

**DUNDAS CITY COUNCIL
REGULAR MEETING AGENDA
Monday, MAY 9, 2022
7:00 p.m. Dundas City Hall**

- 1. Call to Order/Pledge Allegiance**
- 2. Roll Call:** Mayor Glenn Switzer; Councilors Larry Fowler, Luke LaCroix, Grant Modory, Luke Swartwood
- 3. Public Forum**
- 4. Approval of Agenda***
Motion _____, second _____
- 5. Consent Agenda** *(All items on the Consent Agenda are considered routine and have been made available to the City Council at least two (2) days in advance of the meeting. The items will be enacted in one motion. There will be no separate discussion of these items unless a council member or citizen so requests, in which event the item will be removed from this agenda and considered in normal sequence.)*
 - a. Regular Minutes of April 25, 2022*
 - b. Disbursement Report* - \$129,151.06**Motion _____, second _____**
- 6. Old Business**
- 7. Ordinances and Resolutions**
- 8. New Business**
 - a. Consider Approving Personnel Policy*
Motion by _____, second by _____
 - b. Consider Proposal for a Market Analysis and Pay Grid Calibration*
Motion by _____, second by _____
- 9. Reports of Officers, Boards and Committees**
 - a. City Attorney
 - b. City Engineer*
 - c. City Administrator
 - d. Mayor, Councilors and Committees
- 10. Announcements**
 - a. Parks & Recreation Advisory Board – Tuesday, May 10 at 7:00 pm City Hall
 - b. Dundas Annual Clean Up on Saturday, May 14 from 7 – 11 am, Trailhead Parking Lot
 - c. Dundas Planning Commission Meeting – Thursday, May 19 at 7:00 p.m. City Hall
 - d. Dundas EDA Meeting – Monday, May 23 at 6:30 p.m. City Hall
 - e. City Council Meeting – Monday, May 23 at 7:00 p.m. City Hall
 - f. City Hall CLOSED – Monday, May 30 for Memorial Day Holiday
- 11. Adjourn**

**DUNDAS CITY COUNCIL
REGULAR MEETING MINUTES
Monday, APRIL 25, 2022
7:00 p.m. Dundas City Hall**

UNOFFICIAL MINUTES

Present: Mayor Glenn Switzer; Councilors Larry Fowler, Luke LaCroix, Grant Modory

Absent: Luke Swartwood

Staff: Administrator/Clerk Jenelle Teppen, Deputy Clerk Linda Ripka, Intern Aiden Checkett

CALL TO ORDER

Mayor Switzer called the meeting to order at 7:00 p.m. A quorum was present.

PUBLIC FORUM – No one presented to Council,

APPROVAL OF AGENDA

Motion by Modory, second by Fowler, to approve the agenda. Motion Carried Unanimously (MCU)

CONSENT AGENDA

Motion by LaCroix, second Fowler, to approve the consent agenda as follows:

Regular Minutes of April 9, 2022;

Resolution 2022-10 A Resolution Accepting Donation to the City’s Annual Easter Egg Hunt;

Disbursement Report - \$57,407.59. MCU

OLD BUSINESS

No old business brought before Council.

ORDINANCES AND RESOLUTIONS

Resolution 2022-11 A Resolution City of Dundas’ Position Statement Opposing Significant Commercial/Industrial Development Outside of City Limits

Administrator Teppen reported on Bridgewater and Forest Townships entering into a Joint Powers Development District Agreement to develop a commercial and industrial development off Interstate 35. She stated Rice County has approved a zoning text amendment to create a new zoning classification of Rural Industrial which Bridgewater Township has applied for rezoning about 470 acres of the Township to Rural Industrial. Teppen stated while the City has no control of land use decision out of its limits, it is imperative to clarify the importance of orderly growth to properly serve to protect the public’s health, safety and welfare. She stated there may be a possibility of the MPCA forcing either Faribault or Northfield to extend service; therefore, the Resolution is a statement opposing commercial/industrial developments outside of city limits.

Council discussed townships were formed to support rural and agriculture districts; concerned Rice County is supporting developments meant for cities; cost of providing sewer infrastructure; and impact of resolution from the cities opposing.

Motion by LaCroix, second by Switzer. to approve Resolution 2022-11. MCU

NEW BUSINESS

Consider Approving Agreement Between the City and the Dundas Community Ballpark Project

Administrator Teppen stated the City entered into an Agreement with the Dundas Baseball Association (DBA) in 2019. She stated the Baseball Association notified the City they wish to exit the Agreement because of the formation a new non-profit 501(c)3, the Dundas Community Ballpark Project (DCBP). Teppen reported the DCBP would like to assume the Agreement in place of the DBA. She indicated the new Agreement was drafted by the City Attorney and was approved by the Board of the DCBP.

Motion by LaCroix, second by Fowler, to approve an Agreement with the Dundas Community Ballpark Project. MCU

NEW BUSINESS (con't)

Consider Authorizing Staff to Negotiate a New Agreement or Extend Current Residential Solid Waste Collection Contract with Dick's Sanitation Inc. (DSI)

Administrator Teppen stated Jeff Weist of DSI contacted the City regarding their interest in extending or renegotiating the current agreement which expires on December 31, 2022.

Motion by Switzer, second by Modory, to approve authorizing staff to negotiate a new contract or renegotiate current contract with Dick's Sanitation, Inc. regarding residential refuse collection. MCU

Consider Review and Discussion of Parks Survey

Administrative Intern Checkett presented results of the Park Survey noting 93 responses were received. He reported the two most popular features stated were the playgrounds and hiking/walking trails with over 40% indicating they use one of them. Checkett stated there was strong support for additions to playgrounds for children ages 2 to 12 and requests for more local plant species in the parks and trail system. He stated response showed interested in serving on a special Tower Park committee.

Administrator Teppen stated report was presented to the Park Board at their last meeting.

REPORTS OF OFFICERS, BOARDS AND COMMITTEES

City Administrator – Jenelle Teppen

Teppen reported excavation has begun on the West Avenue apartment complex. She stated the developer on the Stoneridge project was informed the next step to move forward is to complete an application for a preliminary/final plat.

Mayor, Councilors and Committees

Human Resource Committee to meeting on Tuesday, April 26 at 6:30 p.m.

ADJOURN

Motion by LaCroix, second by Modory, to adjourn the meeting at 7:41p.m. MCU

Submitted by:

Attest:

Jenelle Teppen, Administrator/Clerk

Glenn Switzer, Mayor

**DISBURSEMENT REPORT
CITY OF DUNDAS
Council Meeting May 9, 2022**

DATE	PAYABLE	AMOUNT
5.6.2022	PERA	\$3,575.31
4.25.2022	PERA Credit Memo	-\$5.05
5.5.2022	State of MN Empower Retirement	\$700.00
5.6.2022	MN Dept of Revenue	\$1,272.31
5.6.2022	IRS	\$6,032.99
5.5.2022	Payroll PP #9 Employees	\$19,297.17
5.5.2022	Payroll PP #5 Council	\$1,931.68
Sub Total Paid Payroll and Sales Liabilities		\$32,804.41
5.2.2022	GO 2016 Sewer Revenue	\$10,147.50
5.2.2022	Outgoing Wire Transfer Fee	\$15.00
4.29.2022	ACH per item	\$15.00
4.29.2022	Low ACH Volume Maintenance	\$5.00
4.29.2022	RDC Monthly Fee	\$59.00
4.25.2022	NEXTIVA Voip	\$186.11
4.25.2022	Cardmember Service	\$892.81
5.9.2022	Invoice Payments	\$85,026.23
Sub Total Paid Claims and Service Liabilities		\$96,346.65
TOTAL	Disbursements for May 9, 2022	\$129,151.06

CITY OF DUNDAS

05/05/22 9:20 AM

Page 1

Payments

Current Period: May 2022

Payments Batch 050922AP		\$85,026.23	
Refer	0 <u>ABDO FINANCIAL SOLUTIONS, LLC</u> -		
Cash Payment	E 101-41000-301 Auditing and Acct g Servi	May 22 professional financial management	\$3,770.00
Invoice	457089	5/1/2022	
Cash Payment	E 225-43150-301 Auditing and Acct g Servi	May 22 professional financial management	\$290.00
Invoice	457089	5/1/2022	
Cash Payment	E 601-49400-301 Auditing and Acct g Servi	May 22 professional financial management	\$725.00
Invoice	457089	5/1/2022	
Cash Payment	E 602-49450-301 Auditing and Acct g Servi	May 22 professional financial management	\$725.00
Invoice	457089	5/1/2022	
Cash Payment	E 603-49500-301 Auditing and Acct g Servi	May 22 professional financial management	\$290.00
Invoice	457089	5/1/2022	
Transaction Date	5/4/2022	Frandsen Bank 10100	Total \$5,800.00
Refer	0 <u>ALDRICH TECNNOLOGY CONSULT</u> -		
Cash Payment	E 101-41000-309 EDP, Software and Desig	Microsoft Exchange Online (plan 2)	\$160.00
Invoice	6865	4/21/2022	
Transaction Date	5/4/2022	Frandsen Bank 10100	Total \$160.00
Refer	0 <u>APG MEDIA OF SOUTHERN MN</u> -		
Cash Payment	E 101-41000-351 Legal Notices Publishing	Financial statement publication	\$918.00
Invoice	1130-0422	4/30/2022	
Transaction Date	5/4/2022	Frandsen Bank 10100	Total \$918.00
Refer	0 <u>ARNOLDS SUPPLY & KLEENIT CO.</u> -		
Cash Payment	E 101-41000-200 Supplies	Cleaning supplies	\$576.30
Invoice	652080	4/28/2022	
Cash Payment	E 101-42100-200 Supplies	Cleaning supplies	\$192.10
Invoice	652080	4/28/2022	
Cash Payment	E 101-43100-200 Supplies	Cleaning supplies	\$576.30
Invoice	652080	4/28/2022	
Cash Payment	E 101-45200-200 Supplies	Cleaning supplies	\$576.30
Invoice	652080	4/28/2022	
Transaction Date	5/4/2022	Frandsen Bank 10100	Total \$1,921.00
Refer	0 <u>BADGER METER</u> -		
Cash Payment	E 601-49400-210 Supplies/Water Meter, Et	Orion Cellular LTE service unit	\$303.05
Invoice	80096389	4/30/2022	
Transaction Date	5/4/2022	Frandsen Bank 10100	Total \$303.05
Refer	0 <u>BANYON</u> -		
Cash Payment	E 101-42400-309 EDP, Software and Desig	PM Permit Support	\$485.00
Invoice	162782	5/1/2022	
Transaction Date	5/4/2022	Frandsen Bank 10100	Total \$485.00
Refer	0 <u>BERGANKDV</u> -		
Cash Payment	E 101-41000-301 Auditing and Acct g Servi	Final audit billing 2021	\$900.00
Invoice	1160784	4/26/2022	
Transaction Date	5/4/2022	Frandsen Bank 10100	Total \$900.00
Refer	0 <u>CITY OF NORTHFIELD</u> -		
Cash Payment	E 602-49450-385 Sewer Utilities	Wastewater Treatment	\$21,789.64
Invoice	March 22	4/20/2022	

