



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

Revised January 21, 2026

INTRODUCTION..... 6

 Purpose 6

 Scope 6

 EEO Policy Statement 6

 Data Practices Advisory 7

AFFIRMATIVE ACTION POLICY AND PLAN 7

 Purpose 7

 Plan 8

NON-DISCRIMINATION POLICY 8

 Purpose 8

 Non-Discrimination 8

 Discrimination Recourse 8

NEPOTISM POLICY 9

COMMUNICATIONS POLICY 10

CITYWIDE WORK RULES, CODE OF CONDUCT AND ETHICS POLICY 10

 Conduct as a City Employee 10

 Attendance & Absence 11

 Access to and Use of City Property..... 11

 Appearance 11

 Conflict of Interest..... 11

 Whistleblower Protections 12

 Disclosure of Confidential Information 12

 Personal Telephone Calls 12

 Political Activities 13

RESPECTFUL WORKPLACE POLICY (includes sexual harassment prevention)..... 13

 General 13

 Applicability 13

 Abusive Customer Behavior 13

 Types of Disrespectful Behavior 14

 Possession and Use of Dangerous Weapons 15

 Employee Response to Disrespectful Workplace Behavior 15

 Supervisor’s Response to Allegations of Disrespectful Workplace Behavior 15

 Special Reporting Requirements 16

 Confidentiality 16

 Retaliation 17

DRUG-FREE AND ALCOHOL- FREE WORKPLACE..... 17

SAFETY POLICY 17

 Reporting Accidents and Illnesses 17

 Safety Equipment/Gear 18

 Unsafe Behavior 18

TOBACCO USE POLICY 18

CITY DRIVING POLICY 18

CELLULAR PHONE USE 18

 General Cellphone Policy 19

ELECTRONIC MEDIA USAGE POLICY 20

EMPLOYEE RECRUITMENT & SELECTION 20

 Scope 20

 Features of the Recruitment System 20

 Testing and Examinations 20

 Internal Recruitments 21

 Pre-Employment Medical Exams 21

 Selection Process 21

 Background Checks 22

 Training Period 22

ORGANIZATION 22

 Job Descriptions 22

 Assigning and Scheduling Work 22

 Job Descriptions and Classifications 22

 Layoff 23

HOURS OF WORK 23

 Work Hours 23

 Part-time, Seasonal and Temporary Positions 23

 Minors 23

 Core Hours 23

 Meal Breaks and Rest Periods 24

 Adverse Weather Conditions 24

COMPENSATION 24

 Job Classification and Pay Plan 25

 Annual Review, Amendment and Modification 25

 Hourly Rates of Pay 25

 Time Reporting 25

 Direct Deposit 26

Overtime / Compensatory Time	26
Non-Exempt (Overtime-eligible) Employees	26
Exempt (non-overtime-eligible) Employees	27
PERFORMANCE REVIEWS.....	28
DISCIPLINE	28
General Policy	28
No Contract Language Established	29
Process.....	29
Oral Reprimand	29
Written Reprimand	29
Suspension With or Without Pay	30
Demotion and/or Transfer	30
Salary.....	30
Dismissal	30
GRIEVANCE PROCEDURE	30
Waiver	31
SEPARATION FROM SERVICE	31
Resignations	31
Severance Pay.....	31
BENEFITS	31
Health, Dental, Life Insurance, Short-term Disability, Long-Term Disability	31
Insurance Opt-out.....	32
Retirement	32
Holidays.....	32
LEAVES OF ABSENCE	33
Minnesota Paid Leave (MNPL) Effective January 1, 2026	33
Earned Sick and Safe Leave.....	36
Personal Leave	39
Short-Term and Long-Term Disability Benefits (STD).....	39
Vacation Leave.....	40
Leave Policy for Exempt Employees	42
Funeral Leave	42
Military Leave	43
Jury Duty	43
Court Appearances	43
Victim or Witness Leave.....	44

Job Related Injury or Illness.....	44
Pregnancy and Parenting Leave	44
Administrative Leave	45
Adoptive Parents	45
School Conference Leave.....	45
Bone Marrow/Organ Donation Leave	46
Elections / Voting.....	46
Regular Leave without Pay	46
Family and Medical Leave (FMLA)	47
Reasonable Work Time for Nursing Mothers	50
Light Duty/Modified Duty Assignment	50
Reasonable Accommodations to an Employee for Health Conditions Relating to Pregnancy....	51
EMPLOYEE EDUCATION & TRAINING POLICY	51
Policy.....	51
Job-Related Training & Conferences	51
Job-Related Meetings	51
Request for Participation in Training & Conferences	52
Out of State Travel	52
Not to Exceed Figure.....	52
Compensation for Travel & Training Time	52
Memberships and Dues	52
Meeting Food/Meals.....	52
Travel & Meal Allowance.....	53
EMPLOYEE SERVICE RECOGNITION PROGRAM.....	53
OUTSIDE EMPLOYMENT POLICY	54
SAVINGS CLAUSE	54
DEFINITIONS	55
PERSONNEL POLICY ADOPTION.....	59
ADDENDUM.....	60

INTRODUCTION

Purpose

The purpose of these policies is to establish a uniform and equitable system of personnel administration for employees of the City of Big Lake. They should not be construed as contract terms for any city employees. No supervisor or city representative has any authority to enter into any agreement for employment for any special period of time, or to make any agreement contrary to this provision. Nothing in this Personnel handbook, or in other city policies which may be communicated to the employee, constitute a contract of employment for any city employee. The policies are not intended to cover every situation that might arise and can be amended at any time at the sole discretion of the city. These policies supersede all previous personnel policies. As an employee, you are responsible for complying with current city policy at all times.

Except as otherwise prohibited by law, the City of Big Lake has the right to terminate any employee at any time for any or no reason. Employees may similarly terminate employment at any time for any reason.

Scope

These policies apply to all employees of the city. Except where specifically noted, these policies do not apply to:

- Elected Officials;
- City Attorney;
- Members of City Boards, Commissions and Committees;
- Consultants and Contractors;
- Volunteers, except as specifically noted for paid per-call-firefighters.

If any specific provisions of the Personnel Policies conflict with any current union agreement or civil service rules, the union agreement or civil service rules will prevail. Union employees are encouraged to consult their collective bargaining agreement first for information about their employment conditions. Nothing in these policies is intended to modify or supersede any applicable provision of state or federal law.

These policies serve as an information guide to help employees become better informed and to make their experience with the city more rewarding. Departments may have special work rules deemed necessary by the supervisor and approved by the city administrator for the achievement of objectives of that department. Each employee will be given a copy of such work rules by the department upon hiring, such rules will be further explained, and enforcement discussed with the employee by the immediate supervisor.

EEO Policy Statement

The City of Big Lake is committed to providing equal opportunity in all areas of employment, including but not limited to recruitment, hiring, demotion, promotion, transfer, recruitment, selection, lay-off, disciplinary action, termination, compensation and selection for training. The City of Big Lake will not discriminate against any employee or job applicant based on race (including traits associated with race, including, but not limited to, hair texture and hair styles such as braids, locs and twists), color, creed, religion, national origin, ancestry, sex, sexual orientation, disability,

age, marital status, genetic information, status with regard to public assistance, veteran status, familial status, or membership on a local human rights commission.

Data Practices Advisory

Employee records are maintained in a location designated by the city administrator. Personnel data is retained in personnel files, finance files, and benefit/medical files. Information is used to administer employee salary and benefit programs, process payroll, complete state and federal reports, document employee performance, etc.

Employees have the right to know what data is retained, where it is kept, and how it is used. All employee data will be received, retained, and disseminated according to the Minnesota Government Data Practices Act.

AFFIRMATIVE ACTION POLICY AND PLAN

Purpose

The City of Big Lake will not discriminate against any employee or applicant for employment because of race, color, or creed, religion, ancestry, national origin, sex, disability, age, marital status, or status with regard to public assistance.

The City of Big Lake will take affirmative action to ensure that all employment practices are free of such discrimination. Such employment practices include, but are not limited to the following: hiring including all phases of the selection process, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff, disciplinary action, termination, rates of pay or other forms of compensation, and selection for training.

The city prohibits the harassment of any employee or job applicant based on their protected class status. The city will commit the necessary time and resources, both financial and human, to achieve the goals of Affirmative Action.

The city will evaluate the performance of its management and supervisory personnel based on their involvement in achieving these Affirmative Action objectives as well as other established criteria.

Any employee of this organization who does not comply with the policies and procedures set forth in this policy and plan will be subject to disciplinary action.

Any subcontractor not complying with all Equal Employment Opportunity/Affirmative Action laws, directives and regulations of the Federal and State governing bodies or agencies thereof, will be subject to appropriate legal sanctions.

The city administrator will have the authority and responsibility to enforce this policy and plan and is the designated AA Coordinator. The city administrator's responsibilities will include monitoring all Affirmative Action activities and reporting the effectiveness of this Program, as required by Federal or State agencies.

If any employee or applicant for employment believes he/she has been discriminated against, the city encourages them to contact the AA Coordinator.

Plan

The City of Big Lake takes the following steps to ensure all employment practices are free of discrimination:

- Adopt this policy and plan
- Distribute this policy and plan to all city employees
- Make a good faith effort to attract qualified protected class applicants to fill vacancies due to expansion and turnover
- Use an objective job-related hiring process when filling positions
- Prepare and adopt written job descriptions and update them periodically
- Advertise job openings in locations and publications which attempt to reach members of protected classes
- Provide information to employees and applicants alleging discrimination as to their rights under the provisions of the Civil Rights Act of 1964 as amended, the Minnesota Human Rights Act, and other state and federal laws
- Receive and investigate complaints of alleged acts of discrimination by the City of Big Lake

NON-DISCRIMINATION POLICY

Purpose

That the city and all employees thereof are subject to a policy of non-discrimination on the basis of race, color, age, creed, religion, national origin, sex, marital status, sexual orientation, status with regard to public assistance or disability.

Non-Discrimination

It is the policy and intent of the city to provide equality of opportunity in employment to all persons.

This policy prohibits discrimination because of race, color, creed, religion, national origin, place of residence, political affiliation, sexual preference, disability, marital status, status with regard to public assistance, membership or activity in a local commission, sex or age in all aspects of its personnel policies, programs, practices and operations.

This policy applies to all phases of full-time, part-time, temporary and seasonal employment including, but not limited to, recruitment, hiring, placement, promotion, demotion, or transfer; layoff, recall, or termination; rates of pay or other forms of compensation and selection for training. This policy also applies to the use of all facilities and participation in all city-sponsored employment activities.

It is the responsibility of the city administrator, every department director and every supervisor to cooperate in the implementation of this policy.

Failure of any employee to perform in a manner consistent with this policy will constitute grounds for reprimand, suspension, demotion, or dismissal from the city's employment.

Discrimination Recourse

Equal employment opportunity is the right of a person to work and to advance based on merit, ability, and individual potential. Any employee who feels that he/she is a victim of discrimination or who believes he/she has witnessed discrimination should immediately report such actions in accordance with the following procedure:

- Any employee who has witnessed or believes that he/she is a victim of discrimination should report the act immediately to their department director. If their department director is not available or is involved the act, then the employee should report the act to the city administrator, or city attorney.
- The city will investigate every reported incident immediately. Any employee or supervisor who has been found to discriminate against another employee may be subject to appropriate disciplinary action, up to and including immediate discharge.
- The city will conduct all investigations in a discreet manner. The city recognizes that every investigation requires a determination based on all the facts in the matter.
- The city will not tolerate retaliation against an employee who files a complaint alleging discrimination. The city will discipline any employee who retaliates against another employee who files a complaint alleging discrimination or who testifies assists or participates in any manner in any investigation into a complaint alleging discrimination. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

A person or group of persons who believe they are victims of unlawful employment discrimination may file a charge of discrimination with the Minnesota Department of Human Rights and the United States Equal Employment Opportunity Commission. Their representative may also file charges on behalf of a person or group of persons. Charges may also be filed by the Commissioner of Human Rights or by the EEOC when there is reason to believe that a person is engaging in an unfair discriminatory practice. A charge must be filed with the E.E.O.C. within 180 days of the alleged unlawful employment practice and with the Minnesota Department of Human Rights within one year after the occurrence of the practice.

Instructions and forms for filing a charge with the EEOC and the Minnesota Department of Human Rights are available from the following offices:

- Minnesota Department of Human Rights
500 Bremer Tower
7th and Minnesota Streets
St. Paul, Minnesota 55101
Telephone: (651) 296-5663
- Equal Employment Opportunities Commission (EEOC)
110 South Fourth Street, Room 178
Minneapolis, Minnesota 55401
Telephone: (612) 349-3495

NEPOTISM POLICY

The City is committed to the policy of equal opportunity when hiring, promoting and evaluating its employees. For purposes of this policy, immediate family includes spouse, parent, stepparent, parent-in-law, child, stepchild, son- or daughter-in-law, sibling or sibling-in-law, grandparent, grandchild, legal guardian, or ward of an employee or elected official.

Members of an employee's immediate family shall be considered for employment based solely on the individuals' qualifications for vacant positions. However, the City will not employ an individual if the individual would be subject to administrative or supervisory control by a member of the

individual's immediate family. These policies also apply to assigning, evaluating, transferring, disciplining or promoting an employee.

City employees shall not be involved in the hiring, recommending for hiring, discipline or promotion of any member of the employee's immediate family, nor placed in a position with authority to hire or supervise immediate family members.

The City shall not hire a member of the Mayor or a City Council member's immediate family while that elected official is in office nor for a minimum 180 days after an elected official is no longer in office.

COMMUNICATIONS POLICY

All city employees have a responsibility to help communicate accurate and timely information to the public in a professional manner. Any employee who identifies a mistake in reporting should bring the error to the city administrator or other appropriate staff. Regardless of whether the communication is in the employee's official city role or in a personal capacity, employees must comply with all laws related to trademark, copyright, software use etc.

