. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing may be subject to discipline up to and including termination.

It is the city's legal responsibility to protect employees who make a complaint of employment discrimination, who serve as a witness or participate in an investigation, or who are exercising their rights when requesting religious or disability accommodation from retaliation.

Whistleblower protections are provided in two important areas – confidentiality and against retaliation; insofar as consistent with Minnesota Data Practices, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal rights of defense. The city will not retaliate against a whistleblower. This includes but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes he/she is being retaliated against must contact the City Administrator immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing.

Disclosure of Confidential Information

No officer or employee who has custody of or access to information which may be considered confidential by Minnesota Law shall use or release such information without property authority.

Personal Telephone Calls

Personal telephone calls are to be made or received only when necessary, when they do not interfere with working operations and should be completed as quickly as possible. The employee will pay for any personal long-distance call costs.

change must be. The supervisor will document the oral reprimand including date(s) and a summary of discussion and corrective action needed.

Written Reprimand

A written reprimand is more serious and may follow an oral reprimand when the problem is not corrected or the behavior has not consistently improved in a reasonable period. Serious infractions may require skipping either the oral or written reprimand, or both. The supervisor, with prior approval from the city administrator, issues written reprimands.

A written reprimand will:

- state what did happen;
- state what should have happened;
- identify the policy, directive or performance expectation that was not followed;
- provide history, if any, on the issue;
- state goals, including timetables, and expectations for the future; and
- indicate consequences of recurrence.

Employees will be given a copy of the reprimand to sign acknowledging its receipt. Employees' signatures do not mean the employee agrees with the reprimand. Written reprimands will be placed in the employee's personnel file.

Suspension With or Without Pay

The city administrator may suspend an employee without pay for disciplinary reasons. Suspension without pay may be followed with immediate dismissal as deemed appropriate by the City Council, except in the case of veterans. Qualified veterans will not be suspended without pay in conjunction with a termination.

The employee will be notified in writing of the reason for the suspension either prior to the suspension or shortly thereafter. A copy of the letter of suspension will be placed in the employee's personnel file.

The city administrator may suspend an employee with or without pay for disciplinary reasons. Suspension without pay may be followed with immediate dismissal as deemed appropriate by the City Council, except in the case of veterans. Qualified veterans will not be suspended without pay in conjunction with a termination. Suspension of a Department Head that lasts longer than two weeks will be approved by City Council at the next regularly scheduled Council meeting. An employee may be suspended or placed on involuntary leave of absence pending an investigation of an allegation involving that employee. The leave may be with or without pay depending on a number of factors including the nature of the allegations. If the allegation is proven false after the investigation, the relevant written documents will be removed from the employee's personnel file and the employee will receive any compensation and benefits due had the suspension not taken place.

Demotion and/or Transfer

An employee may be demoted or transferred if attempts at resolving an issue have failed and the city administrator determine a demotion or transfer to be the best solution to the problem. The employee must be qualified for the position to which they are being demoted or transferred. The city council must approve this action.

The city has the right to obtain a second medical opinion to determine the validity of an employee's worker's compensation or sick leave claim, or to obtain information related to restrictions or an employee's ability to work. The city will arrange and pay for an appropriate medical evaluation when it is required by the city.

Any employee who makes false claim for sick leave will be subject to discipline up to and including termination.

Employees must normally use sick leave prior to using paid vacation, or compensatory time and prior to an unpaid leave of absence during medical leave, except where Parenting Leave under Minnesota law and the medical leave overlap.

Sick leave will normally not be approved after an employee gives notice that he or she will be terminating employment. The city administrator must approve exceptions. Sick leave cannot be transferred from one employee to another.

Sick pay upon separation

Regular full-time employees who separated from employment with the city in good standing, provided the following conditions are satisfied, shall be entitled to **up to** twenty (20) days of accumulated sick leave (**160 Hours**) to be paid to the employee upon resigning from the city: **(union members refer to union contract)**

- ~~The employee has a sick leave balance of 20 or more days.~~
- The employee must provide written notice of his/her resignation to the city at least two (2) weeks in advance of the employee's last day of work.
- The employee must have worked for the City of Big Lake for ten (10) consecutive years.
- The employee must sign a waiver of claims.

Personal Leave

Regular employees are granted two (2) days personal leave each calendar year for personal preference. This leave is subject to prior approval of the supervisor and is granted with pay. Personal leave is deducted from accrued sick leave. Employees not yet completed their training period are not entitled to personal leave. **(Union employees refer to union contract)**

Short-Term and Long-Term Disability Benefits

The city shall provide short-term and long-term disability benefit programs for those regular full-time employees who are covered by annual leave. Short-term disability benefits shall be paid to eligible employees who shall have missed twenty-two (22) consecutive calendar days due to illness or injury.

The amount of the short-term disability benefit payable shall be the difference between the employee's regular rate of pay, in effect at the time of the injury or illness, and any payment(s) the employee receives or anticipates receiving in the nature of wage loss replacement whether it be from workers compensation, Public Employees Retirement Association (PERA) disability, Social Security, personal injury protection, or any other source, payable from the 23rd calendar day following the employee's initial absence from work due to injury or illness and continuing for a maximum of ninety (90) working days.