CITY OF DUNDAS
Payments

05/05/22 9:20 AM
Page 2

Current Period: May 2022

Transaction Date	5/4/2022	Frandsen Bank	10100	Total	\$21,789.64
Refer	0 <u>DICK-S/LAKEVILLE SANITATION</u>	-			
Cash Payment	E 603-49500-384 Refuse/Garbage Disposa	Trash service April 22			\$8,010.56
Invoice	DT0004561876	4/29/2022			
Transaction Date	5/4/2022	Frandsen Bank	10100	Total	\$8,010.56
Refer	0 <u>GOPHER STATE ONE CALL</u>	-			
Cash Payment	E 601-49400-310 Professional Services	Gopher one calls			\$24.30
Invoice	2040346	4/30/2022			
Cash Payment	E 602-49450-310 Professional Services	Gopher one calls			\$24.30
Invoice	2040346	4/30/2022			
Transaction Date	5/4/2022	Frandsen Bank	10100	Total	\$48.60
Refer	0 <u>GUTH ELECTRIC, LLC</u>	-			
Cash Payment	E 101-43100-400 Repairs and Maintenanc	Remove tipping pole on Railway St			\$537.50
Invoice	1522	4/20/2022			
Transaction Date	5/4/2022	Frandsen Bank	10100	Total	\$537.50
Refer	0 <u>GUTH ELECTRIC, LLC</u>	-			
Cash Payment	E 101-43100-400 Repairs and Maintenanc	Disconnect downed pole on Cty Rd I traffic circle			\$160.00
Invoice	1523	4/20/2022			
Transaction Date	5/4/2022	Frandsen Bank	10100	Total	\$160.00
Refer	0 <u>LAW ENFORCEMENT LABOR SVC</u>	-			
Cash Payment	G 101-21707 LELSI Union Dues	Union Dues			\$130.00
Invoice	May 22	5/1/2022			
Transaction Date	5/4/2022	Frandsen Bank	10100	Total	\$130.00
Refer	0 <u>LUZ CLEANING SERVICE</u>	-			
Cash Payment	E 101-41000-440 Cleaning Service	April cleaning services			\$600.00
Invoice	185764	4/27/2022			
Transaction Date	5/4/2022	Frandsen Bank	10100	Total	\$600.00
Refer	0 <u>MARCO, INC</u>	-			
Cash Payment	E 101-41000-413 Rental	Printer Lease 4/21/22-5/20/20			\$229.26
Invoice	31528097	4/26/2022			
Transaction Date	5/4/2022	Frandsen Bank	10100	Total	\$229.26
Refer	0 <u>METERING & TECH SOLUTIONS</u>	-			
Cash Payment	E 601-49400-210 Supplies/Water Meter, Et	Meter, endpoint, elliptical gaskets			\$850.25
Invoice	22885	5/2/2022			
Transaction Date	5/4/2022	Frandsen Bank	10100	Total	\$850.25
Refer	0 <u>METERING & TECH SOLUTIONS</u>	-			
Cash Payment	E 601-49400-210 Supplies/Water Meter, Et	192 meters and 192 endpoints			\$20,688.00
Invoice	22791	4/20/2022			
Transaction Date	5/4/2022	Frandsen Bank	10100	Total	\$20,688.00
Refer	0 <u>METRO FIBERNET LLC</u>	-			
Cash Payment	E 101-41000-321 Telephone & Communic	Phone charges			\$121.39
Invoice	May22 1671771	5/1/2022			
Transaction Date	5/4/2022	Frandsen Bank	10100	Total	\$121.39
Refer	0 <u>METRO FIBERNET LLC</u>	-			

CITY OF DUNDAS

05/05/22 9:20 AM

Page 3

Payments

Current Period: May 2022

Cash Payment	E 101-42100-321 Telephone & Communic	Phone charges			\$61.66
Invoice	May22 1672997	5/1/2022			
Transaction Date	5/4/2022	Frandsen Bank	10100	Total	\$61.66
Refer	0 METRO FIBERNET LLC	-			
Cash Payment	E 601-49400-321 Telephone & Communic	Phone charges			\$133.62
Invoice	May22 1671773	5/1/2022			
Transaction Date	5/4/2022	Frandsen Bank	10100	Total	\$133.62
Refer	0 MIDWEST MACHINERY CO	-			
Cash Payment	E 101-43100-400 Repairs and Maintenanc	Chaps, hard hats, glasses			\$138.98
Invoice	90137359	4/28/2022			
Cash Payment	E 101-45200-400 Repairs and Maintenanc	Chaps, hard hats, glasses			\$138.98
Invoice	90137359	4/28/2022			
Transaction Date	5/4/2022	Frandsen Bank	10100	Total	\$277.96
Refer	0 RICE COUNTY ADMINISTRATION	-			
Cash Payment	E 101-41110-580 Equipment	DS200 Maintenance 5/22-4/23, Omni Maintenance 1/22-12/22			\$452.50
Invoice	2022-46	4/25/2022			
Transaction Date	5/4/2022	Frandsen Bank	10100	Total	\$452.50
Refer	0 RICE/STEELE 911 CENTER	-			
Cash Payment	E 101-42100-310 Professional Services	Quarterly costs for MCA-MDC Connections			\$180.00
Invoice	2022-JT-27	1/27/2022			
Transaction Date	5/4/2022	Frandsen Bank	10100	Total	\$180.00
Refer	0 SANFORD SERVICES LLC	-			
Cash Payment	E 225-43150-409 St. Sweeping	2022 Spring Street Sweeping			\$2,541.00
Invoice	4143	4/27/2022			
Transaction Date	5/4/2022	Frandsen Bank	10100	Total	\$2,541.00
Refer	0 SKLUZACEK TREE MOVERS LLC	-			
Cash Payment	E 801-45130-406 Grounds Maintence	Tree removal			\$5,318.60
Invoice	4762	3/17/2022			
Transaction Date	5/4/2022	Frandsen Bank	10100	Total	\$5,318.60
Refer	0 SPRINT	-			
Cash Payment	E 101-43100-321 Telephone & Communic	Phone Service 3/15/22-4/14/22			\$96.02
Invoice	292583318-245	4/18/2022			
Transaction Date	5/4/2022	Frandsen Bank	10100	Total	\$96.02
Refer	0 STREICHERS	-			
Cash Payment	E 101-42100-217 Uniforms	PD uniforms			\$61.98
Invoice	11564257	4/22/2022			
Transaction Date	5/4/2022	Frandsen Bank	10100	Total	\$61.98
Refer	0 STREICHERS	-			
Cash Payment	E 101-42100-217 Uniforms	PD uniforms			\$99.00
Invoice	11563761	4/20/2022			
Transaction Date	5/4/2022	Frandsen Bank	10100	Total	\$99.00
Refer	0 SVIEN, BENNY H.	-			
Cash Payment	E 101-42400-315 Plumbing Permit Expens	Permit 4223			\$0.50
Invoice					

CITY OF DUNDAS

05/05/22 9:20 AM

Page 4

Payments

Current Period: May 2022

Cash Payment	E 101-42400-311 Bldg Permit Expense	Permit 4223		\$1.67
Invoice				
Cash Payment	E 101-42400-312 Plan Review Expense	Permit 4223		\$36.16
Invoice				
Transaction Date	5/4/2022	Frandsen Bank	10100	Total \$38.33
Refer	0 <u>TEPPEN, JENELLE</u>	-		
Cash Payment	E 101-41000-330 Travel	February mileage		\$31.01
Invoice	022822 4/26/2022			
Transaction Date	5/4/2022	Frandsen Bank	10100	Total \$31.01
Refer	0 <u>TEPPEN, JENELLE</u>	-		
Cash Payment	E 101-41000-330 Travel	March 22 Mileage		\$27.03
Invoice	033122 4/26/2022			
Transaction Date	5/4/2022	Frandsen Bank	10100	Total \$27.03
Refer	0 <u>TEPPEN, JENELLE</u>	-		
Cash Payment	E 101-41000-330 Travel	April 22 Mileage		\$69.50
Invoice	043022 5/2/2022			
Transaction Date	5/4/2022	Frandsen Bank	10100	Total \$69.50
Refer	0 <u>VALLEY AUTOHAUS</u>	-		
Cash Payment	E 101-43100-400 Repairs and Maintenan	Oil Change		\$25.89
Invoice	6325 4/20/2022			
Transaction Date	5/4/2022	Frandsen Bank	10100	Total \$25.89
Refer	0 <u>WSB & ASSOC INC</u>	-		
Cash Payment	E 101-41000-303 Engineering Fees	2022 City Engineer - retainer		\$800.00
Invoice	R-019660-000-3 4/21/2022			
Transaction Date	5/4/2022	Frandsen Bank	10100	Total \$800.00
Refer	0 <u>WSB & ASSOC INC</u>	-		
Cash Payment	E 101-41000-303 Engineering Fees	General engineering services		\$905.50
Invoice	R-019661-000-3 4/21/2022			
Cash Payment	E 101-41000-303 Engineering Fees	Meetings		\$1,250.00
Invoice	R-019661-000-3 4/21/2022			
Cash Payment	E 101-41910-303 Engineering Fees	Right of Way permit Review		\$108.75
Invoice	R-019661-000-3 4/21/2022			
Cash Payment	E 101-41000-303 Engineering Fees	Streets		\$250.00
Invoice	R-019661-000-3 4/21/2022			
Cash Payment	E 101-41910-303 Engineering Fees	Joint Road Policy BWT		\$31.25
Invoice	R-019661-000-3 4/21/2022			
Cash Payment	E 602-49450-303 Engineering Fees	TSS Investigation		\$187.50
Invoice	R-019661-000-3 4/21/2022			
Cash Payment	E 101-45200-303 Engineering Fees	General Parks		\$71.50
Invoice	R-019661-000-3 4/21/2022			
Cash Payment	E 101-45200-303 Engineering Fees	Tower Park Survey		\$67.00
Invoice	R-019661-000-3 4/21/2022			
Cash Payment	E 601-49400-303 Engineering Fees	Water Supply		\$125.00
Invoice	R-019661-000-3 4/21/2022			
Cash Payment	E 101-41910-303 Engineering Fees	115th Street Improvements		\$218.00
Invoice	R-019661-000-3 4/21/2022			

CITY OF DUNDAS
Payments

05/05/22 9:20 AM
Page 5

Current Period: May 2022

Cash Payment	E 101-45200-303 Engineering Fees	Project Management - Memorial Park Improvements			\$2,329.75
	Invoice R-019661-000-3	4/21/2022			
Cash Payment	E 101-45200-303 Engineering Fees	Drawings & Layouts			\$1,563.25
	Invoice R-019661-000-3	4/21/2022			
Transaction Date	5/4/2022	Frandsen Bank	10100	Total	\$7,107.50
Refer	0 <i>WSB & ASSOC INC</i>	-			
Cash Payment	G 430-22017 Escrow-Cannon River Valley	Cannon River Valley Estates - plan review			\$181.25
	Invoice R-010168-000-58	4/21/2022			
Cash Payment	G 430-22018 Escrow - Stoneridge Hills	Plan review - Stoneridge Hills			\$1,190.00
	Invoice R-010168-000-58	4/21/2022			
Cash Payment	G 430-22018 Escrow - Stoneridge Hills	Grading permit - Stoneridge Hills			\$343.75
	Invoice R-010168-000-58	4/21/2022			
Cash Payment	G 430-22006 Escrow - 80 West Ave	Construction Admin - West Ave Apartments			\$500.00
	Invoice R-010168-000-58	4/21/2022			
Transaction Date	5/4/2022	Frandsen Bank	10100	Total	\$2,215.00
Refer	0 <i>ECKBERG LAMMERS</i>	-			
Cash Payment	E 101-42100-304 Legal Fees	April Prosecution			\$658.33
	Invoice 04 2022	4/30/2022			
Transaction Date	5/4/2022	Frandsen Bank	10100	Total	\$658.33
Refer	0 <i>KWIK TRIP INC</i>	-			
Cash Payment	E 101-42100-418 Vehicle Fuels	PD			\$845.53
	Invoice Apr 22 00224244	4/30/2022			
Transaction Date	5/4/2022	Frandsen Bank	10100	Total	\$845.53
Refer	0 <i>KWIK TRIP INC</i>	-			
Cash Payment	E 101-43100-418 Vehicle Fuels	Fuel			\$181.52
	Invoice Apr22 285195	4/30/2022			
Transaction Date	5/4/2022	Frandsen Bank	10100	Total	\$181.52
Refer	0 <i>GUTIERREZ, STEPHANIE</i>	-			
Cash Payment	R 101-34950 Other Revenues	Pavilion Rental Refund			\$65.00
	Invoice 042622	4/26/2022			
Cash Payment	G 101-20800 Sales Tax	Pavilion Rental Refund			\$7.00
	Invoice 042622	4/26/2022			
Cash Payment	R 101-34780 Park Fees	Pavilion Rental Refund			\$80.00
	Invoice 042622	4/26/2022			
Transaction Date	5/4/2022	Frandsen Bank	10100	Total	\$152.00

CITY OF DUNDAS
Payments

Current Period: May 2022

Fund Summary

	10100 Frandsen Bank
101 GENERAL FUND	\$20,785.41
225 STORM SEWER	\$2,831.00
430 ESCROW DEPOSITS	\$2,215.00
601 WATER	\$22,849.22
602 SEWER	\$22,726.44
603 REFUSE	\$8,300.56
801 DUNDAS BASEBALL ASS.	\$5,318.60
	<hr/>
	\$85,026.23

Pre-Written Checks	\$0.00
Checks to be Generated by the Computer	\$85,026.23
Total	<hr/>
	\$85,026.23



REQUEST FOR COUNCIL ACTION

TO: City Council Members
FROM: Jenelle Teppen, City Administrator
SUBJECT: Consider Approving Personnel Policy
DATE: For the City Council Meeting of May 9, 2022

PURPOSE/ACTION REQUESTED

Consider approving Personnel Policy.