All staff is responsible for communicating basic and routine information to the public in relation to their specific job duties. Requests for private data or information outside of the scope of an individual's job duties should be routed to the appropriate department or to the data practices authority.

With the exception of routine events and basic information that is readily available to the public, all requests for interviews or information from the media are to be routed through the city administrator, unless police related. Police related requests should be directed first to the chief of police. All news releases concerning city personnel will be the responsibility of the city administrator.

Employees must not make official communications on behalf of the city unless authorized by the city administrator. If so authorized, employees must follow the city administrator's direction with respect to said communications.

CITYWIDE WORK RULES, CODE OF CONDUCT AND ETHICS POLICY

Conduct as a City Employee

In accepting city employment, employees become representatives of the city and are responsible for assisting and serving the citizens for whom they work. An employee's primary responsibility is to serve the residents of the City of Big Lake. Employees should exhibit conduct that is ethical, professional, responsive, and of standards becoming of a city employee. To achieve this goal, employees must adhere to established policies, rules, and procedures and follow the instructions of their supervisors.

The following are job requirements for every position at the City of Big Lake. All employees are expected to:

- Perform assigned duties to the best of their ability at all times.
- Render prompt and courteous service to the public at all times.
- Read, understand and comply with the rules and regulations as set forth in these personnel policies as well as those of their departments.

- Conduct themselves with decorum toward both residents and staff and respond to inquiries and information requests with patience and every possible courtesy.
- Report any unsafe conditions to the immediate supervisor.
- Maintain good attendance while meeting the goals set by your supervisor.

Attendance & Absence

Employees who are going to be absent from work are required to notify their supervisor as soon as possible in advance of absence. In case of unexpected absence, employees should call their supervisor before the scheduled starting time.

After an absence of three (3) or more consecutive days or for frequent absences or absences that follow a pattern (such as the same day of the week, or after a holiday weekend, etc.) a physician's statement may be required on the employee's first day back to work, indicating the nature of the illness or medical condition and attesting to the employee's ability to return to work and safely perform the essential functions of the job with or without reasonable accommodation.

Nothing in this policy precludes the city from administering discipline for unexcused absences of less than three (3) days.

For budgetary and confidentiality reasons, non-exempt employees (eligible for overtime pay) are not authorized to take work home or work through lunch without prior approval from their supervisor.

Access to and Use of City Property

Any employee who has authorized possession of City-owned property must register his/her name and the serial number or identifying information about the property with his/her supervisor.

Employees are responsible for the safekeeping and care of all such equipment. City-owned property may not be used for personal use or profit. All such equipment must be turned in and accounted for by any employee leaving employment with the city in order to resign in good standing.

Appearance

Departments may establish dress codes for employees as part of departmental rules. Dress codes may not discriminate based on traits associated with race, including, but not limited to, hair texture and hair styles such as braids, locs and twists. Personal appearance should be appropriate to the nature of the work and contacts with other people and should present a positive image to the public. Uniforms bearing a city identification patch should not be worn during off-duty hours.

Conflict of Interest

City employees are to remove themselves from situations in which they would have to take action or make a decision where that action or decision could be a perceived or actual conflict of interest or could result in a personal benefit for himself or herself or a family member. Any officer or employee having an interest in any proposed legislative action of the council and who gives an opinion or recommendation to the council, shall disclose on the record of the council the nature and extent of such interest.

No council member, officer or employee may purchase personal property from the city except property that is no longer needed by the city and

- 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.

Political Activities

City employees have the right to express their views and to pursue legitimate involvement in the political system outside of work time. Any employee who becomes a candidate for federal, state or municipal elective office, or assumes a federal, state, or municipal elective office, is expected to properly fulfill their normal duties during such candidacy and while holding such office and may be disciplined for failure to do so. An employee holding such office will be permitted time off from regular employment to attend meetings required by reason of the public office. Such time off may be without pay, by using appropriate paid leave, or made up with other hours, as agreed between the employee and the department director.

Any employee whose principal employment in the city is in connection with an activity which is funded in whole or in part by the United States or a federal agency is also subject to the restrictions and penalties of the Federal Hatch Act (5 U.S.C. § 1501-1508). Political activity should not impair objectivity or the perception of objectivity in carrying out city work.

City employees cannot use their official authority or influence through their employment with the city to compel a person to apply for membership in or become a member of a political organization, or to compel a person to pay or promise to pay a political contribution, or to compel a person to take part in political activity. While at work, city employees must be politically neutral in the performance of their job duties and cannot engage in political activity while at work, on city property, or by using city resources (such as city branded clothing or uniforms, photos, ID badges, nametags, or using the city's email system or technology). Furthermore, employees should not use their city job title in conjunction with any political work or endorsements.

RESPECTFUL WORKPLACE POLICY (includes sexual harassment prevention)

General

The City of Big Lake is committed to creating and maintaining a workplace free of harassment and discrimination. Such harassment is a violation of Title VII of the Civil Rights Act of 1964 and the Minnesota Human Rights Act. The intent of this policy is to provide general guidelines about the conduct that is and is not appropriate in the workplace. The city acknowledges that this policy cannot possibly predict all situations that might arise and recognizes that some employees are exposed to disrespectful behavior, and even violence, by the very nature of their jobs.

Applicability

Maintaining a respectful work environment is a shared responsibility. This policy is applicable to all city personnel including regular and temporary employees, volunteers, firefighters, and City Council members.

Abusive Customer Behavior

While the city has a strong commitment to customer service, the city does not expect employees to accept verbal abuse from any customer. An employee may request that a supervisor intervene when a customer is abusive, or they may defuse the situation themselves, including ending the contact with customer.

If there is concern over the possibility of physical violence, a supervisor should be contacted immediately. When extreme conditions dictate, 911 may be called. Employees should leave the area immediately when violence is imminent unless their duties require them to remain. Employees must notify their supervisor about the incident as soon as possible.

Types of Disrespectful Behavior

The following types of behavior cause a disruption in the workplace and are, in many instances, unlawful:

Violent behavior includes the use of physical force, harassment, or intimidation.

Discriminatory behavior includes inappropriate remarks about, or conduct related to a person's race, color, creed, religion, national origin, disability, sex, marital status, age, sexual orientation, or status with regard to public assistance.

Offensive behavior may include such actions as: rudeness, angry outbursts, inappropriate humor, vulgar obscenities, name-calling, disrespectful language, or any other behavior regarded as offensive to a reasonable person. It is not possible to anticipate in this policy every example of offensive behavior. Accordingly, employees are encouraged to discuss with their fellow employees and supervisors what is regarded as offensive, taking into account the sensibilities of employees and the possibility of public reaction. Although the standard for how employees treat each other and the public will be the same throughout the city, there may be differences between work groups about what is appropriate in other circumstances unique to a work group. If an employee is unsure whether a particular behavior is appropriate, the employee should request clarification from their supervisor or the city administrator.

Sexual harassment can consist of a wide range of unwanted and unwelcome sexually directed behavior such as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submitting to the conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- Submitting to or rejecting the conduct is used as the basis for an employment decision affecting an individual's employment; or
- Such conduct has the purpose or result of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Sexual harassment includes, but is not limited to, the following:

- Unwelcome or unwanted sexual advances. This means stalking, patting, pinching, brushing up against, hugging, cornering, kissing, fondling or any other similar physical contact considered unacceptable by another individual.
- Verbal or written abuse, kidding, or comments that are sexually oriented and considered unacceptable by another individual. This includes comments about an individual's body or appearance where such comments go beyond mere courtesy, telling "dirty jokes" or any other tasteless, sexually oriented comments, innuendos or actions that offend others.
- Requests or demands for sexual favors. This includes subtle or obvious expectations, pressures, or requests for any type of sexual favor, along with an implied or specific promise of favorable treatment (or negative consequence) concerning one's current or future job.

Supervisor/Subordinate Relationships increase the likelihood of claims of harassment and unfair treatment. Therefore, romantic or sexual relationships between a supervisor and his/her subordinate are prohibited. If the City discovers that this type of relationship exists, the city may require one or both members of the couple to transfer, change jobs, be demoted, or resign.

Possession and Use of Dangerous Weapons

Possession or use of dangerous weapons is prohibited on city property, in city vehicles, or in any personal vehicle, which is being used for city business. This includes employees with valid permits to carry firearms.

The following exceptions to the dangerous weapons prohibition are as follows:

- Employees legally in possession of a firearm for which the employee holds a valid permit, if required, and said firearm is secured within an attended personal vehicle or concealed from view within a locked unattended personal vehicle while that person is working on city property.
- A person who is showing or transferring the weapon or firearm to a police officer as part of an investigation.
- Police officers and employees who are in possession of a weapon or firearm in the scope of their official duties.

Employee Response to Disrespectful Workplace Behavior

Employees who believe that disrespectful behavior is occurring are encouraged to deal with the situation in one of the ways listed below. However, if the allegations involve violent behavior, sexual harassment, or discriminatory behavior, then the employee is responsible for taking one of the actions below. If employees see or overhear a violation of this policy, they are encouraged to follow the steps below.

Step 1(a). Politely, but firmly, tell whoever is engaging in disrespectful behavior how you feel about their actions. Politely request the person to stop the behavior because you feel intimidated, offended, or uncomfortable. If practical, bring a witness with you for this discussion.

Step 1(b). If you fear adverse consequences could result from telling the offender or if the matter is not resolved by direct contact, go to your supervisor or city administrator. The person to whom you speak is responsible for documenting the issues and for giving you a status report on the matter no later than ten business days after your report.

Step 1(c). In the case of violent behavior, all employees are required to report the incident immediately to their supervisor, city administrator or police department.

Any employee who observes sexual harassment or discriminatory behavior, or receives any reliable information about such conduct, must report it within two business days to a supervisor or the city administrator.

Step 2. If, after what is considered to be a reasonable length of time (for example, 30 days), you believe inadequate action is being taken to resolve your complaint/concern, the next step is to report the incident to the city administrator or the Mayor.

Supervisor's Response to Allegations of Disrespectful Workplace Behavior

Employees who have a complaint of disrespectful workplace behavior will be taken seriously.

In the case of sexual harassment or discriminatory behavior, a supervisor must report the allegations within two business days to the city administrator, who will determine whether an investigation is warranted. A supervisor must act upon such a report even if requested otherwise by the victim. In situations other than sexual harassment and discriminatory behavior, supervisors will use the following guidelines when an allegation is reported:

Step 1. If the nature of the allegations and the wishes of the victim warrant a simple intervention, the supervisor may choose to handle the matter informally. The supervisor may conduct a coaching session with the offender, explaining the impact of his/her actions and requiring that the conduct not reoccur. This approach is particularly appropriate when there is some ambiguity about whether the conduct was disrespectful.

Step 2. If a formal investigation is warranted, the individual alleging a violation of this policy will be interviewed to discuss the nature of the allegations. The person being interviewed may have someone of his/her own choosing present during the interview. The investigator will obtain the following description of the incident, including date, time and place:

- Corroborating evidence.
- A list of witnesses.
- Identification of the offender.

Step 3. The supervisor must notify the city administrator about the allegations.

Step 4. As soon as practical after receiving the written or verbal complaint, the alleged policy violator will be informed of the allegations. The alleged violator will have the opportunity to answer questions and respond to the allegations.

Step 5. After adequate investigation and consultation with the appropriate personnel, a decision will be made regarding whether or not disciplinary action will be taken.

Step 6. The alleged violator and complainant will be advised of the findings and conclusions as soon as practicable.

Special Reporting Requirements

When the supervisor is perceived to be the cause of a disrespectful workplace behavior incident, a report will be made to the city administrator who will assume the responsibility for investigation and discipline.

If the city administrator is perceived to be the cause of a disrespectful workplace behavior incident, a report will be made to the city attorney who will confer with the Mayor and City Council regarding appropriate investigation and action.

If a Council Member is perceived to be the cause of a disrespectful workplace behavior incident involving city personnel, the report will be made to the city administrator and referred to the City Attorney who will undertake the necessary investigation. The city attorney will report his/her findings to the City Council, which will take the action it deems appropriate.

Pending completion of the investigation, the city administrator may at his/her discretion take appropriate action to protect the alleged victim, other employees, or citizens.

Confidentiality

A person reporting or witnessing a violation of this policy cannot be guaranteed anonymity. The person's name and statements may have to be provided to the alleged offender. All complaints and investigative materials will be contained in a file separate from the involved employees' personnel files. If disciplinary action does result from the investigation, the results of the disciplinary action will then become a part of the employee(s) personnel file(s).

Retaliation

Consistent with the terms of applicable statutes and city personnel policies the city may discipline any individual who retaliates against any person who reports alleged violations of this policy. The city may also discipline any individual who retaliates against any participant in an investigation, proceeding or hearing relating to the report of alleged violations. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

DRUG-FREE AND ALCOHOL- FREE WORKPLACE

The City of Big Lake has adopted the following policy on drugs and alcohol in the workplace:

- Employees are expected and required to report to work on time and in appropriate mental and physical condition. It is the city's intent and obligation to provide a drug-free and alcohol-free, safe and secure work environment.
- Whenever employees are working on city premises, are operating a city vehicle, or are conducting city-related work, they are prohibited from consuming alcohol or from being under the influence of alcohol.
- The manufacture, distribution, possession, or use of drugs, including cannabis, on city property or while conducting city business is absolutely prohibited. Violations of this policy will result in disciplinary action, up to and including termination, and may have legal consequences. The term drug includes any "controlled substance" as defined in Minn. Stat. § 152.01, subd. 4, and also includes cannabis and tetrahydrocannabinol ("THC") products, including those that are lawfully available for public consumption.
- The city recognizes drug and alcohol abuse as a potential health, safety, and security problem. Employees needing help in dealing with such problems are encouraged to use their health insurance plans, as appropriate.
- Employees must, as a condition of employment, abide by the terms of this policy and must report any conviction under a criminal drug statute for violations occurring on or off work premises while conducting city business. A report of the conviction must be made within five (5) days after the conviction as required by the Drug-Free Workplace Act of 1988.
- Having a medical marijuana card, patient registry number, and/or cannabis prescription from a physician does not allow anyone to use, possess, or be impaired by the drug while working on city premises, operating a city vehicle, or conducting city-related work.
- The city has adopted a drug and alcohol testing policy in accordance with Minnesota state statutes. (See non-DOT Drug Free Workplace and Testing Policy)

SAFETY POLICY

The health and safety of each employee of the city and the prevention of occupational injuries and illnesses are of primary importance to the city. To the greatest degree possible, management will maintain an environment free from unnecessary hazards and will establish safety policies and procedures for each department. Adherence to these policies is the responsibility of each employee. Overall administration of this policy is the responsibility of each supervisor.