Any employee receiving payments under the short-term disability benefit plan shall not accrue annual leave during the period of disability. In order to qualify for a short-term disability benefit,

who are rehired after terminating city employment will not receive credit for their prior service unless specifically negotiated at the time of hire.

Earnings and Use

After six months of service, vacation leave may be used as it is earned, subject to approval by the employee's supervisor.

Requests for vacation must be received at least forty-eight (48) hours in advance of the requested time off. This notice may be waived at the discretion of the supervisor and city administrator. Vacation leave with pay may not be taken unless it has been earned. Vacation can be requested in increments as small as quarter hour increments and up to **160** consecutive hours of the total accrued leave balance.

Employees who terminate employment with the city and have vacation leave time remaining shall be paid for their accrued vacation leave, provided they have completed at least two thousand eighty (**2,080**) hours of employment (**one year**), and leave employment in good standing. An employee will not earn any vacation leave for any pay period unless he/she is employed by the city on the last scheduled work day of the pay period. Employees must sign a waiver of claims prior to receiving a payout for accrued vacation time.

For purposes of accumulating additional vacation leave, an employee using vacation, comp time used, or on paid sick leave is considered to be working. If a paid holiday falls during an employee's vacation, the employee will not be charged vacation time for the period of the holiday.

Employees may accrue vacation leave up to a maximum of **twenty-five (25) days** or **200 hours** to be carried over to the next year. Any vacation accrual above the twenty-fives (25) or 200 hours at the end of December 31 of each year will be forfeited, unless employee has received prior authorization of the city council to carry excess over to next year. If approval has been authorized, excess must be used within the first ninety (90) days of the new year. (Union employees refer to union contract) Vacation leave cannot be converted into cash payments except at termination.

Vacation Accrual for New Hires as of September 1, 2019

Employees hired on or after **September 1, 2019** can accrue no more than 200 hours of paid time off (vacation leave). Once accrued hours drop below 200, the employee will then continue to accrue at the rate specified in the chart above.

Transfer of Accrued Vacation

The intent of this section is to allow for the transfer of accrued vacation from one employee to the sick leave account of another employee under only that health related, catastrophic circumstances where an employee is incapacitated to the extent of being unable to work. The city reserves the right to determine eligibility for vacation transfer on a case-by-case basis. Any requests to transfer vacation shall be submitted to the department director on forms supplied by the city. The finance director will determine if the request shall be approved. The employee may request that the city administrator may review the decision of the finance director. The decision of the city administrator shall be final. Exercise of the vacation transfer policy shall not establish a precedent or practice and shall not be subject to a grievance procedure. This policy may be suspended or terminated at any time by the motion of the city council.

Employees may transfer vacation to another employee's sick leave account under the following terms and conditions:

- All donations from a donor's accrued vacation leave will be credited to the recipient's sick leave account and use shall be subject to the policies governing the use of sick leave;
- The recipient must first use all accrued sick leave, vacation, compensatory time, and floating holidays before being eligible to receive donated leave;
- An employee receiving worker's compensation indemnity payments, disability benefits, or other similar insurance payments are not eligible to receive donated leave;
- Any donation of leave must be at least 4 hours and not more than 40 hours per year from any one donor;
- The donated leave will be transferred at the donors pay rate and used at the recipients pay rate;
- Donations may be made retroactively, but not more than 60 days retroactively;
- Names of donors will not be revealed to the recipient, if so requested by the donor;
- Under most circumstances, this policy will not affect the department budgets. In those situations, where a donated leave request will require a budget revision (for example, if a replacement worker is required for the worker on leave) than any donated leave requests will be subject to city council review and approval;
- The department director must submit the required Donated Leave Authorization Form to the finance director prior to the transfer of leave.

Leave Policy for Exempt Employees

Exempt employees are required to work the number of hours necessary to fulfill their responsibilities including evening meetings and/or on-call hours. Exempt employees are required to use paid leave when on personal business or away from the office for four (4) hours or more, on a given day. Absences of less than four (4) hours do not require use of paid leave as it is presumed that the staff member regularly puts in work hours above and beyond the normal 40 hours a week. In certain circumstances, the city administrator can waive the four (4) hour minimal requirement. Exempt employees shall communicate their absence to the city administrator or his/her designee.

If one of the above employees is regularly absent from work under this policy and it is found that there is excessive time away from work that is not justified, the situation will be handled as a performance issue. If it appears that less than forty (40) hours per week is needed to fulfill the position's responsibilities, the position will be reviewed to determine whether a part-time position will meet the needs of the city. Additional notification and approval requirements may be adopted by the city administrator for specific situations as determined necessary.

All exempt positions, whether or not management, may require work beyond forty (40) hours per week. In recognition for working extra hours, these employees may take some time off during their normal working hours with **supervisory** approval. The time off for extra hours will not always be on a one-for-one basis.