SUMMARY

The City first adopted the current Personnel Policy in 2006. Since then, specific revisions have been made to the policy but overall it has not been kept current with changes in State Statute.

The attached draft is modeled on the League of Minnesota Cities policy template with specific language to the City included.

The City Attorney reviewed it and provided his thoughts and comments which were incorporated accordingly.

The proposed policy makes changes in the following areas:

- It reduces the number of days afforded employees for Bereavement Leave from up to seven days to three days. Three days is the customary amount across other municipalities.
- The City Council no longer does performance reviews on Department Heads.
- Employees terminated during their probationary period are no longer afforded an appeal to the City Council.
- Drug and alcohol testing (random, reasonable suspicion and post-accident) is no longer applied to all employees – just the employees who hold a Commercial Driver's License as a requirement of their positions. State and Federal statutes require it of those employees.
- The FMLA policy is removed from the larger Personnel Policy and will be a stand-alone policy.

I have attached the current policy and the proposed policy for your review and comparison. Employees have had a chance to review the proposed policy and ask questions or raise concerns or seek clarification. As of this writing, I've gotten one clarification request.

The City Council's HR Committee has reviewed the proposed policy and indicated their support.

RECOMMENDATION

Motion to approve the proposed Personnel Policy.

305.00

PERSONNEL POLICIES

305.00.01 PURPOSE

It is the purpose of the policies to establish a system of uniform and appropriate rules and regulations pursuant to MSA 375.56 to 375.71, primarily for use by supervisory staff. The policies shall help to ensure that:

- 1 All appointments, promotions and personnel actions shall be based solely on merit.
- 2 The citizens of the City of Dundas can be assured that their best interests are being served by employment of the highest caliber of personnel.
- 3 All personnel actions shall be administered in the interest of fair treatment of all applicants and employees without regard to political application, race, color, age, national origin, sex, religion, or creed.

305.00.02 APPLICABILITY OF POLICIES

All City employees, except elected officials, members of committees appointed by the City Council, and volunteers are covered by these policies. However, these policies do not supersede the specific terms and conditions of a collective bargaining agreement.

305.00.03 NON-DISCRIMINATION PLAN

This is to affirm the City Dundas' policy of providing Equal Opportunity to all employees and applicants for employment in accordance with all applicable Equal Opportunity/Affirmative Action laws, directives and regulations of Federal, State and Local governing bodies or agencies thereof, specifically Minnesota Statute 363.

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

305.00.04 NATURE OF EMPLOYMENT

These policies are intended to provide employees with a general understanding of City of Dundas personnel policies. However, these policies cannot anticipate every situation or answer every question about employment. In order to retain necessary flexibility in the administration of policies and procedures, City of Dundas reserves the right to change, revise, or eliminate any of the policies and/or benefits described in this personnel policy. The only recognized deviations from the stated policies are those authorized by the City of Dundas City Council.

305.01

DEFINITIONS

CONTRACT – An agreement between the City of Dundas and specific groups of organized employees which define conditions of employment.

CITY COUNCIL – The Dundas City Council.

DEPARTMENT HEAD – An elected or appointed City official authorized and responsible to supervise the activities of a department or agency under their jurisdiction.

1. CHIEF OF POLICE
2. CITY ADMINISTRATOR
3. PUBLIC WORKS DIRECTOR

ELECTED OFFICIAL – Those City Officials selected by vote of the constituency. The elected positions are:

1. CITY COUNCIL
2. MAYOR

LAYOFF – A separation or permanent or probationary employees necessitated by lack of work, lack of funds, the abolition of a position, organizational changes or any other management reason without delinquency or misconduct on the employee's part.

PAY STATUS – Pay status includes any period of time for which an employee receives pay for time worked, including compensatory time off, or for time on paid leave.

PERSONNEL DIRECTOR – The City Administrator for the City of Dundas.

POLICIES – Rules and regulations approved by the Dundas City Council.

POSITION – A group of current duties and responsibilities requiring the full-time, part-time temporary, or seasonal employment of one person.

PROFESSIONAL EMPLOYEE – An employee who is required to have a B.S. or B.A. degree in a field that is directly related to the position that is held with the City of Dundas.

RESIGNATION – A voluntary separation from City service by the employee.

SEPARATION – An action of an employee who leaves the City service by reason of death, dismissal, lay-off, resignation, or retirement.

SEVERANCE PAY – Payout of accrued and unused vacation and sick leave benefits to full time employees leaving the City service in good standings.

SUSPEND – To temporarily relieve an employee from duties of employment. The suspension may be accompanied by a written notice of intent to dismiss.

VETERAN – Any person defined as a veteran by Minnesota Statutes, Section 197.477.

VETERANS PREFERENCE – Preference granted to Veterans by Minnesota Statutes, Section 43A.11, 197.455, and 197.46 as amended.

305.02**EMPLOYEE RELATIONS****305.02.01 POLICY STATEMENT AND COMMITMENT**

The policy of the City of Dundas is to be fair and honest with its personnel and to respect the individual rights of all employees. City of Dundas is committed to the philosophy that it is a distinction to serve one's fellow citizens as a governmental official or employee. Employees are expected to provide honest, ethical and loyal service during work hours. Employees are to be respectful of authority and abide fully by the regulations which attend their employment.

305.03**RECRUITMENT & SELECTION****305.03.01 POLICY STATEMENT**

It is the policy of the City of Dundas to recruit and select the most qualified persons for positions within the City. The recruitment and selection process shall provide fair and equal opportunity for all qualified applicants based exclusively on merit and suitability to the position.

City of Dundas will not use the application or testing process to exclude qualified persons from applying for employment based on sex, race, religion, creed, marital status, sexual orientation, political affiliation, age, or status with regard to public assistance, or physical or mental disability.

City of Dundas is an equal opportunity employer and will follow guidelines established by federal and state law.

305.03.02 RE-EMPLOYMENT

Re-Employments (hiring) of employees who have previously resigned will be determined on an individual case basis, depending on the employee's work record, circumstances of his/her leaving, etc. Any person seeking re-employment must apply and be processed as any other applicant. No preferential treatment or consideration will be given to those applying for re-employment solely on the basis of the applicant having been previously employed by the City, nor will the necessity of any form or procedure be eliminated by virtue of the applicant having been employed by the City.

An employee who voluntarily resigns and at a later day re-applies for a City position will not be eligible for benefits based on previous years of employment unless approved by the City Administrator and City Council.

Anyone justly terminated for cause will not be referred to any City position for one year from the date of termination.

305.04

EMPLOYEE MEDICAL EXAMINATIONS

305.04.01 CIRCUMSTANCES WARRANTING A MEDICAL EXAMINATION

1. City of Dundas may require medical and psychological examinations, along with drug & alcohol testing as a condition of employment for a candidate or candidates receiving a conditional offer of employment. City of Dundas may also require medical and psychological examinations of current employees when the City determines circumstances warrant.
2. In all cases the purpose of medical and psychological examinations is to determine a person's fitness to perform a specific job. "Medical & Psychological Examinations" includes both physical and psychological examinations and tests administered by licensed medical practitioners. Medical examinations will be carried out according to guidelines of applicable state and federal laws.
3. All medical data considered confidential under Minnesota Statute shall be maintained in an Employee's medical file.

305.04.02 RESPONSIBILITY FOR PAYMENT OF MEDICAL EXAMINATION

Medical examinations requested by the City of Dundas shall be paid by the City of Dundas.

305.04.03 DRUG TESTING

The City may request or require any job applicant to undergo drug or alcohol testing if a job offered has been made to the applicant and the same test is requested or required of all job applicants who are conditionally offered employment for that position.

The City may request or require an employee to undergo a drug or alcohol test if it is a routine physical examination required by the City. If the drug or alcohol test is required in this manner, at least two weeks notice must be given to the employee.

The City may request or require any Police Officer or any City employee responsible for driving or operating any City vehicle or equipment to undergo drug or alcohol testing on a random basis.

The City may require an employee to undergo a drug or alcohol test at any reasonable time if the City has reasonable suspicion that the employee:

1. Is under the influence of drugs or alcohol while working;
2. Has violated the City policy which prohibits the use, possession, sale, or transfer of drugs or alcohol while the employee is working or while the employee is on City property or operating any City vehicle, machinery, or equipment;
3. If a City employee has sustained a personal injury or has caused another employee to sustain a personal injury;
4. If a City employee has caused a work-related accident or was operating any vehicle, machinery or equipment involved in a work-related accident.

305.04.04 DRUG AND ALCOHOL POLICY

No City employee may work while under the influence of any drugs or alcohol. No City employee may operate any City vehicle, machinery or equipment while under the influence of drugs or alcohol. Any employee who refuses a drug and alcohol test, when the City has reasonable suspicion that the employee is working while under the influence of drugs or alcohol, may be reprimanded, up to and including discharge.

If a drug or alcohol test verifies a positive result, after reasonable suspicion exists to believe that the employee has violated the City policy concerning drugs or alcohol, that employee shall be disciplined, up to and including termination.

Any employee, who tests positive for a drug or alcohol test, shall have the right to explain a positive test result, or request and pay for a confirmatory re-test.

Any drug or alcohol tests which are requested or required by the City of Dundas shall be tested by a laboratory which meets the criteria of Minnesota Statutes §181.953.

The City shall comply with all the requirements of Minnesota Statutes §181.953 with respect to providing notice of test results to any City employee or job applicant.

305.05

COMPENSATION PLAN

305.05.01 DEVELOPMENT

The City Administrator, or designee, will develop the City's compensation plan and the principle of equal pay for equal work. Pay ranges will be determined by using one or more of the following factors:

- 1 Uniformity of pay for each class
- 2 Comparisons of like positions with cities in the same labor markets as determined by the City Council
- 3 Availability of applicants with the required specialization
- 4 Negotiation through labor contracts

The compensation plan adopted by the City Council, with amendments made according to law and these rules, policies and procedures shall constitute the official compensation plan for all positions.

305.05.02 ADOPTION

The compensation plan shall be approved by the City Council. The compensation plan and procedures shall be adopted and may be amended by resolution of the City Council.

305.05.03 ADMINISTRATION

The City Administrator, or designee, shall be responsible for administering the compensation plan. When appropriate the City Administrator may recommend to the City Council amendments to the compensation plan. Amendments to the compensation plan may only be made upon the approval of the City Council.

305.05.04 PAY EQUITY

City of Dundas shall hold by the principals of equal pay for equal work and shall abide by all State and Federal laws regarding pay equity.

305.05.05 ANNUAL REVIEW

The City Administrator or Department Head shall be responsible for conducting annual for City of Dundas employees. Recommendations by the City Administrator for pay increases will be forwarded to the City Council for adoption.

305.06**IMIGRATION LAW COMPLIANCE****305.06.01 POLICY STATEMENT**

City of Dundas is committed to employing only United States citizens and aliens who are authorized to work in the United States and to comply with the Immigration Reform and Control Act of 1986.

305.06.02 PROCEDURE

All employees hired on November 7, 1986, and thereafter must verify their eligibility for employment.

All employees hired on and after November 7, 1986, must complete and sign the verification form designed by Immigration and Naturalization Service (I-9) to certify the employee is eligible for employment.

The City Administrator, or designee, must examine documentation presented by the employee, record information about the documents on the verification form, and sign the form.

New employees will have three (3) business days to present employment eligibility documents and complete the official verification form. If the new employee does not present proper documents and complete the I-9 form within three (3) days, they may be terminated.

The verification form will be retained for three (3) years or for one (1) year past the end of employment of the employee whichever is longer.

305.07

EMPLOYEE PERSONNEL RECORDS

305.07.01 POLICY STATEMENT

It is the policy of the City of Dundas to maintain a personnel file for each employee consistent with the provisions of the Minnesota Data Practices Act Chapter 13.

305.07.02 CONTENTS OF PERSONNEL FILES & RECORDS

Necessary job related and personal information about each employee will be retained in an official personnel file kept by the City Administrator of the City of Dundas. The contents of the file will include, but is not limited to: basic identifying information, employment application, data relevant to the decision to hire, employment/salary status changes, performance evaluations, disciplinary actions, benefit coverage information, termination records, other employment related actions, and other relevant job-related information or documents deemed essential.