Reporting Accidents and Illnesses

Both Minnesota Worker's Compensation laws and the state and federal Occupational Safety and Health Acts require that all on-the job injuries and illnesses be reported as soon as possible by the employee, or on behalf of the injured or ill employee, to his/her supervisor. The employee's immediate supervisor is required to complete a First Report of Injury and any other forms that may be necessary related to an injury or illness on the job.

Safety Equipment/Gear

Where safety equipment is required by federal, state, or local rules and regulations, it is a condition of employment that the employee wears such equipment.

Unsafe Behavior

Supervisors are authorized to send an employee home immediately when the employee's behavior violates the city's personnel policies, department policies, or creates a potential health or safety issue for the employee or others.

TOBACCO USE POLICY

In the interest of good health, the city discourages employees from smoking or using tobacco in any manner. The City of Big Lake observes and supports the Minnesota Clean Indoor Air Act. All City buildings and vehicles, in their entirety, shall be designated as tobacco free, meaning that smoking in any form (through the use of tobacco products such as pipes, cigars and cigarettes) or "vaping" with e-cigarettes is prohibited. Smoking in any form, vaping and the use of chewing tobacco is prohibited for employees while on duty. Employees 18 and over may use tobacco products only during their breaks and lunch and only in areas designated for that purpose.

Approved smoking areas must be clearly designated by the department director. There will be no smoking in areas not designated as smoking areas. If smoking results in discomfort to others, smokers are required to stop smoking. Smoking or tobacco use in non-approved areas may result in disciplinary action.

Employer contribution toward health benefits are for **non-tobacco use premiums only**, if employee is charged the higher tobacco use rate, the employee will be responsible for the difference between the non-tobacco and tobacco use rate.

CITY DRIVING POLICY

This policy applies to all employees who drive a vehicle on city business at least once per month, whether driving a city-owned vehicle or their own personal vehicle. It also applies to employees who drive less frequently but whose ability to drive is essential to their job due to the emergency nature of the job. The city expects all employees who are required to drive as part of their job to drive safely and legally while on city business and to maintain a good driving record.

The city will examine driving records once per year for all employees who are covered by this policy to determine compliance with this policy. Employees who lose their driver's license or receive restrictions on their license are required to notify their immediate supervisor on the first workday after any temporary, pending or permanent action is taken on their license and to keep their supervisor informed of any changes thereafter. The city will determine appropriate action on a case-by-case basis, and may result in discipline, up to and including termination of employment.

CELLULAR PHONE USE

This city administrator will determine which positions require a cellular phone allowance to be provided by the city. The cell phone allowance program is limited to those employees with significant monthly cell phone usage for city business. The City of Big Lake will pay an allowance equal to the employee's monthly plan or \$50.00 per month, whichever is less. In the case of department director or city administrator, the monthly allowance will be \$50.00 per month.

The city administrator will determine which positions require a cellular phone to be provided by the city. City-owned cellular telephones are intended for the use of city employees in the conduct of their work for the city. Employees should have no expectation of privacy in anything they create, store, send or receive using the city's cell phone. Supervisors are responsible for the cellular telephones assigned to their employees and will exercise discretion in their use.

Personal calls from City-owned cellular telephones shall 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.

A supervisor may authorize an employee to use his/her own personal phone for city business and be reimbursed by the city for those calls. An employee will not be reimbursed for business-related calls without prior authorization from his/her supervisor. Supervisors may also prohibit employees from carrying their own personal cell phones during working hours if it interferes with the performance of their job duties.

General Cellphone Policy

Cellular telephones are intended for the use of city employees in the conduct of their work for the city. Supervisors are responsible for the cellular telephones assigned to their employees and will exercise discretion in their use. Nothing in this policy will limit supervisor discretion to allow reasonable and prudent personal use of such telephones or equipment provided that:

- Its use in no way limits the conduct of work of the employee or other employees.
- No personal profit is gained or outside employment is served during work hours.
- All employees are expected to follow applicable local, state, and federal laws and regulations regarding the use of cellphones at all times. Employees whose job responsibilities include regular or occasional driving and who are issued a cellphone for business use are expected to refrain from using their phone while driving. Safety must come before all other concerns. Regardless of the circumstances and in accordance with Minnesota law, employees are required to use hands-free operations or pull off into a parking lot and safely stop the vehicle before placing or accepting a call. Employees are encouraged to refrain from discussion of complicated or emotional matters and to keep their eyes on the road while driving at all times. Special care should be taken in situations where there is traffic or inclement weather, or the employee is driving in an unfamiliar area. Hands-free equipment will be provided with City-issued phones or to employees required to carry their own phone for city business to facilitate the provisions of this policy.
- Reading/sending text messages, making or receiving phone calls without the use of a hands-free equipment, emailing, video calling, scrolling/typing, accessing a webpage, or using non-navigation applications while driving is strictly prohibited.
 - In accordance with State law, there is an exception to hands free cell phone operations to obtain emergency assistance to report a traffic accident, medical emergency or serious traffic hazard or prevent a crime from being committed. There is also a State law exception for authorized emergency vehicles while in the performance of official duties.
- Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions. See above "City Driving Policy" for more information on reporting driver's license restrictions"

ELECTRONIC MEDIA USAGE POLICY

The city council authorizes the use of the internet and on-line services for the support of all city tasks. The city may review any employee's electronic files, messages and usage to the extent necessary to ensure that electronic media and services are being used in compliance with the law and with this and other city policies.

Limited, occasional or incidental use of electronic media (sending or receiving) for personal, non-business purpose done on the employee's personal time is understandable and acceptable – as is the case with personal phone calls. Such personal use must not consume large amounts of city resources. Employees using electronic media and services for personal use waive any claims to privacy regarding that usage. Any costs incurred by the city due to personal use (such as printing costs, per-minute internet fees or cellular phone charges) must be paid by the employee.

Department directors will determine whether an employee should have access to a voice mail account and e-mail account. The director shall also determine whether the e-mail account should be set up for internal city use only or also for internet e-mail access.

In general, all messages left via e-mail or voice mail should be returned as soon as possible. If possible, message should be returned within the same shift as it was received. At a minimum, all messages shall be responded to within a 24-hour period.

EMPLOYEE RECRUITMENT & SELECTION

Scope

The city administrator or a designee will manage the hiring process for positions within the city. While staff may coordinate the hiring process, the city council is responsible for the final hiring decision and must approve all hires to city employment. All hires will be made according to merit and fitness related to the position being filled.

Features of the Recruitment System

The city administrator or designee will determine if a vacancy will be filled through an open recruitment or by promotion, transfer, (including Inter-jurisdictional transfers) or some other method. This determination will be made on a case-by-case basis. The majority of position vacancies will be filled through an open recruitment process.

Application for employment will generally be made on application forms provided by the city. Other materials in lieu of a formal application may be accepted in certain recruitment situations as determined by the city administrator or designee. Supplemental questionnaires may be required in certain situations. All candidates must complete and submit the required application materials by the posted deadline, in order to be considered for the position. The city administrator may extend the deadline for application. Unsolicited applications will not be kept on file.

Position vacancies may be filled on an "acting" basis as needed. The city council will approve all acting appointments. Pay rate adjustments, if any, will be determined by the city council.

Testing and Examinations

Applicant qualifications will be evaluated in one or more of the following ways: training and experience rating; written test; oral test or interview; performance or demonstrative test; physical agility test, or another appropriate job-related exam. For example:

- Keyboarding exercise for data entry positions.
- Writing exercises for positions requiring writing as part of the job duties.
- “In-basket” exercise for an administrative support position (sets up real-life scenarios and items that would likely be given to the position for action, and asks the candidate to list and prioritize the steps they would take to complete the tasks).
- Mock presentation to the city council for planning or other director positions.
- Scenarios of situations police officers are likely to encounter on the job that test the candidate’s decision-making skills (can be role-played or multiple-choice questions).

Internal Recruitments

Internal recruitments will be open to any city employee who:

- has successfully completed the initial training period;
- meets the minimum qualifications for the vacant position; and
- currently is and for the past year has been in good standing with the city.

The city council or designee will establish minimum qualifications for each position with input from the appropriate supervisor. To be eligible to participate in the selection process a candidate must meet the minimum qualifications. In many cases the city will consider alternative experience if it is substantially equivalent to the qualification being required.

Pre-Employment Medical Exams

The city administrator or designee may determine that a pre-employment medical examination, which may include a psychological evaluation, is necessary to determine fitness to perform the essential functions of any city position. Where a medical examination is required, an offer of employment is contingent upon successful completion of the medical exam.

When a pre-employment medical exam is required, it will be required of all candidates who are finalists and/or who are offered employment for a given job class. Information obtained from the medical exam will be treated as confidential medical records.

When required, the medical exam will be conducted by a licensed physician designated by the City with the cost of the exam paid by the city. (A licensed psychologist or psychiatrist will conduct Psychological/psychiatric exams.) The physician will notify the city administrator or designee that a candidate either is or is not medically able to perform the essential functions of the job, with or without accommodations and whether the candidate passed a drug test, if applicable. If the candidate requires accommodation to perform one or more of the essential functions of the job, the city administrator or designee will confer with the physician and candidate regarding reasonable and acceptable accommodations.

If a candidate is rejected for employment based on the results of the medical exam, he/she will be notified of this determination.

Selection Process

The selection process will be a cooperative effort between the city administrator or designee and the hiring supervisor, subject to final hiring approval of the city council. Any, all or none of the candidates may be interviewed.

The process for hiring seasonal and temporary employees may be delegated to the appropriate supervisor with each hire subject to final city council approval. Except where prohibited by law, the

supervisor may terminate seasonal and temporary employees at any time, subject to city council approval.

The city has the right to make the final hiring decision based on qualifications, abilities, experience and the City of Big Lake needs.

Background Checks

All finalists for employment with the city will be subject to a background check to confirm information submitted as part of application materials and to assist in determining the candidate's suitability for the position. Except where already defined by state law, the city administrator will determine the level of background check to be conducted based on the position being filled.

Training Period

The training period is an integral part of the selection process and will be used for closely observing the employee's work and for training the employee in work expectations. Training periods apply to new hires, transfers, promotions and rehires. Training periods are six months in duration, but with approval of the city administrator, it may be extended by, for example, an unpaid leave of absence.

ORGANIZATION

Job Descriptions

The city will maintain job descriptions for each regular position. New positions will be developed as needed but must be approved by the city council prior to the position being filled.

A job description is prepared for each position within the city. Each job description will include: position title, department, supervisor's title, FLSA status (exempt or nonexempt), primary objective of the position, essential functions of the position, examples of performance criteria, minimum requirements, desirable training and experience, supervisory responsibilities (if any), and extent of supervisory direction or guidance provided to position. Good attendance and compliance with work rules and policies are essential functions of all city positions.

Prior to posting a vacant position the existing job description is reviewed by the city administrator or designee and the hiring supervisor to ensure the job description is an accurate reflection of the position and that the stated job qualifications do not present artificial barriers to employment.

A current job description is provided to each new employee. Supervisors are responsible for revising job descriptions as necessary to ensure that the position's duties and responsibilities are accurately reflected. All revisions are reviewed and must be approved by the city administrator.

Assigning and Scheduling Work

Assignment of work duties and scheduling work is the responsibility of the supervisor subject to the approval of the city administrator.

Job Descriptions and Classifications

Assignment of job titles, establishment of minimum qualifications, and the maintenance of job descriptions and related records is the responsibility of the city administrator.

Layoff

In the event it becomes necessary to reduce personnel, temporary employees and those serving a probationary period in affected job classes will be terminated from employment with the city before other employees in those job classes. Within these groups, the selection of employees to be retained will be based on merit and ability as determined by the city administrator, subject to approval of the city council. When all other considerations are equal, the principle of seniority will apply in layoffs and recall from layoff.

HOURS OF WORK

Work Hours

Supervisors with the approval of the city administrator will establish employee work schedules and opportunities to work remotely. The regular workweek for full time employees is four nine-hour days in addition to a lunch period, Monday through Thursday and one four-hour day on Friday, except as otherwise approved by the city administrator in accordance with the customs and needs of the individual departments. - (See Addendum for union contract)

Part-time, Seasonal and Temporary Positions

In order to comply with law while avoiding penalties, part-time employees will be scheduled with business needs and in a manner that ensures positions retain part-time status as intended. Effective January 1, 2016, employees in part-time and temporary positions will not be permitted to work more than a monthly average of 29 hours/week, including hours worked and paid leave (such as annual leave or holiday leave), if applicable. All shifts, including schedule trades or picked-up shifts, must be pre-approved by supervisor. Working a non-scheduled shift without prior approval may result in discipline, up to and including termination of employment. In some rare instances, a part-time, seasonal or temporary employee may be offered health insurance in order to comply with federal health care reform laws and regulations.