Funeral Leave

~~Funeral leave may be granted up to a maximum of three (3) days, in the event a regular employee suffers a death in his or her immediate family. The first day of funeral leave shall be paid by the city. The remaining two (2) days of funeral leave will be deducted from accumulated leave in the following order: sick leave, comp time, vacation or may be taken as~~

~~unpaid if no accumulated leave balance exist.~~ Employees will be permitted to use up to three (3) consecutive working days, with pay, as funeral leave upon the death of an immediate family member. This paid leave will not be deducted from the employee's vacation or sick leave balance.

The actual amount of time off, and funeral leave approved, will be determined by the supervisor or city administrator depending on individual circumstances (such as the closeness of the relative, arrangements to be made, distance to the funeral, etc.).

Immediate family (for purposes of this section) is defined as an employee's parent, stepparent, spouse, child, stepchild, brother, sister, stepbrother, stepsister, grandparent, grandchild, spouse's parent, brother-in-law, sister-in-law, or member of the immediate household.

Military Leave

State and federal laws provide protections and benefits to city employees who are called to military service, whether in the reserves or on active duty. Such employees are entitled to a leave of absence without loss of pay, seniority status, efficiency rating, vacation, sick leave, or other benefits for the time the employee is engaged in training or active service not exceeding a total of 15 days in any calendar year.

The leave of absence is only in the event the employee returns to employment with the city as required upon being relieved from service, or is prevented from returning by physical or mental disability or other cause not the fault of the employee, or is required by the proper authority to continue in military or naval service beyond the fifteen (15) day paid leave of absence. Employees on extended unpaid military leave will receive fifteen (15) days paid leave of absence in each calendar year, not to exceed five years.

Where possible, notice is to be provided to the city at least ten (10) working days in advance of the requested leave. If an employee has not yet used his/her fifteen (15) days of paid leave when called to active duty, any unused paid time will be allowed for the active duty time, prior to the unpaid leave of absence.

Employees returning from military service will be reemployed in the job that they would have attained had they not been absent for military service and with the same seniority, status and pay, as well as other rights and benefits determined by seniority. Unpaid military leave will be considered hours worked for the purpose of vacation leave and sick leave accruals. Eligibility for continuation of insurance coverage for employees on military leave beyond fifteen (15) days will follow the same procedures as for any employee on an unpaid leave of absence.

Jury Duty

Regular full-time and part-time employees will be granted paid leaves of absence for required jury duty. Temporary and seasonal employees are generally not eligible for compensation for absences due to jury duty, but can take a leave without pay. However, if a temporary or seasonal employee is classified as exempt, he/she will receive compensation for the jury duty time.

Employees compensated for jury duty time off will be required to turn over any compensation they receive for jury duty, minus mileage reimbursement, to the city in order to receive their regular wages for the period. Time spent on jury duty will not be counted as time worked in computing overtime.



WORKSHOP ITEM

Big Lake City Council

Prepared By: <i>Norman Michels, Streets/Parks/Fleet Superintendent</i>		Meeting Date: <i>4/27/2022</i>	Item No. 4B
Item Description: <i>On site Fuel Discussion</i>	Reviewed By: <i>Hanna Klimmek, Interim City Administrator</i>		
	Reviewed By: <i>Deb Wegeleben, Finance Director</i>		

COUNCIL DIRECTION REQUESTED

Council input and direction regarding on site fuel at the Public Works Facility.

BACKGROUND/DISCUSSION

Public Works is currently fueling all city owned vehicles and equipment at the local fuel stations in Big Lake, and staff has been monitoring the cost of fuel, fuel quality, and the time of fueling.

Having on site fuel availability, staff would be able to control fuel quality and moisture in the both diesel and unleaded fuels, and also microbial levels that can be present in the ultra-sulfur diesel fuels. Fueling on site is a time savings by eliminating the need to drive to the station and to drive or haul the off-road equipment to the fuel station.

The Big Lake Police Department and Public Works are currently averaging over \$30,000 dollars of fuel purchased a year. The Police and Fire Departments have expressed interest in participating in purchasing fuel on site at Public Works.

FINANCIAL IMPACT

Fuel savings subject to moving forward.

STAFF RECOMMENDATION

Staff suggests the following options:

- 1 - Continue fueling vehicles and equipment at fuel stations in town.
- 2 - Research installing on site fuel tanks at Public Works and bring back for council consideration.

ATTACHMENTS

N/A



WORKSHOP ITEM

Big Lake City Council

Prepared By: <i>Hanna Klimmek, Interim City Administrator</i>	Meeting Date: <i>4/27/2022</i>	Item No. 4C
Item Description: <i>New Ideas Discussion</i>	Reviewed By: <i>N/A</i>	
	Reviewed By: <i>N/A</i>	

COUNCIL DIRECTION REQUESTED

None.

BACKGROUND/DISCUSSION

This item is dedicated for City Council Members to bring up any ideas/projects that they would like to discuss during the Workshop.

FINANCIAL IMPACT

N/A

STAFF RECOMMENDATION

N/A

ATTACHMENTS

None