305.07.03 DATA PRACTICES

The following personnel information on all present and former employees, except for present employees involved in undercover law enforcement, is considered public data:

Name

Actual gross salary and salary range, actual gross pension

Value and nature of employer paid benefits

Additional compensation over and above base salary job title

Job description

Dates of first and last employment

Status and final outcome of any disciplinary action, including supporting documentation

Contract fees

Education and training background, previous work experience

Work location

Work telephone number

Badge number

City and county of residence

Honors and rewards received

Data which accounts for the employee's work time

This data concerning the employee which is placed in the personnel file and which is not listed above as public is considered private data.

305.07.04 ACCESSIBILITY OF PERSONNEL RECORDS

The City Administrator or designee will be responsible for the maintenance and security of employee personnel files. Responsibility includes initiating new files and monitoring and filing data which is to become a part of the personnel files.

Only management staff directly responsible for the supervision of the employee or representatives of the employer who have a legitimate reason and permission of the City Administrator, or designee, to review information in a file are allowed to do so. With reasonable advance notice, an employee may review material in his or her file but only in the presence of the City Administrator. An employee may inquire, at any time, what data is kept on him/her and what the classification such data holds.

305.07.05 DISPUTED INFORMATION

Employees who question the accuracy or completeness of information contained in their personnel files should bring such matters to the attention of the City Administrator. The employer will consider the employee's objections and correct or remove erroneous information. If management decides to retain the disputed information in the file, the employee is entitled to place a brief statement in the record identifying the alleged errors or inaccuracies.

305.08

EMPLOYMENT REFERENCE CHECKS

305.08.01 POLICY STATEMENT

To ensure that individuals employed by the City of Dundas are well qualified and have a strong potential to be productive and successful, it is advisable to check the employment references of all applicants.

305.08.02 CHECKS ON POTENTIAL CANDIDATES

Past employment checks on applicants will be conducted only after the individual has been interviewed and is being considered for the position. The City Administrator, or designee, will be responsible for conducting these checks, including but not limited to: verification of degrees held, licenses obtained, and school transcripts.

305.08.03 CHECKS ON PAST EMPLOYMENT

The City Administrator will respond to all reference check inquires from other employers. Responses to such inquires will confirm only dates of employment, wage rates, and position(s) held.

Any inquires for other data under the Minnesota Data Practices Act (Minnesota Statutes, Chapter 13) regarding a current or former employee of the City of Dundas will need to be made in writing. The City Administrator will respond in writing upon receiving a written authorization and release signed by the individual who is subject of the inquiry.

Any data regarding a current or former employee is subject to the Minnesota Data Practice Act.

305.08.04 BACKGROUND INVESTIGATIONS

Data collected as a result of background investigations by the City of Dundas personnel on current and former employees and job applicants may only be released to potential employers with proper authorization by the data subject.

305.08.05 CRIMINAL BACKGROUND CHECKS

In order to maintain public trust, the City of Dundas strives to hire employees who instill confidence in the quality of services delivered to the public. In some cases a job applicant with a criminal history may be inappropriate for the position sought. Therefore, the City of Dundas conducts criminal background checks on all job candidates at the post-offer/pre-employment stage of the hiring process and as required by law for employees involved with child protection matters.

305.09**PERSONNEL DATA CHANGES****305.09.01 POLICY STATEMENTS**

It is the responsibility of each employee to promptly notify the City Administrator of any changes in personnel data. This would include such things as, personal mailing addresses, telephone numbers, number and names of dependents (for insurance purposes), individuals to be contacted in the event of emergency, educational accomplishments, and other such status reports. This data should be accurate and current at all times.

305.10 PROBATIONARY PERIOD

305.10.01 POLICY STATEMENT

The probationary period is used by the employee to begin to assimilate him/herself into the position and for the City of Dundas to determine whether or not the employee is capable of adequately performing the duties of the position.

305.10.02 LENGTH OF PROBATION

All employees hired shall be required to successfully complete a six (6) month probationary period.

305.10.03 EVALUATION OF PERFORMANCE

Department Heads are responsible for monitoring the performance of new employees during the probationary period. A written plan of action may be necessary when the monitoring process indicates a need for improvement in certain areas of responsibility; thereby, establishing certain goals to attain within a specified time period. During the probationary period, employees should receive periodic evaluations on approximately a quarterly basis. Successful completion of the probationary period must be approved by the City Council.

305.10.04 EXTENSION OF PROBATIONARY PERIOD

A probationary employee may have their probationary period extended for the following reasons:

- 1 For durations of absence which exceed more than ten (10) consecutive working days.
- 2 The employee's work is not satisfactory to warrant the recommendation of granting regular status according to the Department Head or City Administrator.

During an extended probation period, an employee is not eligible for salary increases.

305.10.05 BENEFITS DURING PROBATIONARY PERIOD

The following benefits accrual will be available to full-time probationary employees:

- 1 Vacation Leave – Vacation time is accrued during the probationary period at regular rate. Employees may begin to use vacation leave after successful completion of probation.
- 2 Sick Leave – Sick leave is accrued during the probationary period and is available to be used upon accrual in accordance with the Sick Leave Benefits Policy, Section 305.27.
- 3 Holiday Pay – Holiday Pay is available during probationary period.

305.10.06 RELEASE OF PROBATIONARY EMPLOYEE

The City Administrator may release a probationary employee (subject to the approval of the City Council) at any time during the probationary period if it is the City Administrator's opinion the employee is unable or unwilling to perform the duties of the position satisfactorily. The probationary employee to be released may be notified in writing (if requested) of the reasons for the release and shall have the right to appeal to the City Council.

An employee may request their check within one (1) working day after being released.

Accumulated sick and vacation leave shall have no cash value to any employee released during the probationary period.

305.11**PERFORMANCE EVALUATION****305.11.01 POLICY STATEMENT**

Performance appraisals shall be based on job descriptions and result-oriented performance standards. Performance appraisals are intended to assist the employee in reaching maximum potential, enhance services provided by the City of Dundas, and to provide for periodic, formal review.

305.11.02 PERFORMANCE APPRAISAL PROCEDURES

The performance appraisal system shall be conducted in the following way:

- 1 Each employee will be evaluated periodically during probation as indicated in 305.10.03. Following the completion of probation, the employee is to be reviewed on at least an annual basis, or more often if so determined by the employee's supervisor.
- 2 The completed performance appraisal must be submitted to the City Council.

Employees will receive a pay increase upon satisfactory evaluation and approval by the employee's Department Head and City Council. Pay increases are not automatic.

305.11.03 APPEAL OF PERFORMANCE APPRAISAL

Appraisals will not be appealable. An employee who disagrees with an appraisal may respond in writing. The employee's response shall be filed with the appraisal form.

305.11.04 PERFORMANCE APPRAISAL OF DEPARTMENT HEADS

It shall be the policy of the City of Dundas to provide a consistent fair and objective standard of performance appraisal for all Department Heads. It shall be the responsibility of the City Council to provide periodic written evaluations of Department Heads, on at least an annual basis. This once a year annual evaluation shall coincide with the determination of the appropriateness of granting a merit (pay) increase if the employee is eligible. The decision to provide a merit (pay) increase shall be the determination of the City Council. However, if any individual Council Member has specific concerns or desires a closed session meeting with the Department Head and the full City Council it shall be scheduled upon request.

305.12

EMPLOYMENT SEPERATION

305.12.01 POLICY STATEMENT

Separation of employment is an inevitable part of personnel activity within any organization, and there are many reasons for separation.

305.12.02 REASONS FOR SEPERATION

- 1 Resignation – Employment separation initiated by an employee who chooses to leave the organization voluntarily.
- 2 Discharge – Employment separation initiated by the organization.
- 3 Layoff - Involuntary employment separation initiated by the organization for non-disciplinary reasons.
- 4 Retirement – Voluntary retirement from active employment status initiated by the employee.

305.12.03 EXIT INTERVIEWS

Department Heads may conduct exit interviews at the time of employment separation. The exit interview affords an opportunity to discuss such issues as employee benefits, conversion privileges, repayment of outstanding debts to the City of Dundas, or return of City of Dundas owned property. Suggestions, complaints, and questions can also be voiced. This interview is to be confidential.

305.12.04 RESIGNATION

- 1 **ADVANCE NOTICE** – City of Dundas expects at least two (2) weeks written notice for non-supervisory employees, and thirty (30) calendar day's written notice from professional, management and supervisory employees.

Shorter notice due to unusual circumstances may be given subject to approval of the City Administrator.
- 2 **GOOD STANDING** – An employee who gives adequate notice and who is not discharged for cause shall be considered as separating employment in good standing.
- 3 **NOTIFICATION PROCESS** – An employee wishing to resign in good standing shall submit to the City Administrator a written resignation. This written resignation shall include, at minimum: date resignation is submitted, employee's name, department, division, and effective date of resignation. An employee's separation date may not be extended by using vacation or sick leave to meet the minimum notice required.

305.12.05 SEPARATION PAY

The City of Dundas provides separation pay to full-time employees whose employment separation is in good standings. The provisions in 305.12.04 apply to all City of Dundas employees.

- 1 VACATION PAY; Eligible full-time employees separating employment with the City in good standing will receive 100% of any unused vacation hours subject to the maximum accrual in 305.26.03.
- 2 SICK LEAVE: Eligible full-time employees separating employment with the City in good standings will receive any unused accrued sick leave hours based on the schedule in 305.27.03 but at an amount not to exceed the maximum of \$7,000.
- 3 COMPUTATION OF SICK LEAVE: Upon separation from employment, the amount of accrued sick leave to be paid, up to the maximum in 2 above, will be computed in the following manner:
 - a. Less than 6 full years 33%
 - b. Start of the 7th year through end of 17th year 67%
 - c. Start of the 18th year and thereafter 100%
- 4 DEATH OF EMPLOYEE: In the event of the death of an eligible employee, separation pay shall be paid to the employee's estate.

305.12.06 INSURANCE

Some benefits may be continued at the employee's expense, if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

305.13

EMPLOYEE BENEFITS

305.13.01 POLICY

The City of Dundas provides a wide variety of benefits. A number of the programs, such as Social Security, Worker's Compensation, PERA, and Unemployment Insurance, cover all employees in the manner prescribed by law. Some benefit programs require contributions from the employee, but many are fully paid by the City of Dundas.

The following benefit programs are available to full-time employees of the City of Dundas.

- Life Insurance
- Health Insurance
- Retention Benefit (Council Approved Only)
- Dental Insurance
- Pension Plan (PERA)
- Bereavement Leave
- Holidays
- Sick Leave
- Vacation Leave

305.14

INSURANCE BENEFITS

305.14.01 HEALTH INSURANCE POLICY STATEMENT

It is the policy of the City of Dundas to provide full-time employees with single health and dental insurance coverage. Employees may obtain family coverage by making monthly premium payments through payroll deduction. The City will pay up to the amount shown in Section 305.14.03(2) towards employee and dependent insurance coverage. The balance of monthly insurance coverage premiums, if any, shall be paid through payroll deduction.

305.14.02 ELIGIBILITY

An employee must be in a full-time position and work a minimum of thirty-two (32) hours per week.

305.14.03 COVERAGE

- 1 Summary of Coverage – Information regarding health insurance benefits will be provided by the City Administrator or designee for new employees and annually or thereafter. Any further questions pertaining to insurance coverage shall be directed to the City Administrator or designee.
- 2 Premium Payments – For full-time employees the City shall: (1) pay up to \$775.00/month toward single health insurance coverage and pay 50% per month for family health coverage based on lowest premium plan ; (2) provide an additional annual contribution of \$1,400.00 to a Health Savings Account (HSA) for employees selecting HSA option; (3) provide an employee retention benefit not to exceed a total cost to the City of \$775.00/month for employees who waive coverage and provide proof of other health insurance coverage. The difference between the City’s flat rate and the cost of coverage selected will be paid by the employee through payroll deduction. The City may, by resolution, determine a different premium payment plan for employees defined as “Exempt” under the Fair Labor Standards Act.
- 3 Dates of Coverage – Coverage of employees in full-time positions begins after a thirty-day (30) waiting period. Then it becomes effective the first day of the following month. (Illustration: If an employee’s date of hire is October 5, then the effective date of coverage is December 1.) Coverage remains effective as long as an eligible employee is in pay status. Coverage for an employee not maintaining pay status shall be effective through the last day of the calendar month in which the employee is in pay status.
- 4 Option to Continue Coverage – An employee separating employment or an employee not in pay status shall be notified of the option to continue coverage. (See Section 305.14.06: Benefits Continuation/COBRA)
- 5 Retirement – Retiring employees who have completed a minimum of ten (10) years employment with the City of Dundas and are a minimum age of fifty-five (55) at retirement may continue in the Group Plan until the employee and the spouse reach age sixty-five (65). 100% of the monthly premium shall be paid to the City Administrator’s office by the retiring employee.