Minors

The city will allow the hiring of minors age 15–17 for certain designated positions and with pre-approval from the city administrator or designee. The employment of minors shall conform to all applicable state and federal laws. Minors, under the age of 16, may not be employed during school hours unless they have special permission from their school superintendent and parents, according to applicable state law. Minors, 16 – 17 years of age, in high school cannot work before 5:00 AM on school days, or after 11:00 PM the evening before a school day. Minors, under the age of 16 cannot work before 7:00 AM and after 9:00 PM on any day. Minors cannot work more than forty (40) hours in a week or more than eight- (8) hours in any 24-hour period. The city shall have the discretion to utilize more restrictive rules when necessary to accommodate the needs of the city.

Core Hours

To ensure employee availability and accountability to the public the city serves, all non-union full-time employees (exempt and non-exempt) are to be at work or available to the public and co-workers during the hours of **7:30 am to 5:00 pm, Monday through Thursday, and 7:30 am to 11:30 am on Fridays**, unless away from the work site for a work related activity or on approved leave, except as otherwise approved by the city administrator in accordance with the customs and needs of the individual departments. The Liquor Store employee's core hours will be based on the hours of operation of the liquor store as scheduled by the store/assistant manager. (See Addendum for union contract)

Meal Breaks and Rest Periods

A paid fifteen (15) minute paid break is allowed within each four (4) consecutive hours of work. An unpaid thirty (30) minute lunch period is provided when an employee works six or more consecutive hours. Employees are expected to use these breaks as intended and will not be permitted to adjust work start time, end time or lunchtime by saving these breaks. Employees working in city buildings will normally take their break at the place provided for that purpose in each building. Employees working out-of-doors will normally take their break at the location of their work. Employees whose duties involve traveling throughout the city may stop along the assigned route at a restaurant or other public accommodation for their fifteen (15) minute break with approval of supervisor. The supervisor or city administrator must approve exceptions.

Departments with unique job or coverage requirements may have additional rules, issued by the supervisor and subject to approval of the city administrator, on the use of meal breaks and rest periods.

Adverse Weather Conditions

City facilities will generally be open during adverse weather. Due to individual circumstances, each employee will have to evaluate the weather and road conditions in deciding to report to work (or leave early). Employees who are not reporting to work for reasons of personal safety will not normally have their pay reduced because of this absence. Employees will be allowed to use accrued vacation time or compensatory time; or with supervisor, approval may modify the work schedule or make other reasonable schedule adjustments.

Sworn police officers and public works maintenance employees will generally be required to report to work regardless of conditions.

In the event the city closes due to weather or other public emergencies, refer to the City's policy on Earned Sick and Safe Leave.

COMPENSATION

Regular employees of the city will be compensated according to schedules adopted by the city council. Unless approved by the council, employees will not receive any amount from the city in addition to the pay authorized for the positions to which they have been appointed. Expense reimbursement or travel expenses may be authorized in addition to regular pay.

Compensation for seasonal and temporary employees will be set by the city council at the time of hire, or on an annual basis.

Under the Minnesota Wage Disclosure Protection Law, employees have the right to tell any person the amount of their own wage. While the Minnesota Government Data Practices Act (Minn.Stat.§13.43), specifically lists an employee's actual gross salary and salary range as public personnel data, Minnesota law also requires wage disclosure protection rights and remedies to be included in employer personnel handbooks. To that end and in accordance with Minn. Stat. §181.72, employers may not:

- Require nondisclosure by an employee of his or her wages as a condition of employment.
- Require an employee to sign a waiver or other document, which purports to deny an employee the right to disclose the employee's wage.

- Take any adverse employment action against an employee for disclosing the employee's own wages or discussing another employee's wages, which have been disclosed voluntarily.
- Retaliate against an employee for asserting rights or remedies under Minn. Stat. §181.72, subd.3.

The city cannot retaliate against an employee for disclosing his/her own wages. An employee's remedies under Wage Disclosure Protection Law are to bring a civil action against the city and/or file a complaint with the Minnesota Department of Labor and Industry at (651)284-5070 or (800)342-5354.

Job Classification and Pay Plan

The city administrator and finance department shall prepare a recommended job classification and pay plan, which shall recommend the minimum and maximum rates of pay for each job position not covered by the labor contract. - (See Addendum for current pay scale and job descriptions)

Each job position shall be assigned a salary range based upon, but not limited to the following factors:

- An evaluation of the know-how, accountability, problem-solving and working conditions of the position.
- The duties and rates of pay for other job classifications, whether comparable or not
- The prevailing rates of pay for comparable positions in both public and private sectors in the appropriate labor market.
- The cost of living as measured by the Bureau of Labor Statistics and Consumer Price Index
- The value of fringe benefits provided by the employer.
- Financial and fiscal policies and consideration of the city, and other pertinent economic factors.

Annual Review, Amendment and Modification

Each fiscal year, the city council shall review the pay plan and adopt salary ranges for each classification for that fiscal year. The city council may modify salary ranges at any time.

Hourly Rates of Pay

The city council shall establish hourly rates of pay for all positions not covered by the classification and pay plan.

Time Reporting

Full-time, non-exempt employees are expected to work the number of hours per week as established for their position. In most cases, this will be 40 hours per workweek. They will be paid according to the time reported on their electronic time sheets. To comply with the provisions of the federal and state Fair Labor Standards Acts, hours worked and any leave time used by non-exempt employees are to be recorded daily, including the beginning and ending time of work each day and submitted to payroll on a biweekly basis. Each time-reporting form must include the electronic signature of the employee and immediate supervisor. Reporting false information on a time sheet may be cause for immediate termination.

Timesheets must be received electronically by the finance department by **10:00** am on Monday of payroll week for payment on Wednesday. Timesheets submitted after the deadline will not be paid until the following payroll week.

Employees are responsible for notifying payroll of any change in status including changes in address, phone number, names of beneficiaries, marital status, etc.

Direct Deposit

The City of Big Lake does offer direct deposits to all employees, council members and commissioners. As of **January 1, 2019**, the city will only offer direct deposit, paper checks will no longer be issued to any staff, appointed or elected official.

Employees are responsible for notifying the payroll department of any change in banking information.

When payday falls on a holiday, direct deposits are normally issued the day before the holiday.

Direct deposit paystubs will be emailed to the preferred email address given by the employee. Paystubs will not be given to anyone other than the person for whom they were prepared, unless the person has a note signed by the employee authorizing the city to give the other person the employees Paystub. Checks will be given to the spouse, or another appropriate immediate family member, in the case of a deceased employee.

Overtime / Compensatory Time

The City of Big Lake has established this overtime policy to comply with applicable state and federal laws governing accrual and use of overtime. The city administrator will determine whether each employee is designated as “exempt” or “non-exempt” from earning overtime. In general, employees in executive, administrative and professional job classes are exempt; all others are non-exempt.

All employees, in all departments, are required to work overtime as requested by their supervisors as a condition of continued employment. Refusal to work overtime may result in disciplinary action. Supervisors will make reasonable efforts to balance the personal needs of their employees when assigning overtime work.

Non-Exempt (Overtime-eligible) Employees

All eligible overtime employees will be compensated at the rate of time and one-half for all hours **actually worked** over 40 in one workweek. Compensation will take the form of either time and one-half pay or compensatory time off, at the discretion of the employee’s supervisor. Compensatory time is paid time off at the rate of one and one-half hours off for each hour of overtime worked.

For most employees, the workweek begins at midnight on Sunday and runs until the following Saturday night at 11:59 p.m. Supervisors may establish a different workweek based on the needs of the department, subject to the approval of the city administrator. **(See Addendum for union contract)**

The employee’s supervisor must approve overtime hours in advance. An employee who works overtime without prior approval may be subject to disciplinary action. **(See Addendum for union contract)**

Overtime earned will be paid at the rate of time and one-half on the next regularly scheduled payroll date, unless the employee indicates on his/her timesheet that the overtime earned is to be recorded as compensatory time in lieu of payment. This option must be approved and directed by the employee’s supervisor. The maximum compensatory time accumulated or balance for any employee

is **40 hours**. Once an employee has a balance of 40 hours of compensatory time, no further compensatory time may accrue, and all further overtime will be paid in lieu of compensatory time. Employees may request and use compensatory time off in the same manner as other leave requests. **(Union employees refer to union contract)**

All compensatory time will be marked as such on official timesheets, both when it is earned and when it is used. The finance department will maintain compensatory time records. All compensatory time accrued will be paid when the employee leaves city employment at the hourly pay rate the employee is earning at that time.

Exempt (non-overtime-eligible) Employees

Positions classified as Exempt do not qualify for overtime compensation per the Fair Labor Standards Act (FLSA). Exempt employees are expected to work the hours necessary to meet the performance expectations outlined by their supervisors, the city administrator, and the City Council. Generally, to meet these expectations, and for reasons of public accountancy, an exempt employee will need to work 40 or more hours per week. Exempt employees do not receive extra pay for the hours worked over 40 in one work week.

Exempt employees are paid on a salary basis. This means they receive a predetermined amount of pay each pay period and are not paid by the hour. Their pay does not vary based on the quality or quantity of work performed, and they receive their full weekly salary for any week in which any work is performed.

The City of Big Lake will only make deductions from the weekly salary of an exempt employee in the following situations:

- The employee is in a position that does not earn vacation or personal leave and is absent for a day or more for personal reasons other than sickness or accident.
- The employee is in a position that earns sick leave, receives a short-term disability benefit or workers' compensation wage loss benefits and is absent for a full day due to sickness or disability, but he/she is either not yet qualified to use the paid leave or he/she has exhausted all of his/her paid leave.
- The employee is absent for a full workweek and, for whatever reason, the absence is not charged to paid leave (for example, a situation where the employee has exhausted all of his/her paid leave or a situation where the employee does not earn paid leave).
- The very first workweek or the very last workweek of employment with the city in which the employee does not work a full week. In this case, the city will prorate the employee's salary based on the time actually worked.
- The employee is in a position that earns paid leave and is absent for a partial day due to personal reasons, illness or injury, but:
 - Paid leave has not been requested or has been denied.
 - Paid leave is exhausted.
 - The employee has specifically requested unpaid leave.
- The employee is suspended without pay for a full day or more for disciplinary reasons for violations of any written policy that is applied to all employees.
- The employee takes unpaid leave under the FMLA.
- The City of Big Lake may for budgetary reasons implement a voluntary or involuntary unpaid leave program and, under this program, make deductions from the

weekly salary of an exempt employee. In this case, the employee will be treated as non-exempt for any work week in which the budget-related deductions are made.

The City of Big Lake will not make deductions from pay due to exempt employees being absent for jury duty or attendance as a witness but will require the employee to pay back to the city any amounts received by the employee as jury fees or witness fees.

If the city inadvertently makes an improper deduction to the weekly salary of an exempt employee, the city will reimburse the employee and make appropriate changes to comply in the future.

PERFORMANCE REVIEWS

The city administrator or designee for periodically evaluating the performance of city employees will establish an objective performance review system. The quality of an employee's past performance will be considered in personnel decisions such as promotions, transfers, demotions, terminations and, where applicable, salary adjustments.

Performance reviews will be discussed with the employee. While certain components of a performance evaluation, such as disputed facts reported to be incomplete or inaccurate are challengeable using the city's grievance process, other performance evaluation data, including subjective assessments, are not. For those parts of the performance evaluation system deemed not challengeable, an employee may submit a written response, which will be attached to the performance review. Performance reviews are to be scheduled on a regular basis, at least annually. The performance review document, with all required signatures, will be retained as part of the employee's personnel file.

During the training period, informal performance meetings should occur frequently between the supervisor and the employee. Conducting these informal performance meetings provides both the supervisor and the employee with the opportunity to discuss what is expected, and what is going well and not so well.

Signing of the performance review document by the employee acknowledges the review has been discussed with the supervisor and does not necessarily constitute agreement. Failure to sign the document by the employee will not delay processing.

Step increases are contingent on the employee receiving a positive performance review. If an employee does not receive a satisfactory performance review or better, they will not receive their next scheduled step increase. Step Increases, if applicable, will be as of January 1, of each year. Only one step increase will be issued within a calendar year.

DISCIPLINE

General Policy

Supervisors are responsible for maintaining compliance with city standards of employee conduct. The objective of this policy is to establish a standard disciplinary process for employees of the City of Big Lake. City employees will be subject to disciplinary action for failure to fulfill their duties and responsibilities at the level required, including observance of work rules and standards of conduct and applicable city policies.

Discipline will be administered in a non-discriminatory manner. An employee who believes that discipline applied was either unjust or disproportionate to the offense committed may pursue a remedy through the grievance procedures established in the city's personnel policies. The supervisor and/or the city administrator will investigate any allegation on which disciplinary action might be based before any disciplinary action is taken.

No Contract Language Established

This policy is not to be construed as contractual terms and is intended to serve only as a guide for employment discipline.

Process

The city may elect to use progressive discipline with any employee. There may be circumstances that warrant deviation from the suggested order or where progressive discipline is not appropriate. Nothing in these personnel policies implies that any city employee has a property right to the job he/she performs.

Documentation of disciplinary action taken will be placed in the employee's personnel file with a copy provided to the employee. The following are descriptions of the types of disciplinary actions:

Oral Reprimand

This measure will be used where informal discussions with the employee's supervisor have not resolved the matter. All supervisors have the ability to issue oral reprimands without prior approval.

Oral reprimands are normally given for first infractions on minor offenses to clarify expectations and put the employee on notice that the performance or behavior needs to change, and what the 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. 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 determines 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.

Salary

An employee's salary increase may be withheld, or the salary may be decreased due to performance deficiencies with the approval of the city administrator.

