

**Mayor Sandie Peterson called the council & staff personnel policy workshop to order on Tuesday, August 23, 2022 at 7:00pm at the Lafayette Council Chambers, 791 Main Avenue, Lafayette.**

**Present were:** Mayor Sandie Peterson, Councilors: Dave Reed, Scott Portner, Tom Polich, and Curt Tauber. Also present were: Utility & Maintenance Superintendent Al Fox, and Clerk/Treasurer Sandy Burger.

**Guests present:** none

**Pledge of Allegiance was recited.**

Mayor Peterson reopened the discussion, which was tabled at the June 13, 2022 city council meeting until an additional workshop could be held.

The following are the proposed updates from the two personnel policy workshops, held on May 17 and August 23, 2022 to be on the council agenda on September 12, 2022 for final discussion and approval.

**Section by section:**

**Section 6:** Added the word or supervisor on 2&3

**Section 7:**

**4. Call Back:** If an employee is called back to check on an alarm, etc. they will be compensated for the time by rounding up to the next full hour at time and a half of the current wage. (ex: a 15-minute check of an alarm would be compensated at one (1) hour at time and half of current wage)

**5. Return-to-Work:** After an absence of 5-days or more, 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. Any work restrictions must be stated clearly on the return-to-work form. Employees who have been asked to provide such a statement may not be allowed to return to work until they comply with this provision.

**Section 9: Performance reviews:** An objective performance review system will be established by the city personnel committee or designee for the purpose of periodically evaluating the performance of city employees. 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 form, 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 the opportunity to discuss what is expected, 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.

## **Section 10 BENEFITS:**

**YEAR-END PTO:** In order to avoid the IRS Constructive Receipt rule, an employee will be allowed to carry over up to 80 hours into the next year. Any unused PTO over 80 hours will be paid out at the end of the year at the employee's current wage.

**1. A. BEREAVEMENT Leave:** Employees will be permitted to use up to three (3) consecutive working days, with pay, as funeral leave upon the death of an immediate family member. Immediate family includes: Spouse/partner, children, parents, siblings, grandparents, grandchildren; shall also include: in-law, step, foster, biological, or adopted. Any other circumstance would be at the discretion of the mayor or supervisor. This paid leave will not be deducted from the employee's PTO balance. The actual amount of time off, and funeral leave approved, will be determined by their supervisor depending on individual circumstances (such as the closeness of the relative, arrangements to be made, distance to the funeral, etc.).

**1. B. JURY DUTY:** Regular full-time and part-time employees will be granted paid leaves of absence for required jury duty. Such employees 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 excused or released from jury duty during their regular working hours will report to their regular work duties as soon as reasonably possible or will take accrued vacation or compensatory time to make up the difference.

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 pay form is completed by the clerk of court so the city will be able to determine the amount of compensation due for the period involved.

Temporary and seasonal employees are generally not eligible for compensation for absences due to jury duty but can take a leave without pay subject to department head approval. However, if a temporary or seasonal employee is classified as exempt, he/she will receive compensation for the jury duty time.

### **1. C. Leave for Employee - Firefighter or Ambulance Members:**

The City of Lafayette will follow the MN State Statute **43A.321 Volunteer Firefighter and Ambulance.**

(a) The City of Lafayette allows an employee to respond to emergency calls as a volunteer emergency fire, rescue or ambulance worker during working hours, provided that:

(1) the employee does not respond to a call when the employee's sudden absence would endanger others; and

(2) the employee remits to the appointing authority any compensation received for responding to the call.

(b) If such an agreement is entered into:

(1) the appointing authority shall make no deductions from the employee's wages or PTO time for time spent responding to calls; and

(2) workers' compensation liability is the responsibility of the entity for which the emergency services are provided while the employee is responding to the call.

**2. HOLIDAY PAY:** Employees who are required to work on a holiday will receive holiday pay in addition to pay for the hours worked. The hours worked will be calculated at the rate of two times the employee's normal rate of pay.

The City does not observe: Juneteenth, Columbus Day or the Friday after Thanksgiving as a legal holiday.

**3. Health/Benefits:** Health insurance is provided to full-time employees, and employees working 30 hours or more, starting the first day of the month after fulfilling the first 30 days of their probationary period. (ex: employee's first day of April 15, coverage would start June 1.) Also added plus-one insurance coverage covered by the city.

**Section 11: RESIGNATION:**

**Added:** Accrued, unused PTO will be paid out upon separation to employees.

**Section 13: GRIEVANCES:**

**Added:** The Personnel Committee consists of the Mayor and one Councilor.

**Section 14. HEALTH AND SAFETY:**

**Added:** The clerk will notify council that an incident had occurred, giving information as allowed.

**Section 19:** Added Social Media Policy section as well as a Social Media Public Notice

The Draft Copy of the updated personnel policy will be presented at the September 12, 2022 council meeting.

Portner motioned to adjourn the personnel policy workshop at 8:19 pm, Polich seconded; all ayes, motion carried.

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Sandie Peterson – Mayor

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Sandy Burger – City Clerk- Treasurer