- 6 Dependent Coverage Alternatives – Eligible employees may obtain dependent health insurance coverage through payroll deductions of the portion of the monthly premium that is not covered by the City.

305.14.04 LIFE INSURANCE

It is the policy of the City of Dundas to provide employees with \$10,000 basic life insurance coverage.

305.14.05 ELIGIBILITY

An employee must be in a full-time position and work a minimum of thirty-two (32) hours per week.

305.14.06 BENEFITS CONTINUATION/COBRA

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the City of Dundas’s health plan, when a “qualifying event” would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee’s hours or a leave of absence; an employee’s divorce or legal separation; and a dependent child no longer meeting eligibility requirements. Under COBRA, the employee or beneficiary pays the full cost of coverage at the City of Dundas’s group rates plus an administration fee of 2%.

City of Dundas provides each eligible employee with a written notice describing rights granted under COBRA, when the employee becomes eligible for coverage under the City of Dundas’s health insurance plan. The notice contains important information about the employee’s rights and obligations.

Terminating employees are eligible to receive life insurance coverage under the City’s plan in accordance with Minnesota Statute 61A.092. This coverage is at the full cost to the employee and may continue for a time not to exceed eighteen (18) months.

305.14.03(2) Premium Payment: Effective 01.11.2019

305.14.03(2) Premium Payment: Effective 01.01.2021

305.14.03(2) Premium Payment: Effective 01.01.2022

305.15**PENSIONS****305.15.01 POLICY STATEMENT**

The City of Dundas has available for employees Public Employees Retirement Fund (PERF). The Public Employees Retirement Fund was created by the Minnesota State Legislature and is controlled by the Public Employees Retirement Act (PERA). All eligible employees are required by law to contribute to this fund.

The Minnesota Deferred Compensation Plan (MNDCP), a saving plan intended for long term investing for retirement as authorized under Section 457 of the Internal Revenue Code, is available for qualified employees to participate. The plan is administrated by the Minnesota State Retirement System.

305.16

WORKERS' COMPENSATION

305.16.01 POLICY STATEMENT

It is the policy of the City of Dundas to provide all employees with worker's compensation benefits when injury/illness is a direct result of a work-related incident. This benefit is at no cost to the employee.

305.16.02 EMPLOYMENT CLASSIFICATIONS COVERED

For purposes of worker's compensation, an employee shall be defined as a full-time, part-time or seasonal worker on the City payroll, an appointed or elected official, or a contract worker for whom this benefit has been implemented as a part of the employment contract.

305.16.03 ADMINISTRATION OF BENEFITS

Worker's compensation benefits are handled by the League of Minnesota Cities, Berkley Administration.

305.16.04 EMPLOYEE/SUPERVISOR RESPONSIBILITY

It is the responsibility of each employee subjected to a work-related injury/illness to notify their supervisor immediately of the event. The employee, if able, should complete and submit an Employee Incident Report to their supervisor or City Administrator or designee. Secondly, the employee or supervisor should immediately notify the City Administrator or designee of the injury/illness, at which time a First Report of Injury form and an Accident Investigation form shall be completed as a joint effort between employee and supervisor. The employee, if able, will complete and submit an Employee Incident Report. The First Report of Injury shall be signed by the City Administrator or designee acknowledging that all information provided is correct.

It is the responsibility of the supervisor to advise the City Administrator or designee of all periods of absence resulting from the injury/illness. If the employee is absent from work more than three (3) days, a doctor's statement will be required stating that the employee is able to return to work and shall be provided to the City Administrator upon date of return to work.

305.16.05 EMPLOYER RESPONSIBILITY

It is the responsibility of the City Administrator or designee to submit First Report of Injury forms within ten (10) working days from the being notified of the work-related injury/illness. Serious injury/illness or death must be reported within twenty-four (24) hours of occurrence to Berkley Administration and the State of Minnesota – Worker's Compensation Division.

305.16.06 MEDICAL APPOINTMENTS

Employees will be granted time off from work with pay to seek medical treatment, upon pre-approval by the City Administrator.

305.16.07 THREE DAY WAITING PERIOD

Worker's Compensation benefits are not payable during the first three (3) days away from work. Saturdays and Sundays are counted in the three (3) day waiting period. Employees, who are entitled to and have accumulated sick pay benefits, must use their sick benefits to receive their regular pay during this period of absence. Accrued compensatory and vacation time must be used if sick pay hours have been previously exhausted. The employee may not elect to receive no pay for these days.

Employees who do not receive accrued sick, vacation, or compensatory time will not be compensated for any time off during the first three (3) days of absence from work.

305.16.08 BENEFITS PAYABLE FOLLOWING WAITING PERIOD

Once qualifying for benefits, the employee will receive approximately two-thirds (2/3) of their gross earnings from the worker's compensation carrier, subject to an amount established by Minnesota Statute.

In addition, employees entitled to accrued sick pay benefits will receive an amount equal to the difference between Worker Compensation Benefits and their regular net rate of pay. If sick days have been exhausted, the employee must use accrued compensatory and vacation time paid in an amount equal to the difference between Worker Compensation Benefits and the regular net rate of pay. State, Federal, FICA taxes will be withheld, as well as PERA deductions from the employee's payroll check. An employee cannot be placed on a no pay status until such time that all sick, compensatory, and vacation hours have been exhausted.

Employees absent from work for ten (10) working days with a verified Worker Compensation disability shall be paid retroactively for the initial three (3) day waiting period. Wages received from the City shall be adjusted accordingly to reflect this retroactive payment by adjusting future sick/vacation benefits payable or by deducting the overpayment from the employee's payroll check.

It is the intent of this policy that any combination of disability benefits from worker's compensation, sick pay and/or vacation pay, shall approximate the NET amount that the employee normally earns.

Sick and vacation benefits shall accrue at 1/3 the normal rate while utilizing sick/vacation benefits. The City contribution toward health insurance will continue until the employee goes on unpaid leave status or as otherwise provided under the Family and Medical Leave Act.

305.16.09 UNPAID LEAVE OF ABSENCE

Employees shall be considered on an unpaid leave of absence status at such time when all accrued sick, vacation, and compensatory hours have been exhausted.

305.16.10 LIGHT DUTY

In order to assist an employee' recovery from a work injury, the City may require an employee to work in a "light duty" position, subject to the direction of the City Administrator or designee and any physician's restrictions.

305.17**PAYDAY****305.17.01 POLICY**

All employees are paid biweekly on every other Thursday. Employees are paid as part of the Direct Payroll Deposit Program which appears in the employee's account on the scheduled payday. A copy of the employee's paycheck will be distributed on the regular payday. Each copy of the paycheck will include earnings for all work performed through the end of the previous payroll period.

In the event that a regularly scheduled payday falls on a City observed holiday, the direct payroll deposit for employees will be on the last day of work before the regularly scheduled payday.

In the event of mechanical or electrical failure preventing distribution of Direct Payroll Deposit the deposit will be issued at the earliest possible date. The City does not accept any responsibility for delays in payment caused by data processing problems.

305.18 HOURS OF WORK

305.18.01 POLICY STATEMENT

The City of Dundas reserves the right to set the work schedules for its employees.

305.18.02 ATTENDANCE

The standardization of working hours is necessary to provide:

- 1 Continuity in access by and service to the citizenry.
- 2 Facilitation of teamwork.
- 3 Facilitation of supervisory assistance.

Occasions may arise when the service to the public can be improved through major/minor adjustments of an employee's work hours. A major adjustment in work hours may be made by the City Administrator. Other adjustments of working hours may be authorized by Department Heads for particular projects which require modified work schedules. The Department Head shall be responsible to see that each employee understands the correct time for regular work commencement.

Hours for part-time, temporary and seasonal employees may vary from the normal hours due to the nature of their duties and will be determined by the Department Head, with concurrence of the City Administrator.

Individual requests for adjustment of working hours for personal reasons must be evaluated in light of the effect on the criteria enumerated in items 1 - 3 above.

Employees are expected to be at their work location and ready to begin work at the beginning of their work schedule. Advance notice of anticipated tardiness is expected; notice of unavoidable tardiness is expected when possible. Failure to do so will be construed as an unexcused absence. Tardiness must be made up during the pay period in which it occurs.

Notification by another employee, friend, or relative is not considered proper except in an emergency situation where the employee is physically unable to make the notification.

Employees are to be present at work during all regularly scheduled hours, unless arrangements in accordance with the leave policies have been made.

Unexcused absences and tardiness shall be subject to disciplinary action as defined in section 305.36 DISCIPLINE. Each employee shall have the responsibility of notifying the immediate supervisor when it becomes necessary to leave the job prior to the regular completion time. Failure to notify the supervisor prior to leaving the job before the normal completion time may be considered insubordination and may be subject to disciplinary action.

City offices may be closed by order of the City Administrator after consulting with the Mayor due to extreme weather conditions and employees schedule for working will receive compensation for hours scheduled. Employees who are not able to come to work due to poor weather conditions and City offices were not closed must use vacation accumulation or time without pay for the time absent.

It is a condition of employment with the City that all employees are available to report to work under extreme weather conditions, or in the event of an emergency response. The repeated inability by an employee to report to work on time for his/her normal scheduled shift or failure to respond in a reasonable time for emergency on-call duty will be viewed as an inability to meet minimum job standards. The violation of this policy will be interpreted as grounds for disciplinary action pursuant to department policies.

305.18.03 MEAL PERIODS

In general, City employees working a scheduled full-time shift shall be entitled to one-half (½) hour period. Meal periods are not a compensated part of the work shift. An employee shall not be compensated in wages or time off for refusing to take a scheduled meal period. Meal periods shall be scheduled by the Department Head. This provision does not apply to the Law enforcement department as they are on call during meal periods.

305.18.04 REST PERIODS (BREAKS)

- 1 An employee shall receive two (2) fifteen (15) minute rest periods during each scheduled full-time shift.
- 2 Rest periods are part of the paid work shift. An employee shall not be compensated additional wages or time-off for not taking a scheduled rest period.

305.18.05 FLEXTIME

Subject to the discretion of the City Administrator employees may be able to utilize a flexible schedule to meet the normal work week, as a result of the nature of their work. In addition, some employees may be required to work hours other than the normal 8:00 AM to 5:00 PM. Employees will be allowed to arrange with the City Administrator varying hours whereby they may more efficiently accomplish their jobs. However, breaks and meal periods of less than ½ hour may not be used for flex time. Flex scheduling is only allowed within a calendar week.

305.19 OVERTIME

305.19.01 POLICY STATEMENT

The City Administrator or Department Head is responsible for scheduling work in order to minimize the need for overtime. No overtime shall be authorized or paid for without approval of the Department Head.

305.19.02 ELIGIBILITY

- 1 Overtime pay is computed on time worked in excess of the qualifying standard work week pursuant to FLSA. Before any employee works overtime, it must be approved by their Department Head. Employees who work overtime will be compensated by getting paid as determined by the Fair Labor Standards Act.
- 2 Employees defined as “exempt” by the Fair Labor Standards Act are not eligible for overtime but may utilize a flexible schedule to meet the weekly work hours, duties, and responsibilities of the department as required.

305.19.03 COURT TIME

A Public Safety employee who is required to appear in Court during his/her scheduled off duty time shall receive a minimum of two (2) hours pay at one and a half (1-1/2) times the employee’s base pay rate if they are a full-time employee, and their normal base pay rate if they are a part-time employee. An extension or early report to a regularly scheduled shift for Court appearance does not qualify the employee for the two (2) hour minimum. If an employee is scheduled to appear in Court and a cancellation occurs after 4:00 PM on the day prior to the Court appearance, then the employee shall receive the two-hour minimum.

305.19.04 CALL BACK TIME

An employee who is called to duty during his/her scheduled off-duty time shall receive a minimum of two (2) hours pay at one and one half (1½) times the employee’s base rate. An extension or early report to a regularly scheduled shift for duty does not qualify the employee for the two (2) hour minimum. If the call back work assignment and the employee’s regular work shift overlap, the employee shall be paid the call-back rate of time at one and one half (1½) times the employee’s base rate until his/her regular shift time begins, and the regular shift shall continue until the employee’s normal quitting time. Training required by the City does not qualify an employee for call back time under this article.