Dismissal

The city administrator, with the approval of the city council, may dismiss an employee for substandard work performance, serious misconduct, or behavior not in keeping with city standards.

If the disciplinary action involves the removal of a qualified veteran, the appropriate hearing notice will be provided, and all rights will be afforded the veteran in accordance with Minnesota law.

GRIEVANCE PROCEDURE

Any dispute between an employee and the city relative to the application, meaning or interpretation of these personnel policies will be settled in the following manner:

Step 1: The employee must present the grievance in writing, stating the nature of the grievance, the facts on which it is based, the provision or provisions of the personnel policies allegedly violated and the remedy requested, to the proper supervisor within twenty-one (21) days after the alleged violation or dispute has occurred. The supervisor will respond to the employee in writing within seven (7) calendar days.

Step 2: If the grievance has not been settled in accordance with Step 1, it must be presented in writing, stating the nature of the grievance, the facts on which it is based, the provision or provisions of the Personnel Policies allegedly violated, and the remedy requested, by the

employee to the city administrator within seven (7) days after the supervisor's response is due. The city administrator or his/her designee will respond to the employee in writing within seven (7) calendar days. The decision of the city administrator is final for all disputes with exception of those components in a performance evaluation subject to a challenge through the Minnesota Department of Administration.

Waiver

If grievance is not presented within the time limits set forth above, it will be considered "waived." If grievance is not appealed to the next step in the specified time limit or any agreed extension thereof, it will be considered settled based on the city's last answer. If the city does not answer a grievance or an appeal within the specified time limits, the employee may elect to treat the grievance as denied at that step and immediately appeal the grievance to the next step. The time limit in each step may be extended by mutual agreement of the city and the employee without prejudice to either party.

The following actions are not grievable:

- While certain components of a performance evaluation, such as disputed facts reported to be incomplete or inaccurate are challengeable, other performance evaluation data, including subjective assessments, are not.
- Pay increases or lack thereof; and
- Merit pay awards.

The above list is not meant to be all-inclusive or exhaustive.

SEPARATION FROM SERVICE

Resignations

Employees wishing to leave the city service in good standing must provide a written resignation notice to their supervisor, at least ten (10) working days before leaving. Exempt employees must give thirty (30) calendar days' notice. The written resignation must state the effective date of the employee's resignation. In order to facilitate a smooth transition out of the city, employees will not be approved the use of vacation during the resignation notice period, unless prior approved by the City Administrator.

Unauthorized absences from work for a period of three consecutive workdays may be considered as resignation without proper notice.

Failure to comply with this procedure may be cause for denying the employee's **severance pay** and any future employment with the city.

Severance Pay

Employees, who leave the employment of the city in good standing by retirement or resignation, after working for at least one year, will receive pay for 100% of unused accrued vacation.

BENEFITS

Health, Dental, Life Insurance, Short-term Disability, Long-Term Disability

The City will contribute a monthly amount toward group health (**non-tobacco use rates**), dental, and life insurance, short-term and long-term benefits for each eligible full-time employee and his/her

dependents. The amount to be contributed and the type of coverage will be determined annually by the city council.

For information about coverage and eligibility requirements, employees should refer to the summary plan description or contact the finance department or the city administrator.

Insurance Opt-out.

The city no longer offers insurance opt-out program. Those employees that were grandfathered in as of 2015 will receive \$150.00 per month opt-out payment or \$69.23 per 26 payrolls. This amount will be frozen for all current employees participating in the opt-out payment.

Retirement

The city participates in the Public Employees Retirement Fund (PERA) to provide pension benefits for its eligible employees to help plan for a successful and secure retirement. Participation in PERA is mandatory for most employees and contributions into PERA begin immediately. The city and the employee contribute to PERA each pay period as determined by state law. Most employees are also required to contribute a portion of each paycheck for Social Security and Medicare (the city matches the employee’s social security and Medicare withholding).

For information about PERA, eligibility and contribution requirements contact the finance department.

Holidays

The city observes the following official holidays for all regular non-union full-time and permanent part-time employees: **(Union employees refer to union contract) – remove 2 floating holidays as of 1/1/17 and add 16 hours to vacation accrual. All holidays are paid at 8-hour shifts unless otherwise listed.**

- | | |
|----------------------------------|--|
| New Year's Day | Labor Day |
| Martin Luther King, Jr. Day | Veteran's Day |
| President's Day | Thanksgiving Day |
| Memorial Day | Friday after Thanksgiving (4 hours) |
| Juneteenth Day (as of 6/19/2023) | Christmas Eve closes at noon (4 hours) |
| Independence Day | Christmas Day |

Official holidays commence at the beginning of the first shift of the day on which the holiday is observed and continue for twenty-four (24) hours thereafter.

When a holiday falls on a Sunday, the following Monday will be the “observed” holiday and when a holiday falls on a Saturday, the preceding Friday will be the “observed” holiday for city operations/facilities that are closed on holidays.

On Christmas Eve, all City offices will close at noon, unless Christmas Eve falls on a Friday, then it would be “observed” as the Christmas Day holiday and all city offices would be closed for the day.

Full-time non-union employees will receive pay for official holidays at their normal straight time rates, provided they are on paid status on the last scheduled day prior to the holiday and first scheduled day immediately after the holiday. Any employee on a leave of absence without pay from the city is not eligible for holiday pay. **(Union employees refer to union contract)**

All regular full-time and permanent part-time employees scheduled to work on a city “observed” holiday will receive one- and one-half times **(1.5)** their regular hourly rate for the hours worked on that day.

Exempt employees who are required to work on an observed holiday may take another day off in-lieu of the observed holiday **in the same pay period**.

Employees wanting to observe holidays other than those officially observed by the city may request either vacation leave or unpaid leave for such time off.

LEAVES OF ABSENCE

Depending upon an employee’s situation, more than one form of leave may apply during the same period of time (e.g., the Family and Medical Leave Act is likely to apply during a workers’ compensation absence). An employee will need to meet the requirements of each form of leave separately. Leave requests will be evaluated on a case-by-case basis.

Except as otherwise stated, all paid time off, taken under any of the city’s leave programs, must be taken consecutively, with no intervening unpaid leave. The city will provide employees with time away from work as required by state or federal statutes, if there are requirements for such time off that are not described in the personnel policies.

Minnesota Paid Leave (MNPL) Effective January 1, 2026

Overview

The city provides time off to eligible employees who qualify for Minnesota Paid Leave (MNPL) benefits under Minnesota law. The City of Big Lake is seeking approval from the state to provide an equivalent plan through an approved private insurance carrier. MNPL benefits are funded through premium contributions payable to the city’s private insurance carrier. The premium cost will be split between the city and employees as follows: The City of Big Lake will pay 50% of the required premium and employees will pay 50% of the premium cost through payroll deductions starting January 1, 2026.

Eligibility

Eligibility determinations for MNPL benefits are made by the City’s private insurance carrier. Generally, to be eligible for MNPL, you must:

- Work at least 50% of the time from a location in Minnesota, including employees who work from home or spend time in other states occasionally.
- Meet the financial eligibility requirements by having earned over a specific amount of wages as defined by under Minnesota law at the time of your requested leave.

Benefit Amount

An employee's weekly MNPL benefits are calculated and determined by the private insurance carrier, in the manner required by law.

Leave Entitlement and Usage

The city’s private insurance carrier may approve MNPL leave for the following conditions in a benefit year: (MNPL requires that each event for which leave is taken must be at least a seven-day qualifying event, unless the leave taken is intermittent.)

- Up to 12 weeks of medical leave (for yourself) to take care of yourself for a serious health condition, including pregnancy, childbirth, recovery, or surgery.
- Up to 12 weeks of family leave to:
 - Bond with a child through birth, adoption, or foster placement
 - Care for a family member with a serious health condition
 - Support a military family member called to active duty
 - Receive covered types of care for yourself or a family member because of domestic abuse, sexual assault, or stalking.

You can take both types of leave in the same year, but you cannot exceed 20 weeks total within a single benefit year. For example, an employee may be entitled to 12 weeks of family leave to bond with a child and another 8 weeks of medical leave for their serious health condition. Your benefit year starts the first day you take Paid Leave. There is no waiting period for MNPL if you are granted the benefit.

MNPL Intermittent Leave

Employees may apply for intermittent leave in most cases, provided the leave is reasonable and appropriate to the needs of the individual requiring care.

In addition to the other eligibility requirements under the MN Paid Leave law, employees seeking intermittent leave must have at least eight hours of accumulated leave (unless more than 30 days have lapsed since taking the initial leave).

In situations where employees seek MNPL on an intermittent basis, employees must make a reasonable effort to provide written notice to Human Resources of the need for intermittent leave *before* applying for MNPL benefits through the city’s private insurance program. As part of the notice, employees must provide the city with the following: 1) proposed intermittent leave schedule; and 2) a completed certification from a health care provider identifying the leave as necessary and a reasonable estimate of the frequency and duration and treatment schedule for the leave.

Consistent with other forms of leave provided by the city, employees may take intermittent leave in increments of **one** hour. If eligible for intermittent leave, the city allows a maximum of 480 hours of intermittent leave in any 12-month period. After reaching the maximum amount of allowed intermittent leave, employees may request continuous MNPL provided the continuous leave does not exceed the maximum amount of MNPL allowed by law.

Definitions

- **Family members** include:
 - Spouse or partner.
 - Child (including biological, adopted, step, or foster children, or a child you raise even if you are not legally related)
 - Parent or person who raised you.
 - Sibling
 - Grandchild or grandparent
 - In-laws (including son, daughter, father, or mother)
 - Anyone close to you who depends on you like family, even if not related by blood.

- A **serious health condition** means a physical or mental illness, injury, impairment, condition, or substance use disorder. Taking care of yourself for this serious condition may involve evaluation, treatment, inpatient care, recovery, or not being able to perform regular work, attend school, or do regular daily activities. This includes childbirth, conditions related to pregnancy, or surgery.

Notice

Prior to starting a claim with the city's private insurance carrier, employees should reach out to Human Resources to notify your intention to take leave. If the need is foreseeable, we ask that you provide at least two weeks' notice prior to taking leave. If the leave is not foreseeable you will still be able to take leave under MNPL and we ask that you provide as much notice as possible.

How to Apply for Minnesota Paid Leave

After your leave has been discussed with Human Resources, you may apply for MNPL through the city's private insurance carrier. Human Resources will provide you the contact information.

Interaction with Other Laws and Benefits

MNPL will run concurrently with any leave and/or wage supplement for which you may be eligible for under local, state, or federal law which may include Family and Medical Leave Act (FMLA) and/or Minnesota Women's Economic Security Act (WESA) pregnancy and parenting leave]

The city offers a short-term disability (STD) policy, for those staff covered by the city's health insurance. This benefit may run concurrently with other leave types and require a separate filing process in accordance with the terms of the STD policy. Employees should contact Human Resources for guidance and filing assistance. Please note that STD benefit payments may be reduced, as outlined in the policy, if the employee is receiving other forms of paid leave benefits.

Supplementing MNPL Benefits with Accrued Paid Leave

If you are receiving MNPL benefits, the city allows you to supplement, or "top off," your MNPL benefits with any accrued but unused paid leave. If you choose to supplement your MNPL benefits in this way, the combined weekly sum of MNPL benefits and city-provided paid leave benefits cannot exceed your regular wage or salary. For more information, contact Human Resources.

Maintaining Health Coverage During Leave

Unless the employee revokes coverage while on MNPL, the city will continue to provide group health insurance coverage for an employee on MNPL under the same conditions as the coverage was provided before the employee took leave. You must continue to make timely payments of your share of the premiums for such coverage. If you are not using paid time off to cover part or all of the leave, you will be responsible for remitting your portion of health premiums to the city in order to ensure continuation of benefits.

Group health insurance may be cancelled if an employee's premium payment is 30 days late. Before terminating coverage, the city will provide written notice to the employee at least 15 days before the coverage is terminated listing the final date payment is due (30 days past the due date) to avoid cancellation and the date coverage will end if payment is not received.

An employee's share of premium payments for their group health insurance coverage may, at the employee's option, be:

1. prepaid at or before the start of leave in which your health deductions may be modified to accept the agreed upon amounts and cadence of premium deductions.
2. arranged to write a check every month for the duration that the employee may be out. A signed wage deduction authorization form must be included with the leave request.

Coverage that lapses due to nonpayment of premiums will be reinstated immediately upon return to work without a waiting period.

Reinstatement

Upon return from covered MNPL, you will be reinstated to your previous position or to an equivalent position, with the same status, pay, employment benefits, length-of-service credit, and seniority credit as of the date of leave as long as you have worked for the city for a minimum of 90 calendar days.

Upon return to work, if it becomes evident that the employee is unable to perform the key essential functions of their position (with or without reasonable accommodation), the city may engage in an interactive process, consistent with the American with Disability Act (ADA) and/or Minnesota Human Rights Act (MHRA) and other applicable workplace policies, including workplace safety protocols, to determine appropriate next steps.

Retaliation

The city will not interfere or retaliate against employees who request or take leave in accordance with the MN Paid Leave law.

Earned Sick and Safe Leave

“Earned Sick and Safe Leave” is paid time off earned at the rates set forth in this policy. The hourly rate of Earned Sick and Safe Leave is the same hourly rate an employee earns from employment with the city. This specific leave applies to all employees (including temporary and part-time employees) anticipated to perform work for at least 80 hours in a calendar year for the city. The provisions of this policy meet or exceed the requirements under Minnesota’s Earned Sick and Safe Time Law.