305.20

CONFERENCES AND WORKSHOPS

305.20.01 POLICY

Conferences and workshops are to be work related and used to develop knowledge and skills of persons attending, as well as to develop contacts and build a network of related professionals.

If funds have been budgeted and the City Council approves, the employee will be reimbursed for the full cost of eligible expenses.

If the conference or workshop is held outside the state of Minnesota, approval from the City Council is required.

305.20.02 TRAINING RECORDS

Each department should maintain a record of all employees training. Records should include: individual employee name; training received (name of course); brief description of course and whether it was an in-service, conference, workshop, seminar, or class; total cost including fees, travel, meals, lodging, etc.

305.20.03 WORK-TIME

Time spent at conferences/workshop training sessions are to be considered hours worked if approved by the City Administrator. Travel time to and from a conference/workshop/training will be considered "hours worked" if the employee's attendance is required by the employer.

305.21

BUSINESS-RELATED EXPENSE REIMBURSEMENT

305.21.01 POLICY STATEMENT

It is intended that this policy conform to all applicable Minnesota State Statute and IRS rules governing expenses incurred by employees while conducting City business.

305.21.02 APPROVAL OF TRAVEL EXPENSES

The City of Dundas will reimburse employees for reasonable business travel expenses incurred while on assignments away from the normal work location. All business travel outside the State of Minnesota must be approved in advance by the City Council.

Travel expense must be budgeted in the department's budget as approved by the City Council.

Employees whose travel plans have been approved are responsible for making their own travel arrangements. If possible, travel arrangements should be made in advance and billed to the City. Travel expenses not billed to the City shall be paid for by the employee and reimbursed upon return in accordance with this policy.

305.21.03 AUTHORIZED EXPENSES

The City will provide reimbursement for the following expenses incurred while attending a workshop, conference, meeting, seminar, or training related activity authorized by the City. Reimbursements will be provided according to Business Related Expenses Reporting, Section 305.21.05.

- 1 Mileage for Personal Vehicles – When at all possible, Police Department employees are expected to use City Police vehicles for business related to travel. However, the City will pay the rate established by the City Council to employees who use their personal vehicle. Mileage is paid on the most reasonable direct route as follows:
 - A Travel to and from site of meeting, conference, seminar, etc. (total miles traveled round trip).
 - B In the event of ride sharing, the person who owns the vehicle being driven is the only one who may claim mileage reimbursement. Whenever possible, employees are encouraged to car pool.
- 2 Air Fare or Train Fare - When travel to a conference, workshop, etc. requires the utilization of air or train transportation, the employee or City official shall arrange for travel in coach or economy class or the lowest available fare.
- 3 Automobile Rental – Employees who desire to rent a vehicle will be reimbursed only for that portion of the costs which would normally have been occurred by the City. For example, cab fare to and from the airport and hotel.
- 4 Taxi/Bus – Employees may be reimbursed actual costs plus a maximum 15% gratuity for taxi, bus or shuttle services when on City business and where no private vehicle is available.

- 5 Lodging
 - A Lodging will be reimbursed at the lowest possible rate at single occupancy. If possible, employees are encouraged to share accommodations. The City will not reimburse the employee for “extra’s (pay movies, room service, personal phone calls, etc) billed to the room.
 - B Employees will be reimbursed for the night prior to the formal start of the conference, seminar, etc., and the nights the event is in session (including the night of the last day).
 - C Whenever possible, lodging should be billed directly to the City. Otherwise, the employee should submit a bill upon return for reimbursement.
- 6 Meal Allowance – The reasonable cost of meals plus a maximum 15% gratuity, excluding alcoholic beverages, shall be reimbursed, unless these expenses are included as an inseparable part of a conference/workshop, training session registration.
- 7 Parking – Employees shall be reimbursed for the cost of parking while attending a meeting, conference, seminar, etc. with the exception of long term parking at an airport or train station.
- 8 Extended Travel – When extended travel is required, the employee may be authorized time for the day before and/or the day following the conference.

305.21.04 TRAVEL WITH SPOUSE/FAMILY MEMBERS, ETC.

With prior approval, employees on business travel may be accompanied by a family member or friend, when the presence of the companion will not interfere with successful completion of business activities. City vehicles may not be used in these circumstances.

Employees are also permitted to combine personal travel with business travel, as long as time away from work is approved.

The City will reimburse only those expenses incurred by the employee or official, not by the spouse, friend, etc. These expenses will be the responsibility of the employee.

305.21.05 REPORTING

When travel is completed, employees are to submit completed travel and expense reports. Reports shall be accompanied by the following:

- 1 For claiming mileage, document the odometer reading of total miles traveled to and from the conference, workshop, seminar, or meeting.
- 2 For lodging, include the hotel bill, or credit card slip/bill, identifying the room charges.
- 3 For air fare, train fare, or bus fare, attach a copy of the billing. If paid by credit card, copy of the credit card bill with travel fare highlighted.
- 4 Any other authorized expense not detailed here must be accompanied by a receipt.

All expenses are to be listed on a City expense form. Expenses listed on the claim form, but not accompanied by a receipt will not be reimbursed. Hand written receipts made out by the employee may not be acceptable.

The claim form, with all receipts and documents attached, is to be submitted to the Department Head for approval. Upon approval by the Department Head, claim form is to be forwarded to the City Administrators office for reimbursement approval by the City Council.

305.21.06 CITY-OWNED VEHICLE USAGE

City-owned vehicles shall not be used by any employee for personal use other than for incidentals (such as lunch stop while conducting City business). Only those individuals authorized by the City Council or the City Administrator will be permitted to utilize a City-owned vehicle for commuting purposes. All City vehicles, other than those authorized for commuting, will be stored at City facilities when not in use.

Federal and State laws and rules concerning vehicles and their safe operation will be enforced. Safety devices, such as seat belts, lights, horns, etc., shall be utilized. Speed limits, safe driving procedures, and proper licensing requirements will be enforced.

Employees are responsible for performing routine checks (i.e. tire pressure, oil, turn signals, lights) before operating a City-owned vehicle.

Alcoholic beverages shall not be consumed by any employee prior to operating a City-owned vehicle.

305.21.07 VIOLATIONS

Any employee or official found violating this policy or making false claims shall be subject to disciplinary action, including discharge, and/or applicable state and federal laws.

305.22

SAFETY

305.22.01 POLICY STATEMENT

City of Dundas strives to provide a safe, hazard-free working environment. Department Heads should be constantly on the alert to observe and report unsafe working practices or existing hazardous working conditions with the aim of immediate correction. Each Department Head shall make sure the employee under their supervision is well acquainted with existing safety rules and shall see that the rules are uniformly enforced. Safety education of all employees shall be promoted by the Department Heads.

It is the responsibility of all employees to cooperate in making the safety program work. Employees must:

- 1 Be informed of and observe established safe practices.
- 2 Notify Department Head of any unsafe conditions they discover.
- 3 Use personal protective equipment such as steel toed shoes, safety vests, safety glasses, hearing protection, and hard hats as required.
- 4 Do not remove guards or other protective devices from machinery and equipment
- 5 Do not engage in “horseplay”
- 6 Attend any required training or orientation to increase safety awareness
- 7 Do not report to work under the influence of alcohol or drugs that alter normal behavior or ability to function safely
- 8 Report all job-related injuries or illnesses to their supervisors immediately
- 9 Assist Department Head in their investigation of any accident of which they have knowledge; accident investigation is fact finding; not fault finding
- 10 Refrain from smoking in “no smoking” areas
- 11 Refrain from operating, modifying, adjusting or using equipment in an unauthorized manner.

305.22.02 VIOLATION OF SAFETY RULES AND PROCEDURES

Any employee who violates any safety rule, policy, or procedure established by the City, Department, Division of the Department, State or Federal agency, may be subject to disciplinary action up to and including discharge.

305.23**COLLISION INVESTIGATION INVOLVING CITY
EMPLOYEES AND/OR VEHICLES****305.23.01 POLICY STATEMENT**

If while operating a City owned vehicle or a privately owned vehicle in the performance of official duties, an employee is involved in an accident resulting in personal injury or property damage, they shall:

- 1 Request that all parties and properties concerned remain at the scene of the accident if possible until a law enforcement representative has released them.
- 2 All collisions involving City vehicles or persons on duty and actively engaged in City business will be investigated by a law enforcement agency.
- 3 If occurring outside the City, the collision will be investigated by the law enforcement agency having jurisdiction.
- 4 If occurring within the City and involving property damage or a minor (non-hospitalizing) injury, the collision will be investigated by the Dundas Police Department.
- 5 If occurring within the City and the collision results in a fatality or injury requiring immediate hospitalization of any party, the accident may be investigated by an outside authority. Selection of an outside authority will be handled by the Dundas Police Department.
- 6 Employee responsibility is to refrain from making statements regarding the accident with anyone other than the investigating law enforcement representative, appropriate City officials, and representatives of his or her own insurance company if the employee's privately owned vehicle is involved. Statements made to investigating authorities should be confined to factual observations. A copy of all police reports and any statements attached thereto will be forwarded to the City Administrator within one day.
- 7 If any employee is injured, procedures should be followed as outlined in Section 305.28:
ACCIDENT PROCEDURES
8. A mandatory drug and alcohol test will be performed immediately following an accident in accordance with Section 305.04 if there is personal injury or property damage while operating a City owned vehicle. The employee will be placed on administrative leave until such time the drug and/or alcohol test results are back.

305.24 SAFETY EQUIPMENT

305.24.01 POLICY STATEMENT

City of Dundas requires employees to always use personal protective equipment when performing certain hazardous tasks or when in a hazardous environment. Common sense and good judgment are expected of all employees in order to prevent and reduce on-the-job accidents/injuries.

All possible precautions must be taken by employees to avoid exposure to injury or illness to themselves or others.

Department Heads are responsible to ensure compliance with the provisions of this policy, department policies, and applicable OSHA regulations by all members of their crews, division, or department.

Failure to comply with requirements for wearing safety apparel and/or using safety equipment will result in disciplinary action, including discharge for repetitive or gross violations.

305.24.02 ACCIDENTS INVOLVING DEFECTIVE EQUIPMENT

When an accident happens where defective equipment is a possibility, the following action should be taken:

- 1 Attend to any injuries of employees or others.
- 2 Turn equipment in question over to the employee's Department Head, who shall consult with the City Administrator.
- 3 Write a detailed report, within one day, to include all circumstances surrounding the incident and all manufacturing information available concerning the equipment in question. This report should be submitted to the City Administrator or designee.
- 4 If an employee is injured, procedures should be followed as outlined in Section 305.25: ACCIDENT PROCEDURES.

305.25**ACCIDENT WITH INJURIES PROCEDURE****305.25.01 POLICY STATEMENT**

The City shall provide for the treatment and care of on-the-job injuries and illnesses as provided by the Minnesota Worker Compensation Laws.

Any incident involving a City employee should be reported to the Department Head and City Administrator or designee immediately. The employee reports the injury to their Department Head, City Administrator, or designee and completes an Employee Incident Report regarding the injury. The Department Head shall provide additional information as needed. All forms must be submitted to City Administrator or designee.

Some Departments and certain jobs may require additional processing and documentation. Check with your Department Head for applicable procedures regarding your position.

305.26

VACATION LEAVE

305.26.01 POLICY STATEMENT

It is the policy of the City of Dundas to provide full-time employees (64 hours PP) with paid vacation leave.

305.26.02 ELIGIBILITY

- 1 Full-Time employees shall accrue vacation leave from initial date of hire.
 - A Probationary employees are subject to the policies and limitations set forth in Section 305.10.05
- 2 Temporary, seasonal and part-time employees are not eligible for vacation leave.

305.26.03 ACCRUAL

- 1 Vacation accrues from the employee’ original hire date.
- 2 Schedule

Less than 1 full year	½ day/month (4 hours/month)
One through end of 6 th year	1 day/month (8 hours/month)
Start of the 7 th year through end of 11 th year	1 ¼ days/month (10 hours/month)
Start of the 12 th year through end of the 17 th year	1 ½ days/month (12 hours/month)
Start of the 18 th year and there after	1 ¾ days/month (14 hours/month)
- 3 Provision for accrual
 - A If an eligible employee changes to ineligible status, accrual will discontinue upon the date of change.
 - B During an unpaid leave of absence, vacation is not accrued.
 - C During paid leaves, vacation is accrued at the normal rate.
 - D Vacation time can be accrued to a maximum of 24 days (192 hours). Additional vacation time accrued above the 24 days will be forfeited annually.

305.26.04 COMPENSATION

- 1 One hour of vacation shall be equal to the employee's regular hourly straight time earned.
- 2 Vacation pay shall be reflected on the paycheck issued for the pay period in which the vacation is taken.
- 3 No vacation shall be paid in lieu of taking time off, except as provided for terminating employees in good standing.
- 4 Provisions for the calculation of vacation pay:
 - A When an illness or disability lasting at least three consecutive work shift days occurs during a scheduled vacation, sick leave may be claimed if the employee submits a physician's written statement verifying the illness or disability.
 - B When an official holiday occurs during a scheduled vacation, the time shall be considered a holiday.

305.26.05 SCHEDULING

- 1 The City Administrator and Department Heads are responsible for approving the scheduling of vacation leaves for employees under their supervision, and approval is not automatic
- 2 Consideration shall be given to seasonal demands and departmental staffing needs before granting any vacation leave requests.
- 3 Preference in scheduling shall be based on the order in which vacation requests are received and/or seniority of employees.
- 4 Vacation is normally scheduled in weekly periods. The least amount of time that may be authorized for vacation is one-half (½) hour increments.

305.27 SICK LEAVE

305.27.01 POLICY STATEMENT

The benefits described in this policy shall apply to full-time employees.

The City of Dundas will provide paid sick leave benefits to all full-time employees for periods of temporary absence due to the illness or injury of an employee or for the necessary medical care of an employee's immediate family member, which renders the employee unable to perform the duties of employment. "Immediate Family Member" used in this sick leave policy shall mean: spouse, children, parents, brother, sister, step-children, father-in-law, mother-in-law, grandparents, and grandchildren.

305.27.02 ELIGIBILITY

- 1 Full-time employees shall be entitled to sick leave from initial date of hire.
- 2 Temporary, seasonal and part-time employees are not eligible for sick leave.

305.27.03 ACCRUAL

- 1 Sick leave accrual is based upon continuous employment with the City of Dundas in a probationary or regular employment status.
- 2 Full-time employees will accrue at the rate of one working day (8 hours) of sick leave per month of service.
- 3 An employee may accumulate sick leave not to exceed a maximum of ninety (90) days or seven hundred twenty (720) hours.
- 4 Sick leave accrual shall begin on the first day of the employee's date of hire. Accrued sick leave shall be cancelled upon termination of employment. In the event any person having accrued sick leave ceases to be employed by the City and is thereafter re-employed within thirty (30) calendar days of the date of termination of former employment, accrued sick leave of the employee shall be reinstated. However, if such re-employment occurs later than thirty (30) days after the termination of the first employment, the accrued sick leave of the employee shall not be reinstated, and the employee shall thereafter accrue sick leave in the same manner as if a new employee.
- 5 Sick leave shall not accrue during leaves of absence without pay.

305.27.04 PROCEDURE

- 1 An employee who wishes to utilize their sick leave shall notify their Department Head on the first day of the absence as soon as possible, but not later than one (1) hour after the normal reporting time. Failure to notify the employer within one (1) hour after the beginning of the scheduled work day may result in denial of such leave pay. The employee should also let their Department Head know when they expect to return to work.
- 2 An employee on sick leave shall keep their Department Head advised on a daily basis as to expected date of return to duty. The employee must submit satisfactory proof of illness or injury by way of a Doctor's certificate if employee is absent more than three (3) days stating the cause of the absence and the nature of the illness before sick leave payment is authorized.
- 3 The City Administrator may authorize sick leave for the following reasons: illness, disability, medical appointments, or serious illness in immediate family as defined in Section 305.27.01.
- 4 At any time during the sick leave the City Administrator may request a physician's statement explaining the employee's condition and projected date of return to work.
- 5 Prior to an employee's return to work from sick leave, the City Administrator may request a physician's statement explaining the employer's condition and projected date of return to work.
- 6 In the event of the death of an employee's spouse, parents, brother, sister or children, five (5) days of accumulated sick leave may be used.

305.27.05 COMPENSATION

- 1 One hour of sick pay shall be equal to the employee's regular hourly straight time earnings.
- 2 Sick leave pay shall be reflected on the pay check issued for the pay period in which the sick leave is used.
- 3 Sick leave shall be rounded off to the nearest quarter hour.
- 4 Provisions for specific situations:
 - A While on scheduled vacation, an employee shall claim sick leave only if the employee provides a physician's written statement that the employee was ill or disabled for more than three (3) consecutive days.
 - B While utilizing accumulated compensation time, an employee shall not claim sick leave.
 - C During an unpaid leave of absence, an employee shall not claim sick leave.
 - D After all accrued sick leave is used up, compensatory time and vacation leave may be used according to the provisions of the sick leave policy.

- 5 Sick leave may be taken only to the extent that it is earned.
- 6 An employee on approved sick leave may not use work performed at home to subtract in any way from authorized sick leave taken. Work during such time should not be requested either by the employee or employer, but can be approved by the City Administrator or the City Council.

305.27.06 PROVISIONS FOR INELIGIBLE EMPLOYEES

Employees ineligible for paid sick leave may request an unpaid personal leave of absence.

305.27.07 MISUSE OF SICK LEAVE

The misuse of sick leave is abuse of a benefit and constitutes theft and fraud. An employee making a false claim of sick leave shall be subject to disciplinary action up to and including discharge.

305.27.08 SICK LEAVE TRADE IN FOR SEVERLY ILL EMPLOYEE

Employees are allowed to trade in accumulated sick time to help a fellow employee who has depleted their sick leave bank due to protracted illness. This trade in shall require that an employee at a lower rate of pay than the ill employee, the sick leave time shall be prorated to that of the ill employee to make up for the difference in wage. If the trade in wage is higher than the ill employee, it shall be credited on an equal basis. These situations will be dealt with on a case by case basis under the approval of the City Administrator or designee.

305.28

HOLIDAY LEAVE

305.28.01 POLICY STATEMENT

Unless otherwise stated, full-time employees will have the following paid legal holidays:

New Year's Day	Martin Luther King Jr. Day
President's Day	Good Friday
Independence Day	Memorial Day
Veteran's Day	Labor Day
Day after Thanksgiving	Thanksgiving Day
*Christmas Eve – ½ day	Christmas Day

* When December 24 falls on a scheduled work day, City offices shall close at 12:00 Noon.

* When December 24 falls on an employee's scheduled day off, eligible employees will receive a half-day "floating holiday" to be used at the approval of the employee's supervisor. The half-day "floating holiday" may not be taken before it is earned (i.e., December 24) and must be used on or before November 30 of the following year. In no event will it be carried over beyond this time period, or used in less than the entire half-day.

305.28.02 ELIGIBILITY

All full-time employees, regardless of probationary status, are eligible for holiday pay.

Full-time employees shall be paid straight time for the official holidays. To be eligible to receive compensation for an observed holiday, full-time employees must be in pay status the last scheduled work day prior to the holiday and the first scheduled work day immediately following the holiday.

Temporary, seasonal and part-time employees are not eligible for holiday pay.

305.28.03 OBSERVANCE

When an official holiday falls on a Saturday, the preceding Friday shall be declared a holiday for employees whose normal work schedule is Monday through Friday. When an official holiday falls on a Sunday, the following Monday shall be declared a holiday for employees whose normal work schedule is Monday through Friday.

When an official holiday falls on an employee's scheduled day off the employee will be granted the paid holiday off within fourteen (14) days following the holiday. Employees will be granted the choice of time off subject to the scheduling needs of the department. The request for time off should be made fourteen (14) days prior to the holiday.

If a recognized holiday falls during an eligible employee's paid absence (e.g., vacation, sick leave), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied.

305.28.04 COMPENSATION FOR WORK ON A HOLIDAY

If circumstances require an employee to work on these days, the full-time employee shall receive eight (8) hours regular pay plus one and a half (1½) times their normal rate. This is equal to two and a half (2½) times their normal hourly rate. This payment will be computed on actual hours worked in the twelve (12) months prior to the holiday.

305.29**BEREAVEMENT LEAVE****305.29.01 PURPOSE**

To establish guidelines for the use of bereavement leave due to death in the employee's immediate family.

305.29.02 ELIGIBILITY

- 1 Full-time employees shall be entitled to paid bereavement leave from initial date of hire.
- 2 Temporary, seasonal and part-time employees are not eligible for paid bereavement leave but may take allotted time off as outline in 305.29.03 without pay.

305.29.03 POLICY STATEMENT

A full-time employee who has a member of his immediate family taken by death shall receive up to five (5) days off with pay as bereavement leave to arrange and/or attend funeral activities. If the employee has to travel 250 miles or more, two (2) additional days will be allowed. One (1) funeral leave day will be allowed for death of aunts, uncles, nephews, and nieces. This paid leave will not be deducted from the employee's vacation or sick leave balance. Employees selected to be pallbearers for a deceased employee of the City shall be allowed one (1) funeral leave day, with pay, not to be deducted from sick leave or vacation leave.

"Immediate family" shall be defined as spouse, mother, father, mother-in-law, father-in-law, children, sister, brother, daughter-in-law, son-in-law, sister-in-law, brother-in-law, grandparents, grandchildren, or a ward of the employee's household.

If additional time is necessary, it shall be taken in accordance with 305.27.04 or as vacation or unpaid leave if vacation or sick time has been exhausted with advance authorization by the City Administrator.

The employee must notify his/her immediate supervisor upon making determination to take time off from work.

Employees who fail to return to work on the date specified to their Department Head or City Administrator without receiving an extension are subject to disciplinary action up to and including termination.

305.29.04 VACATION TRADE IN FOR FELLOW EMPLOYEES; DEATH OR ILLNESS OF EMPLOYEES IMMEDIATE FAMILY

Employees are allowed to donate accumulated vacation time to a fellow full-time employee for the purpose of attending to matters on the occasion of the death or illness of an employee's relative. This trade in shall require that one (1) day of donated vacation time is worth one (1) day of vacation time for the employee. These situations will be dealt with on a case by case basis and must have the approval of the City Administrator.

305.30

FAMILY AND MEDICAL LEAVE

305.30.01 PURPOSE

To set forth a blending of provisions set forth in the Federal Family and Medical Leave Act of 1993 and the Minnesota Parenting Leave Act as they apply to the City of Dundas Employees.

305.30.02 SUMMARY

FMLA provides twelve (12) weeks of unpaid leave for certain family and medical conditions. City of Dundas complies with FMLA by providing the benefit of paid sick leave for certain family and medical conditions. Employees will be required to use their accrued sick, compensatory, and vacation time prior to taking unpaid leave. When an employee has used their total accrued paid leave time for a portion of family/medical leave, the employee may request an additional period of unpaid leave to be granted so that the total of paid and unpaid leave provided equals twelve (12) weeks in a twelve (12) month period.

305.30.03 POLICY STATEMENT

- 1 Eligible employees may request up to twelve (12) weeks of leave in any twelve (12) month period. Leave may be requested for any of the following reasons:
 - A Birth, adoption or foster care placement of a child – The entitlement in this case expires twelve (12) weeks after the birth or placement. There is no maximum age limit for adoption or foster care placement.
 - B Care for a seriously ill spouse or other immediate family member – Caring for someone includes psychological as well as physical care. It also includes acquiring care and sharing care duties.
 - C An employee is unable to work because of a serious health condition – Serious health condition is defined in Federal Law 29 C.F.R. 825.116, but generally included incapacity requiring absence from work for more than three (3) days that also involves continuing treatment by a health care provider.
- 2 Health insurance coverage and the payment of health insurance premiums continue during this period as though the employee was working. Arrangements for payment of the employee's portion of premiums must be made by the employee through the Administrators Office.
- 3 Following the return from leave, the employee will be returned to the same or equivalent job.
- 4 Employees will be required to use their accrued sick, vacation, and compensatory time prior to taking unpaid leave.
- 5 Employees must submit their family leave request at least thirty (30) days before the leave is to begin, or as soon as practicable. Planned medical treatment should be scheduled so that it will not unduly disrupt the City's operation.