- Full-time employees accrue **3.70** hours per payroll of sick time which can be used for sick and safe leave.. Full-time employees will earn up to 96 hours a year.
- Part-time and seasonal employees will accrue the following.
 - 1 hour for every 30 hours of work in a calendar year or **.034** per hour worked.
 - Maximum accrual will be 48 hours in a calendar year.
 - Accrued balance will not be paid out at the time the employee leaves employment with the City of Big Lake
- A **Full-time employee** may carry-over accrued sick leave from year to year, but the maximum carry-over is 800 hours (100 days). An employee who has accumulated over 800 hours (100 days) in any year makes an election between the options listed below and must notify the finance department by **December 15** of that year of the option elected .
 - A cash payout equal to four (4) hours of pay at the employee’s regular rate of pay for every eight (8) hours of sick leave accumulated beyond the 800 hours (100 days); or.
 - A credit of four (4) hours of vacation leave for every eight (8) hours of sick leave accumulated beyond the 800 hours (100 days); the vacation leave is forfeited unless used during the next fiscal year.

- Part-time and seasonal employees are eligible to carry over accrued but unused Earned Sick and Safe time into the following year, but the total of Earned Sick and Safe Leave carry over hours shall not exceed 80 hours at any one time.

Earned Sick and Safe Leave Use

The leave may be used as it is accrued and in **one (1) hour** increments for the following circumstances:

- An employee's own:
 - Mental or physical illness, injury or other health condition
 - Need for medical diagnosis, care or treatment, of a mental or physical illness injury or health condition
 - Need for preventative medical or health care
 - Funeral and memorial services and other arrangements related to the death of a family member or to address financial or legal matters that arise after the death of a family member.
- Absence due to domestic abuse, sexual assault, or stalking of the employee or employee's family member provided the absence is to:
 - Seek medical attention related to physical or psychological injury or disability caused by domestic abuse, sexual assault, or stalking.
 - Obtain services from a victim service organization.
 - Obtain psychological or other counseling.
 - Seek relocation or take steps to secure an existing home due to domestic abuse, sexual assault or stalking.
 - Seek legal advice or take legal action, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from domestic abuse, sexual assault, or stalking.
- Care of a family member:
 - With mental or physical illness, injury or other health condition
 - Who needs medical diagnosis, care or treatment of a mental or physical illness, injury or other health condition or
 - Who needs preventative medical or health care
- Closure of the employee's place of business due to weather or other public emergency or closure of a family member's school or care facility due to weather or public emergency, unless a public safety officer or employee's preassigned or foreseeable work duties during a public emergency or weather event would require the employee to respond to the public emergency or weather event. , pursuant to Minn. Stat. § 181.9447, subd. 1(4) and Minn. Stat. § 181.9447, subd. 12. **(Union employees refer to union contract.)**The employee's inability to work or telework because the employee is prohibited from working by the city due to health concerns related to the potential transmission of a communicable illness related to a public emergency, or seeking or awaiting the results of a diagnostic test for, or a medical diagnosis of, a communicable disease related to a public emergency and the employee has been exposed to a communicable disease or the city has requested a test or diagnosis.
- When it has been determined by health authority or a health care professional that the presence of the family member of the employee in the community would jeopardize the health of others because of the exposure of the family member of the employee to a communicable disease, whether or not the family member has actually contracted the communicable disease

For Earned Sick and Safe Leave purposes, family member includes an employee's:

- Spouse or registered domestic partner.
- Child, foster child, adult child, legal ward, child for whom the employee is legal guardian, or child to whom the employee stands or stood in loco parentis.
- Sibling, step sibling or foster sibling
- Biological, adoptive or foster parent, stepparent or a person who stood in loco parentis when the employee was a minor child.
- Grandchild, foster grandchild or step grandchild
- Grandparent or step grandparent
- A child of a sibling of the employee
- A sibling of the parent of the employee or
- A child-in-law or sibling-in-law
- Any of the above family members of a spouse or registered domestic partner.
- Any other individual related by blood or whose close association with the employee is the equivalent of a family relationship.
- Up to one individual annually designated by the employee.

Advance Notice for use of Earned Sick and Safe Leave

If the need for sick and safe leave is foreseeable, the city requires **seven** days' advance notice. However, if the need is unforeseeable, employees must provide notice of the need for Earned Sick and Safe time as soon as practicable. When an employee uses Earned Sick and Safe time for more than **two** consecutive scheduled workdays, the city may require appropriate supporting documentation (such as medical documentation supporting medical leave, court records or related documentation to support safety leave). However, if the employee or employee's family member did not receive services from a health care professional, or if documentation cannot be obtained from a health care professional in a reasonable time or without added expense, then reasonable documentation may include a written statement from the employee indicating that the employee is using, or used, Earned Sick and Safe Leave for a qualifying purpose. The city will not require an employee to disclose details related to domestic abuse, sexual assault, or stalking or the details of the employee's or the employee's family member's medical condition. In accordance with state law, the city will not require an employee using Earned Sick and Safe leave to find a replacement worker to cover the hours the employee will be absent. However, this is not meant to limit employees who choose to voluntarily seek a replacement staff member or trade shifts to cover their ESST absence.

Retaliation prohibited

The city shall not discharge, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for asserting Earned Sick and Safe Leave rights, requesting an Earned Sick and Safe Leave absence, or pursuing remedies. Further, use of Earned Sick and Safe Leave will not be factored into any attendance-point system the city may use. Additionally, it is unlawful to report or threaten to report a person or a family member's immigration status for exercising a right under Earned Sick and Safe Leave.

Benefits and Return to Work Protections

During an employee's use of Earned Sick and Safe Leave, an employee will continue to receive the city's employer insurance contribution as if they were working, and the employee will be responsible for any share of their insurance premiums.

An employee returning from time off using accrued Earned Sick and Safe Leave is entitled to return to their city employment at the same rate of pay received when their leave began, plus any automatic pay adjustments that may have occurred during the employee's time off. Seniority during Earned Sick and Safe Leave absences will continue to accrue as if the employee has been continually employed.

Sick pay upon separation

Regular full-time employees who separate from employment with the city in good standing 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, provided that all of the following conditions are satisfied: **(union members refer to union contract)**

- 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.

When there is a separation from employment with the city and the employee is rehired again within 180 days of separation, previously accrued Earned Sick and Safe Leave that had not been used or otherwise disbursed to the employee will be reinstated. An employee is entitled to use and accrue Earned Sick and Safe Leave at the commencement of reemployment.

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 who have 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 (STD)

The city shall provide short-term and long-term disability benefit programs for those regular full-time employees who are covered by the City's health insurance plan.

- Short-Term Disability (STD): Benefits shall be paid to eligible employees after twenty-two (22) consecutive calendar days of absence due to a qualifying illness or injury. STD benefits may run concurrently with other leave programs, including the Family and Medical Leave Act (FMLA) and Minnesota Paid Leave. STD payments may also be reduced if the employee is receiving other forms of paid leave benefits, in accordance with the STD policy
- Long-Term Disability (LTD): Benefits begin on the ninety-first (91st) day of the benefit period. LTD benefits provide up to sixty percent (60%) of an employee's wages for the duration of the disability or until the employee reaches age sixty-five (65), whichever occurs first.

Employees should consult Human Resources for filing requirements, coordination with FMLA or Minnesota Paid leave, and detailed plan provisions.

STD Benefit Information

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, the employee shall submit medical documentation from a physician certifying that the first twenty-two (22) consecutive calendar days of the employee's absence were due to injury or illness.

In order to continue receiving short-term disability benefits, an employee must regularly submit medical documentation substantiating the disability for the duration of the disability at the city's request from a physician certifying that the absence from work is due to injury or illness.

The employee shall further provide the city with a release of medical information authorizing the city, or its agents, access to the employee's medical records relevant to the specific injury or illness in question for sustaining disability. The employee shall, if required or requested, submit to an examination at the city's expense by a physician designated by the city in order to verify the injury or illness claimed by the employee.

Before qualifying for short-term disability benefits, an employee must complete all required city forms to the city's satisfaction. In order to continue to receive short-term disability benefits, all required city forms must remain in effect for the duration of the disability.

Each new event, which results in short-term disability benefits, shall be preceded by a new waiting period of twenty-two (22) consecutive calendar days. Each new event shall be subject to the provisions of this Article.

Each day on which an employee is able to work less than four (4) hours per day shall count as one-half (1/2) day toward the ninety (90) day benefit period. If an employee returns to work on a part time basis during the ninety (90) day benefit period, each day in which the employee is able to work four (4) or more hours per day shall count as one (1) day toward the ninety (90) day benefit period.

Vacation Leave

Vacation Leave Schedule – added a step between 3 and 14 as of 1/1/2026

Years of Service	Annual Accrual
Less than 3 Years	14 Days - 112 hours - 4.30 hours/payroll
3 to 7 Years	20 Days - 160 hours – 6.15 hours/payroll
7 to 14 Years	22 Days - 176 hours - 6.76 hours/payroll
Greater than 14 Years	26 Days – 208 hours - 8.00 hours/payroll

Eligibility

Full-time employees will earn vacation leave in accordance with the above schedule.

Part-time employees, temporary and seasonal employees will not earn or accrue vacation leave.

Accrual Rate

For determining an employee's vacation accrual rate, years of service will include all continuous time that the employee has worked at the city (including authorized unpaid leave). Employees 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.

Requested vacation time can be for no more than two consecutive weeks at a time within a one-month time frame, unless the employee has received prior approval from the City Administrator based upon special circumstances.

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 workday 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.

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 circumstance 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 of 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

Employees will be permitted to use up to five (5) 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 from 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 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 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.

Employees are required to notify their supervisor as soon as possible after receiving notice to report for jury duty. The employee will be responsible for ensuring that a report of time spent on jury duty and the Clerk of Court completes the pay form so the city will be able to determine the amount of compensation due to the period involved.

Court Appearances

Employees will be paid their regular wage to testify in court for city-related business. Any compensation received for court appearances (e.g. subpoena fees) arising out of or in connection with city employment, minus mileage reimbursement, must be turned over to the city.

Victim or Witness Leave

An employer must allow a victim or witness, who is subpoenaed or requested by the prosecutor to attend court for the purpose of giving testimony, or is the spouse or immediate family member (immediate family member includes parent, spouse, child or sibling of the employee) of such victim, reasonable time off from work to attend criminal proceedings related to the victim's case. [See Safety Leave under the Sick Leave Policy for additional information on leave benefits available to employees and certain family members.]

Job Related Injury or Illness

All employees are required to report any job-related illnesses or injuries to their supervisor immediately (no matter how minor). If a supervisor is not available and the nature of injury or illness requires immediate treatment, the employee is to go to the nearest available medical facility for treatment and, as soon as possible, notify his/her supervisor of the action taken. In case of a serious emergency, 911 should be called.

If the injury is not of an emergency nature, but requires medical attention, the employee will report it to the supervisor and arrange for a medical appointment.

Worker's compensation benefits and procedures to return to work will be applied according to applicable state and federal laws.

An employee injured in the line of duty, covered by the Workers Compensation Law of the State of Minnesota, and eligible for worker's compensation pay, shall be guaranteed their regular base rate of pay by the Employer for a maximum of ninety **(90) working days**.

Injury on Duty (IOD) pay will start after the employee has been off work due to the injury three (3) working days. The employer shall pay the difference between the employee's weekly pay and their weekly workers' compensation check to the extent that the employee's after-tax net take home does not exceed the employee's after-tax pay earned while working.

When the employee has exhausted the employee's ninety- **(90) day IOD bank**, the employee may then draw on the employee's accumulated sick leave and other leave banks.

No employee may return to duty without medical verification that the employee is capable of returning to work and performing all the regular duties of their job description unless a return to work under light duty can be arranged.

The injured employee will allow the employer access to the employee's medical records on file with the Workers Compensation Insurance Carrier or State Workers Compensation Commission. Additional benefits paid to the employee will not be charged against the employee's annual leave or other accumulated benefits within the sixty- (60) day period.

Pregnancy and Parenting Leave

All employees are entitled to take unpaid leave of absence under the Pregnancy and Parenting Leave Act of Minnesota. Female employees for prenatal care, or incapacity due to pregnancy, childbirth, or related health conditions as well as a biological or adoptive parent in conjunction with after the birth or adoption of a child are eligible for up to 12 weeks of unpaid leave. Any paid or unpaid leave taken for prenatal care medical appointments will not count toward the 12-week leave.

Leave under this section must begin within twelve (12) months of the birth or adoption of the child. In the case where the child must remain in the hospital longer than the mother, the leave must begin within 12 months after the child leaves the hospital. Employees should provide reasonable prior notice, which is at least **12 days**. If the leave must be taken in less than three days, the employee should give as much notice as practicable.

Employees are required to use accrued vacation leave, and employees may choose, but are not required, to use any accrued Earned Sick and Safe Time during Parenting Leave. If the employee has any FMLA eligibility remaining at the time this leave commences, this leave will also count as FMLA leave. The two leaves will run concurrently. When the employee is also receiving MN Paid Leave benefits, the combined weekly sum of MNPL benefits and any city-provided paid leave benefits cannot exceed the employee's regular wage or salary.

The employee is entitled to return to work in the same position and at the same rate of pay, the employee was receiving prior to commencement of the leave.

Group insurance coverage, including any employer contributions towards the benefits, will continue while the employee is on leave pursuant to the Pregnancy and Parenting Leave Act, provided the employee continues to pay the employee share of the cost of the benefits.

The city will inform employees of their parental leave rights at the time of hire and when an employee makes an inquiry about or requests parental leave.

An employer shall not discharge, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for asserting parental leave rights or remedies.

Administrative Leave

Under special circumstances, an employee may be placed on administrative leave pending the outcome of an internal or external investigation. The leave may be paid or unpaid, depending on the circumstances, as determined by the city administrator with the approval of the city council. The city administrator may place an employee on paid administrative leave for up to two weeks without council authorization due to a pending investigation.

Adoptive Parents

Adoptive parents will be given the same opportunities for leave as biological parents (see provisions for Parenting Leave). The leave must be for the purpose of arranging the child's placement or caring for the child after placement. Such leave must begin before or at the time of the child's placement in the adoptive home.

School Conference Leave

Any employee may take unpaid leave for up to a total of sixteen (16) hours during any 12-month period to attend school conferences or classroom activities related to the employee's child (under 18 or under 20 and still attending secondary school), provided the conference or classroom activities cannot be scheduled during non-work hours. When the leave cannot be scheduled during non-work hours and the need for the leave is foreseeable, the employee must provide reasonable prior notice of the leave and make a reasonable effort to schedule the leave so as not to disrupt unduly the operations of the city. Employees may choose to use vacation leave hours for this absence but are not required to do so.

Bone Marrow/Organ Donation Leave

Employees working an average of 20 or more hours per week may take paid leave, not to exceed 40 hours unless agreed to by the city, to undergo medical procedures to donate bone marrow or an organ. The 40 hours are over and above the amount of accrued time the employee has earned.

The city may require a physician's verification of the purpose and length of the leave requested to donate bone marrow or an organ. If there is a medical determination that the employee does not qualify as a bone marrow donor, the paid leave of absence granted to the employee prior to that medical determination is not forfeited.

An employer shall not discharge, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for asserting bone marrow or organ donation leave rights or remedies.

Elections / Voting

An employee selected to serve as an election judge pursuant to Minnesota law, will be allowed time off with pay for purposes of serving as an election judge, provided the employee gives the city at least twenty (20) days written notice, including a certification from the appointing authority stating the hourly compensation to be paid the employee for service as an election judge and the hours during which the employee will serve. The city may reduce the wages of an employee serving as an election judge by the amount paid to the election judge by the appointing authority during the time the employee was absent from the place of employment. Thus, employees will be paid the difference between their pay as an election judge and their regular rate of pay for their normal workday.

The city reserves the right to restrict the number of employees absent from work for the purpose of serving as an election judge to no more than 20 percent of the total work force at any single worksite.

All employees eligible to vote at a State general election, at an election to fill a vacancy in the office of United States Senator or Representative, or in a Presidential primary, will be allowed time off with pay to vote on the election day. Employees wanting to take advantage of such leave are required to work with their supervisors to avoid coverage issues. Effective July 1, 2023, employees may be absent from work for the time necessary to vote to include voting during the period allow for voting in person before election day.

Regular Leave without Pay

The city administrator, upon approval of the employee's department director, may authorize leave without pay for up to six (6) months. Leave without pay for greater periods may be granted by the City Council to a maximum of one (1) year.

Normally an employee while on leave without pay will not earn employee benefits. However, the city's contribution toward health, dental and life insurance may be continued, if approved by the city council, for leaves of up to ninety (90) days when the leave is for medical reasons and FMLA has been exhausted.

If an employee is on regular leave without pay and is not working any hours, the employee will not accrue (or be paid for) holidays, sick leave, or vacation leave (*annual leave*). Employees who are working reduced hours while on this type of leave will receive holiday pay on a prorated basis and will accrue sick leave and vacation leave (*annual leave*) based on actual hours worked.

Leave without pay will not count toward seniority and all accrued vacation leave and compensatory time must normally be used before an unpaid leave of absence will be approved. To qualify for leave without pay, an employee need not have used all sick leave earned unless the leave is for medical reasons. (An employee absent for Parenting Leave is not required to use sick leave.) Leave without pay for purposes other than medical leave or work-related injuries will be at the convenience of the city.

Permanent employees returning from leave without pay for a reason other than a qualified Parenting Leave or FMLA will be guaranteed return to the original position only for absences of thirty (30) calendar days or less.

Employees receiving leave without pay in excess of thirty (30) calendar days, for reasons other than qualified Parenting Leave or FMLA, are not guaranteed return to their original position. If their original position or a position of similar or lesser status is available, it may be offered at the discretion of the city administrator subject to approval of the City Council.

Family and Medical Leave (FMLA)

City Employees are subject to the Federal Family and Medical Leave Act. The following section is meant to be a summary of the Act. To the extent that this section differs from the requirements of the Act, the Act controls, FMLA forms may be obtained by contacting the city administrator.

Eligibility

To qualify to take FMLA leave under this policy, an employee must meet all of the following conditions:

- Have worked for the city for 12 months (or 52 weeks) prior to the date the leave is to commence. The 12 months or 52 weeks need not have been consecutive; however, the city generally will not consider any service 7 years prior to the employee's most recent hire date.
- Have worked at least 1,250 hours during the 12-month period prior to the date when the leave is requested to commence.

Type of Leave Covered

Leave will be granted to all eligible employees for any of the following reasons:

- The birth of a child, including prenatal care, or placement of a child with the employee for adoption or foster care (must conclude within 12 months after the birth or placement).
- To care for a spouse, child or parent who has a serious health condition.
- Due to the serious health condition that makes the employee unable to perform the essential functions of the position; and
- For qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on covered active duty or call to covered active duty status as a member of the National Guard, Reserves, or Regular Armed Forces.

Length and Amount of Leave

The length of FMLA leave is not to exceed twelve (12) weeks in any twelve (12) month period. The leave year is calculated based on a calendar year.

An eligible employee who is the spouse, son, daughter, parent or next of kin of a covered service member shall be entitled to 26 work weeks of leave during a 12-month period to care for the service

member with a serious active-duty-related illness or injury. The leave is allowed once per service member and once per injury.

How Leave May be Taken

FMLA leave may be taken in 12 (or less) consecutive weeks, may be used intermittently (a day periodically when needed) or may be used to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed 12 work weeks. Intermittent/reduced scheduled leave may be taken to care for a newborn or newly placed adopted or foster care child only with the City's approval. If an employee is taking intermittent leave or leave on a reduced schedule for planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as to not disrupt the City's business.

Notice

All employees requesting FMLA leave must provide written or verbal notice of the need for the leave to the city administrator. When the need for the leave is foreseeable, the employees must give verbal or written notice to his/her supervisor at least thirty (30) days prior to the date on which leave is to begin. If thirty (30) days' notice cannot be given, the employee is required to give as much notice as practicable, including following required call-in procedures. If an employee fails to give thirty (30) days' notice for a foreseeable leave with no reasonable explanation for the delay, the leave may be denied until thirty (30) days after the employee provides notice.

Certification and Documentation Requirements

For leave due to an employee's serious health condition or a family member's, the city will require the completion of a Medical Certification form by the attending physician or practitioner.

The form must be submitted to the city administrator within fifteen (15) calendar days after requested. If the form is not submitted in a timely fashion, the employee must provide a reasonable explanation for the delay. Failure to provide medical certification may result in a denial or delay of the leave.

The city may require an employee to obtain a second opinion from a provider which the city selects. If necessary to resolve a conflict between the original certification and the second opinion, the city may require the opinion of a third doctor. The third opinion will be considered final. An employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

When leave is due to an employee's own serious health condition, a fitness for duty certification (FFD) may be required before an employee can return to work. Failure to provide such certification, in a timely manner, may eliminate or delay an employee's right to reinstatement under the FMLA.

If an employee is using intermittent leave and reasonable safety concerns exist regarding the employee's ability to perform his or her duties, an FFD certificate may be required as frequently as every 30 days during periods when the employee has used intermittent leave.

Recertification

Recertification of the need for leave may be required if the employee requests an extension of the original length approved by the city or if the circumstances regarding leave have changed. Recertification may also be required if there is a question as to the validity of the certification or if the employee is unable to return to work due to the serious health conditions.

Reinstatement

Employees returning from Family and Medical Leave will be reinstated in the same position or a position equivalent in pay, benefits and other terms and conditions of employment. An employee's reinstatement rights are the same as they would have been had the employee not been on leave. Thus, if an employee's position would have been eliminated or an employee would have been terminated but for the leave, the employee would not have the right to be reinstated upon return from leave.

Notice of Intent to Return from FMLA Leave

The city requires an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

Effect on Benefits

An employee granted leave under this policy would continue to be covered under the City's group health and dental insurance plan under the same conditions and at the same level of city contribution as would have been provided had they been continuously employed during the leave period. All paid benefits run concurrently with unpaid FMLA benefits. If there are changes in the city's contribution levels while the employee is on leave, those changes will take place as if the employee were still on the job. The employee will be required to continue payment of the employee portion of group insurance coverage while on leave. The employee must arrange with the City for payment of the employee's portion of premiums.

Activities Prohibited During FMLA

While on leave, an employee may not engage in activities (including employment) which have the same or similar requirements and essential functions of an employee's current position. While on leave, an employee must abide by all rules of conduct set forth in this Policy. Failure to do so will result in disciplinary action up to and including termination of employment.

Seniority

Seniority does not accrue during any period of unpaid FMLA except as allowed when the leave is covered by worker's compensation. However, seniority accrued prior to commencement of FMLA leave will not be lost.

Use of Accrued Paid Leave or Compensatory Time during Family and Medical Leave

FMLA will run concurrently with any leave and/or wage supplement for which you may be eligible for under local, state, or federal law which may include Minnesota Paid Leave (MNPL) or Minnesota pregnancy and parenting leave. Rights to additional continued benefits will depend on whether leave is paid or unpaid. Employees may choose, but are not required, to use disability leave benefits (short-term disability or long-term disability), accrued vacation, Earned Sick and Safe Time leave benefits concurrently with FMLA.

Additional Leave

Employees who cannot return from an approved FMLA leave at the end of the approved leave period may request an extension (up to the maximum of twelve (12) weeks allowed under FMLA). If the twelve (12) FMLA weeks have already been used, the employee can request to go on a regular unpaid leave of absence. If approved, before unpaid leave begins the employee must use any accrued sick leave, compensatory time or vacation leave (annual leave) that remains. If the leave is approved and

unpaid, the employee will be required to pay the full cost of all group insurance, as provided under COBRA, in order to continue coverage.

If the unpaid leave of absence is not approved or the employee fails to request additional leave, the employee will be considered to have voluntarily resigned. If circumstances beyond the employee's control prevented the employee from requesting additional leave, a retroactive leave request may be allowed, subject to the city council's approval.

Reasonable Work Time for Nursing Mothers

Nursing mothers and lactating employees will be provided reasonable paid break times (which may run concurrently with already provided break times) to express milk. The city will provide a clean, private, and secure room (other than a bathroom) as close as possible to the employee's work area, that is shielded from view and free from intrusion from coworkers and the public and includes access to an electrical outlet, where the nursing mother can express milk in private.

An employer shall not discharge, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for asserting nursing rights or remedies.

Light Duty/Modified Duty Assignment

This policy is to establish guidelines for temporary assignment of work to temporarily disabled employees who are medically unable to perform their regular work duties. The city administrator on a case-by-case basis evaluates light duty. This policy does not guarantee assignment to light duty.

Such assignments are for short-term, temporary disability-type purposes; assignment of light duty is at the discretion of the city administrator. The city administrator reserves the right to determine when and if light duty work will be assigned.

When an employee is unable to perform the essential requirements of his/her job due to a temporary disability, he/she will notify the supervisor in writing as to the nature and extent of the disability and the reason why he/she is unable to perform the essential functions, duties, and requirements of the position. This notice **must** be accompanied by a physician's report containing a diagnosis, current treatment, and any work restrictions related to the temporary disability. The notice must include the expected time frame regarding return to work with no restrictions, meeting all essential requirements and functions of the city's job description along with a written request for light duty. Upon receipt of the written request, the supervisor is to forward a copy of the report to the city administrator. The city may require a medical exam conducted by a physician selected by the city to verify the diagnosis, current treatment, expected length of temporary disability, and work restrictions.

It is at the discretion of the city administrator whether to assign light duty work to the employee. Although this policy is handled on a case-by-case basis, light duty will not generally be approved beyond six months (6).

If the city offers a light duty assignment to an employee who is out on worker's compensation leave, the employee may be subject to penalties if he/she refuses such work. The city will not, however, require an employee who is otherwise qualified for protection under the Family and Medical Leave Act to accept a light duty assignment.

The circumstances of each disabled employee performing light duty work will be reviewed regularly. Any light duty/modified work assignment may be discontinued at any time.

Reasonable Accommodations to an Employee for Health Conditions Relating to Pregnancy

The city will attempt to provide a female employee who requests reasonable accommodation with the following for her health conditions related to her pregnancy or childbirth, without advice of a licensed health care provider or certified doula:

- more frequent restroom, food, and water breaks;
- seating;
- limits on lifting over 20 pounds

Additionally, an employer must provide reasonable accommodations, including, but not limited to, temporary leaves of absence, modification in work schedule or job assignments, seating, more frequent or longer break periods and limits to heavy lifting to an employee for health conditions related to pregnancy or childbirth upon request, with the advice of a licensed health care provider or certified doula, unless the employer demonstrates the accommodation would impose an undue hardship on the operation of the employer's business. In accordance with state law, no employee is required to take a leave of absence for a pregnancy nor accept a pregnancy accommodation.

An employer shall not discharge, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for asserting reasonable accommodations pregnancy rights or remedies.

EMPLOYEE EDUCATION & TRAINING POLICY

The city promotes staff development as an essential, ongoing function needed to maintain and improve cost effective quality service to residents. The purposes for staff development are to ensure that employees develop and maintain the knowledge and skills necessary for effective job performance and to provide employees with an opportunity for job enrichment and mobility.

Policy

The city will pay for the costs of an employee's participation in training and attendance at professional conferences, if attendance is approved in advance under the following criteria and procedures:

Job-Related Training & Conferences

The subject matter of the training session or conference is directly job-related and relevant to the performance of the employee's work responsibilities. Responsibilities outlined in the job description, annual work program requirements and training goals and objectives that have been developed for the employee will be considered in determining if the request is job-related. CLE or similar courses taken by an employee in order to maintain licensing or other professional accreditation will not be eligible for payment under this policy unless the subject matter relates directly to the employee's duties, even though the employee may be required to maintain such licensing or accreditation as a condition of employment with the city. The supervisor and the city administrator are responsible for determining job-relatedness and approving or disapproving training and conference attendance.

Job-Related Meetings

Attendance at professional meetings costing \$500 or less and directly related to the performance of the employee's work responsibilities does not require the approval of the city administrator. Advance supervisor's approval is required to ensure adequate department coverage.

Request for Participation in Training & Conferences

The request for participation in a training session or conference must be submitted in writing to the employee's supervisor on the appropriate form- **see addendum**. All requests must include an estimate of the total cost (training session, travel, meals, etc.) and a statement of how the education or training is related to the performance of the employees' work responsibilities with the city. The employee's supervisor and the city administrator must approve requests totaling more than \$500. Documentation approving conference or training attendance will be provided to the employee with a copy placed in the employee's personnel file. Payment information such as invoices, billing statements, etc., regarding the conference or training should be forwarded to accounting for prompt payment.

Out of State Travel

Attendance at training or conferences out of state is approved only if the training or conference is not available locally. Please refer to travel policy in financial policies. **The city administrator reviews all requests for out-of-state travel for approval/disapproval.**

Not to Exceed Figure

Payment of training and/or conference expenses must not exceed \$5,000 per employee per fiscal year, excluding travel and subsistence costs. Exceptions must receive approval by the city administrator and/or city council.

Compensation for Travel & Training Time

Time spent traveling to and from, as well as time spent attending a training session or conference, will be compensated in accordance with the federal Fair Labor Standards Act.

Travel and other related training expenses will be reimbursed subject to the employee providing necessary receipts and appropriate documentation.

Memberships and Dues

The purpose of membership to various professional organizations must be directly related to the betterment of the services of the city. Normally, one city membership per agency, as determined by the city administrator is allowed, providing funds are available. Upon separation of employment, individual memberships remain with the city and are transferred to another employee by the supervisor.

Meeting Food/Meals

The city council recognizes that situations in which city business needs to be discussed can and does occur during meal hours (i.e. luncheon meetings). In addition, there are public and employee meetings and events in which reasonable refreshments may add to the success of the meeting and/or event and create a more productive workforce. The following items are deemed to meet the council's definition of public purpose expenditures regarding food and meals:

- Meals and/or refreshments are allowed at employee meetings and events that have a purpose of discussing city issues or are a part of employee training. These meetings would normally have a pre-planned agenda. This does not include routine staff meetings.
- Meals and/or refreshments are allowed when they are part of a breakfast/lunch/dinner meeting for official city business when it is the only practical time to meet. Usually, these meals involve meetings with council members, committee/commission members or local business/service organizations.
- During official meetings of the city council, council committees, advisory

boards/commissions and taskforces.

- Welcome break, open to staff several times per year, to allow employees time to network and meet new staff members.

The cost of these meals is included in the department's meal line item in the city budget. These line items are approved annually by the city council as part of the overall budget approval process which includes a public hearing on the proposed budget.

Travel & Meal Allowance

If employees are required to travel outside of the area in performance of their duties as a city employee, they will receive reimbursement of expenses for meals, lodging and necessary expenses incurred. However, the city will not reimburse employees for meals connected with training or meetings within city limits, unless the training or meeting is held as a breakfast, lunch or dinner meeting.

Employees who find it necessary to use their private automobiles for city travel because a city vehicle is not available and who do not receive a car allowance will be reimbursed at the prevailing mileage rate as established by the city council, not to exceed the allowable IRS rate. Mileage will be calculated at the lesser of:

1. Miles actually driven to and from a meeting, training, or temporary work location or
2. The miles that would have been driven had the employee traveled directly from and returned directly to their workspace.

Expenses for meals, including sales tax and gratuity, will be reimbursed according to this policy. No reimbursement will be made for alcoholic beverages. Meal expenses of GSA or per diem per day will be allowed.

All reimbursement requests must be submitted within 30 days after the expense is incurred in order to receive reimbursement. Late submissions are not eligible for reimbursement.

A full reimbursement, over the maximum defined, may be authorized if a lower cost meal is not available when attending banquets, training sessions, or meetings of professional organizations.

EMPLOYEE SERVICE RECOGNITION PROGRAM

The City of Big Lake will recognize the longevity of its employees by presenting awards for years of service. The Employee Service Recognition Program will recognize all regular, permanent part-time employees who work 20 or more hours a week, year around.

The employees will be recognized in the quarterly newsletter as well as during the monthly update of the department at the city council meeting by the department director. The department director will arrange a meeting to present the Service Award to the employee during working hours. Employees will receive the following awards in recognition of their years of service with the city:

- 5 years – Big Lake Swag and \$20 local business gift card
- 10 years – Big Lake Swag and \$30 local business gift card
- 15 years – Big Lake Swag and \$40 local business gift card
- 20 years – Big Lake Swag and \$50 local business gift card
- 25 years – Big Lake Swag and \$60 local business gift card
- 30 years – Big Lake Swag and \$70 local business gift card
- 35+ years – Big Lake Swag and \$80 local business gift card

All gift certificates will be from a local City of Big Lake Business, excluding Lake Liquors.

OUTSIDE EMPLOYMENT POLICY

The potential for conflicts of interest is lessened when individuals employed by the City of Big Lake regard the city as their primary employment responsibility. All outside employment is to be reported to the employee's immediate supervisor, for the city administrator all outside employment must be approved by the personnel committee. All employees must sign documentation of any outside employment yearly to be filed in the individual's personnel file. If a potential conflict exists based on this policy or any other consideration, the supervisor will consult with the city administrator. For the city administrator, the City Council will need to approve any outside employment. Any city employee accepting employment in an outside position that is determined by the city administrator to be in conflict with the employee's city job will be required to resign from the outside employment or may be subject to discipline up to and including termination.

For the purpose of this policy, outside employment refers to any non-city employment or consulting work for which an employee receives compensation, except for compensation received in conjunction with military service or holding a political office or an appointment to a government board or commission that is compatible with city employment. The following is to be considered when determining if outside employment is acceptable:

- Outside employment must not interfere with a full-time employee's availability during the city's regular hours of operation or with a part-time employee's regular work schedule.
- Outside employment must not interfere with the employee's ability to fulfill the essential requirements of his/her position.
- The employee must not use city equipment, resources or staff in the course of the outside employment.
- The employee must not violate any city personnel policies because of outside employment.
- The employee must not receive compensation from another individual or employer for services performed during hours for which he/she is also being compensated by the city. Work performed for others while on approved vacation or compensatory time is not a violation of policy unless that work creates the appearance of a conflict of interest.
- No employee will work for another employer, or for his/her own business, while using paid sick leave from the city for those same hours.
- Departments may establish more specific policies as appropriate, subject to the approval of the city administrator.

City employees are not permitted to accept outside employment that creates either the appearance of or the potential for a conflict, with the development, administration or implementation of policies, programs, services or any other operational aspect of the city.

SAVINGS CLAUSE

This policy is subject to the laws of the United States and the State of Minnesota; in the event that any provision shall be held to be contrary to law by a court of competent jurisdiction from whose final judgment or decree no appeal has been taken within the time provided, such provision shall be void. All other provisions of the policy shall continue and remain in full force and effect.

DEFINITIONS

For purposes of these policies, the following definitions will apply:

Authorized Hours

The number of hours an employee was hired to work. Actual hours worked during any given pay period may be different than authorized hours, depending on workload demands or other factors, and upon approval of the employee's supervisor.

Benefits

Privileges granted to qualified employees in the form of paid leave and/or insurance coverage

Core Hours

The core hours that all employees (exempt and non-exempt) are expected to work are 7:30 a.m. to 5:00 p.m., Monday through Thursday and 7:30 a.m. to 11:30 p.m. on Fridays. Police, fire, liquor and public works employees do not have core hours and work the schedules established by their supervisors.

Compensatory Time

For non-exempt employees, time off work at one-and-one-half times the number of overtime hours worked.

Demotion

The movement of an employee from one job class to another within the city, where the maximum salary for the new position is lower than that of the employee's former position.

Department

A branch of city administration with responsibilities for one or several assigned functions.

Direct Deposit

As permitted by state law, all city employees can be required to participate in direct deposit.

Employee

An individual who has successfully completed all stages of the selection process including the training period

Exempt Employee

Employees who are not covered by the overtime provisions of the federal or state Fair Labor Standards Act

FICA (Federal Insurance Contributions Act)

FICA is the federal requirement that a certain amount be automatically withheld from employees' earnings. Specifically, FICA requires an employee contribution of 6.2% for Social Security and 1.45% for Medicare. The city contributes a matching 7.65% on behalf of each employee. Certain employees are exempt or partially exempt from these withholdings (e.g., police officers).

Fiscal Year

The period from January 1 to December 31

Full-time Employee

Employees who are required to work forty (40) or more hours per week year-round in an ongoing position.

Hours of Operation

The city's regular hours of operation are Monday through Thursday from 7:30 a.m. to 5:00 p.m. and Friday, from 7:30 a.m. to 11:30 a.m.

Immediate Family Member

The following persons related to the employee shall constitute an immediate family member spouse, child, parent, grandparent, sibling, parent-in-law, grandparent-in-law and sibling-in-law.

Inter-jurisdictional Transfer

A transfer of a qualified person to the city from another local, state, federal or other governmental agency. The person to be transferred holds a position that is the same or equivalent to the vacancy in the city and/or meets the relevant minimum qualifications for the city's position.

Job Classification

A group of positions sufficiently alike in duties, qualifications, authority and responsibility to warrant the same job title, grade and pay schedule.

Job Description

The written description of a job containing a title, a statement of duties, authority, responsibilities and the qualifications deemed necessary and/or desirable for the satisfactory performance of the duties of the job.

Lay-off

The separation of an employee from employment is due to elimination of a position.

Management Employee/Department Director

An employee who is responsible for managing a department or division of the city.

Non-exempt Employee

Employees who are covered by the federal or state Fair Labor Standards Act. Such employees are normally eligible for overtime at 1.5 times their regular hourly wage for all hours worked over forty (40) in any given workweek.

Overtime

Time worked in excess of forty (40) hours per week or in excess of the employee's normal work schedule as established by the employer.

Part-time Employee

Employees who are required to work less than forty (40) hours per week year-round in an ongoing position. In accordance with federal health care reform laws and regulations, part-time employees will be scheduled with business needs and in a manner that ensures positions retain part-time status as intended.

Pay Period

A fourteen (14) day period beginning at 12:00 a.m. (midnight) on Sunday through 11:59 p.m. on Saturday, fourteen (14) days later.

Performance Report

A review of an employee's performance by the employee's supervisor to communicate an employee's strengths or deficiencies, as well as expectation for improvement.

PERA (Public Employees Retirement Association)

Statewide pension program in which all city employees meeting program requirements must participate in accordance with Minnesota law. The city and the employee each contribute to the employee's retirement account.

Probationary Employee

Any employee who is working in a position for the initial six-month period of employment (does not include union employees). The probationary period can be extended by up to six months with approval of the City Administrator.

Promotion

Movement of an employee from one job class to another within the city, where the maximum salary for the new position is higher than that of the employee's former position.

Reclassify

Movement of a job from one classification to another classification because of a significant change in the position's duties and responsibilities.

Seasonal Employee

Employees who work only part of the year (100 days or less) to conduct seasonal work. Seasonal employees may be assigned to work a full-time or part-time schedule. Seasonal employees do not earn credit for seniority or benefits, except for Minnesota Paid Leave Program benefits and Earned Sick and Safe Time (ESST) leave as outlined in this personnel policy.

Service Credit

Time worked for the city. An employee begins earning service credit on the first day worked for the city. Some forms of leave will create a break in service.

Temporary Employee

Employees who work in temporary positions. Temporary jobs might have a defined start and end date or may be for the duration of a specific project. Temporary employees may be assigned to work a full-time or part-time schedule. Temporary employees do not earn credit for seniority or benefits, except for Minnesota Paid Leave Program benefits and Earned Sick and Safe Time (ESST) leave as outlined in this personnel policy.

Training Period/Probationary Period

A six-month period at the start of employment with the city (or at the beginning of a promotion, reassignment or transfer) that is designated as a period within which to learn the job. The training period is the last part of the selection process. The training period/probationary period can be extended by up to six months with approval of the City Administrator.

Transfer

Movement of an employee from one city position to another of equivalent pay.

Weapons

Weapons are defined as including all legal or illegal firearms, switchblade knives, or any other object that has been modified to serve as a weapon or that has the primary purpose of serving as a weapon.

Workweek

A workweek is seven consecutive 24-hour periods. For most employees the workweek will run from Sunday through the following Saturday. With the approval of the city administrator, departments may establish a different workweek based on coverage and service delivery needs (e.g., police department, fire department, park and recreation department).

PERSONNEL POLICY ADOPTION

The Personnel Policies shall be adopted by the City Council. The policies shall be reviewed by the Administration Department staff on an ongoing basis and any modifications made thereto must be approved by the City Council.

New Personnel Policies Adopted by City Council December 9, 2015 beginning 2016

Revisions: September 1, 2016
December 14, 2016 beginning Calendar Year 2017
May 24, 2017
October 11, 2017
July 25, 2018
October 24, 2018
February 27, 2019
April 23, 2019
August 28, 2019
April 8, 2020
September 23, 2020
May 11, 2022
August 24, 2022
April 12, 2023
June 14, 2023
November 8, 2023
December 13, 2023
March 13, 2024
August 28, 2024
January 8, 2025
January 21, 2026

ADDENDUM

1. Pay Plan
2. Job descriptions
3. Forms