- 6 Restrictions, limitations, and eligibility may vary according to an employee's job class and intended use of this leave. For further details regarding this leave please consult your Department Head, Supervisor, or Administration.
- 7 Unpaid leave for school conferences is available under Minnesota law. Full-time employees may use vacation time for this purpose.

305.30.04 PRORATED PAY

Full-time employee who request a family medical leave may prorate accumulated sick and vacation. Before a leave is to begin, a request in writing stating the number of hours to be used per pay period while out on leave should be sent to the City Administrator for approval. Prorated pay may be used for a maximum of twelve (12) weeks.

305.30.05 MEDICAL & FITNESS FOR DUTY CERTIFICATIONS

- 1 Medical Certification – Certification by the employee's physician will be required for FMLA leave due to employee's serious health condition or that of a child, spouse, or parent. A second opinion may be requested by the City. If requested, the City will pay for the cost of the second opinion and will select a health care provider not regularly associated with the City.
- 2 Recertification - Recertification may be required if the employee requests an extension of the original length approved by the City or if the employee's circumstances change. 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 condition.
- 3 Fitness for Duty Certification – The City will require a medical certificate attesting to the employee's fitness for duty prior to return to work. The fitness for duty report must be based on the particular health condition(s) for which the leave was approved and must address whether the employee can perform the essential functions of the job. If a fitness for duty certificate is not presented to the City Administrator, the employee will be denied reinstatement until it is provided.

The City Administrator may consult with a physician or other expert to determine reasonable accommodations for any employee who is a "qualified disabled" employee under the ADA (American with Disabilities Act).

- 4 Record Retention – Records on FMLA leave will be kept along with normal payroll records except that any medical record will be maintained separately as a confidential medical record in accordance with the law.

305.31 LEAVE WITHOUT PAY

305.31.01 POLICY STATEMENT

City of Dundas provides leaves of absence without pay, to full time employees only for good cause, and is the sole discretion of the City Council.

305.31.02 ELIGIBILITY

Full-time employees may request personal leave after successfully completing their initial probation period of service. As soon as a full-time employee becomes aware of the need for a personal leave of absence, they should request a leave from their supervisor.

305.31.03 LENGTH OF LEAVE

Personal leave may be granted for a period of up to six (6) calendar months.

305.31.04 REQUESTING LEAVE

Requests for personal leave should be in writing to the City Administrator. Request should include the reason for the request, the time the leave will begin, and when the employee expects to return.

Requests for personal leave will be evaluated by the City Council based on a number of factors, including anticipated work load requirements and staffing considerations during the proposed period of absence and employee length of employment and attendance.

Upon extenuating circumstances, the City Council may grant an extension of a leave period upon written request by the employee. Such extension may not exceed three months and will be based on departmental as well as employee considerations.

305.31.05 BENEFITS

Employees will be responsible for the full cost of insurance benefits if they wish coverage to continue. When the employee returns from personal leave, benefits will again be provided by the City of Dundas according to the applicable plans.

No sick leave, holiday, vacation benefits or any other fringe benefits shall accrue while the employee is on leave of absence without pay.

The employee's salary review date and anniversary date shall be adjusted to reflect the length of the absence for the purposes of computing longevity, wage increases, and vacation accrual. (This would not apply to a leave of absence of thirty (30) consecutive calendar days or less).

305.31.06 RETURN TO WORK

An employee may return to work at any point during the leave, with the City Administrator's approval upon reasonable notice.

Upon reasonable notice to the employee, the City Administrator may recall an employee from a leave if circumstances at the work site require the employee to return early.

When a personal leave ends, every reasonable effort will be made to return the employee to the same position, if it is available, or to a similar available position for which the employee is qualified. However, the City of Dundas cannot guarantee reinstatement.

305.31.07 SCHOOL LEAVE

All full-time employees will also receive up to a total of sixteen (16) hours (during a twelve (12) month period) of unpaid leave to attend school conferences or classroom activities related to an employee's child provided the employee cannot schedule the conference or classroom during non-working hours. This leave also applies to child care services or pre-kindergarten or special education programs.

When the employee cannot schedule the leave during non-working hours and can foresee the need for the leave, the employee must give a forty-eight (48) hours notice prior to the leave and make reasonable efforts to schedule the leave so that it does not unduly disrupt the operation of the employer.

This leave is an unpaid leave; however, a full-time employee may substitute any accrued paid vacation leave or other appropriate paid leave for any part of the leave this portion of the manual allows.

305.31.08 RESIGNATION

An employee may officially resign his or her position during the leave, provided he or she has followed all the requirements in the separation from employment policy.

If an employee fails to report to work at the expiration of the approved leave period, the City of Dundas will assume the employee has resigned, not in good standings.

305.32

MILITARY LEAVE

305.32.01 PURPOSE

To establish procedures for requesting and accounting for leaves of absence by employees of the City for participation in obligations with the United States Armed Forces.

305.32.02 STATEMENT OF POLICY

1. Authority: The authority for this policy is derived from the provisions of Federal Law and Minnesota Statute 192.26 et seq.
2. Application: This policy applies to all City employees who are affiliated with the United States Armed Forces, National Guard or Coast Guard.

305.32.03 EMPLOYER'S RESPONSIBILITIES

- 1 The City is obligated to release employees for service with the Armed Forces when the employee participates in:
 - A Armed Training (Summer Camp)
 - B Active Duty of Training (School)
 - C Inactive Duty Training Assemblies (Weekend Drills)
 - D Extended leave of absence for voluntary active duty services (Enlisted)
 - E Involuntary call-up
- 2 Military leave of absence shall result in no loss of seniority status or benefits which would have normally accrued if the employee had not been absent for such purposes not exceeding fifteen (15) calendar days per year.
- 3 The City is obligated to grant Military Leave with pay to the employee for absences not exceeding fifteen (15) calendar days per year in accordance with M.S.A. 192.26. The City will not require the employee to use accrued vacation leave for such purposes. The employee may, however, request use of vacation, compensatory time, or leave without pay to supplement absences exceeding those covered by the fifteen (15) day Military Leave allowance.
- 4 An employee who is called to or volunteers for service with the Armed Forces of the United States or the Minnesota National Guard is eligible for reinstatement in his/her position upon completion of service, providing that the period of service is four (4) years or less. Eligibility for and terms of reinstatement are administered in accordance with M.S.A. 192.261.
- 5 The City will make a reasonable effort to adjust work schedules and assignments to accommodate employees fulfilling military obligations.
- 6 An employee promoted or hired to fill a vacancy created by a person on military leave is appointed to the position subject to the return of the absent employee. Upon such return, a promoted employee is restored to his/her original position or an equivalent position. A replacement employee is subject to layoff if no other position is available.

305.32.04 EMPLOYEE'S RESPONSIBILITIES

- 1 Employees are responsible to provide their Department Head and City Administrator with copies of all military orders which will result in a leave of absence for active military duty. Orders must specify the duties of absence, promulgation authority, letter order number and signature of issuing authority. Employees are required to notify their Department Head at the earliest possible date upon learning of scheduled military duty.
- 2 Employees who fail to return to work on the date specified in the leave request without receiving an extension in advance are subject to disciplinary action up to and including termination.
- 3 Inactive duty training dates (weekend drills) should be provided to the department head as soon as available if the dates conflict with scheduled employment with the City.
- 4 Extended leave of absence (exceeding fifteen (15) calendar days) will be pursuant to Section 305.31: LEAVE WITHOUT PAY.
- 5 Accounting Procedures:
 - A Military Leave (fifteen (15) calendar day military leave allowance) will be accounted for in increments of twenty-four (24) hour periods from (0001 hours to 2400 hours).
 - B It is the responsibility of the official verifying pay sheets in each department to annotate the use of military leave on the employee's monthly time card. Military leave will be registered on the pay sheet by use of the letters ML.

305.33 JURY DUTY

305.33.01 POLICY STATEMENT

All employees are encouraged to fulfill their civic responsibilities by serving jury duty, when required, and shall be granted leave of absence with pay to do so.

305.33.02 COMPENSATION

The employee shall be paid for the difference between the jury duty pay (minus mileage reimbursement) and the employee's regular compensation for the period. The employee shall provide a weekly report of jury duty pay completed by the Court Administrator.

If a full-time employee chooses to use accumulated vacation time while on jury duty, full regular compensation and jury duty pay shall be received.

If a holiday occurs during jury duty, a full-time employee shall be paid for the holiday.

305.33.03 PROVISIONS

Employees must show the jury summons to their Department Head, as soon as possible, so that the Department Head can make arrangement to accommodate the employee's absence. A copy of the summons shall be placed in the employee personnel file.

Employees are expected to report for work whenever the court schedule permits

305.33.04 BENEFITS

Insurance benefits for full-time employees will remain in effect for the full term of jury duty leave. The employee must continue to make their employee contributions for any insurance that requires payment on their part.

Vacation time and sick time shall continue to accrue during the period of leave. Benefits will continue to accrue as though the employee were actively at work.

305.34**WITNESS DUTY****305.34.01 POLICY STATEMENT**

It is the policy of the City of Dundas to grant employees a leave of absence with pay for a subpoenaed appearance before a court, legislative committee, or other body as a witness in a proceeding involving the federal government, State of Minnesota, or one of its political subdivisions, if the appearance is in connection with the employee's official duties. No one is allowed to witness as a "city employee" without approval from the City Attorney's Office.

In the case of a subpoena, the subpoena shall be shown to the employee's Department Head immediately after it is received so that the Department Head may make arrangement to accommodate the employee's absence. A copy of the subpoena shall be placed in the employee's personnel file.

The employee is expected to report to work whenever the government's preceding schedule permits.

In the event an employee is testifying as a witness as a result of being a victim of a crime, the employee shall provide his or her supervisor a letter from the prosecuting attorney which shall include at minimum, the case number given by the investigating agency, docket or court number, time and date of the trial, and expected date victim is to give testimony. A copy shall be placed in the employee's personnel file.

305.35

EMPLOYEE CONDUCT

305.35.01 PURPOSE

To outline specific areas which may result in employee discipline.

305.35.02 POLICY STATEMENT

- 1 City employees share certain responsibilities for keeping things operating in an orderly and efficient manner. Help us make a good impression on all of the visitors. The public is entitled to helpful and efficient service, courtesy and a pleasant demeanor.
- 2 To insure such working relationships, certain rules and regulations are necessary. It shall be the duty of employees to maintain high standards of cooperation, efficiency and integrity in their work with the City. If an employee's conduct falls below standard, they may be subject to disciplinary action.
- 3 Some general things for which an employee may be disciplined include, but are not limited to:
 - A Reporting to work under the influence of intoxicants or non-prescription/illegal drugs, or using such substances while on City property.
 - B Failure to follow the orders of their Department Head or those in authority over an employee.
 - C Being absent from work without permission or failure to report to their or Department Head when one is absent.
 - D Being habitually absent or tardy for any reason.
 - E Failure to perform assigned work to department standards.
 - F Being wasteful of material, property or working time.
 - G Inability to get along with fellow employees in a manner that hinders work productivity.
 - H Failure to observe proper security procedures.
 - I Conviction of a felony or gross misdemeanor related to the position of employment.
 - J Violating safety rules and regulations.
 - K Removal of City money, merchandise, or property, including property in custody of the City without permission.
 - L Lying to their Department Head in connection with their job.

- M Dishonesty, including intentionally giving false information, intentionally falsifying records or making false statements when applying for employment.
 - N Divulging or misusing confidential information, including removal from City premises, without proper authorization, any employee lists, records, designs, drawings, or confidential information of any kind.
 - O Accepting fees, gifts, or other valuable items in the performance of the employee's official duties for the City.
 - P Unwillingness to perform the assigned job.
 - Q Falsification of time records for payroll, expense reimbursement, or any official document.
 - R Abuse of sick leave privileges by reporting sick when not sick or obtaining sick leave falsely or under false pretenses.
 - S The use of profanity or abusive language towards a fellow employee or member of the general public while performing official duties as a City employee.
 - T Harassment or discrimination based on race or gender.
- 4 Refer to section 305.36: DISCIPLINE for additional information on procedures for and types of disciplinary action.
- 5 Departments may also have established rules of conduct relative to particular positions, or individual employees may receive prior notice of the possible disciplinary consequences of particular actions.

305.36

DISCIPLINE

305.36.01 PURPOSE

To establish policies and procedures related to disciplinary action for City employees.

305.36.02 POLICY STATEMENT

It shall be the policy of the City to administer discipline fairly, reasonably, and impartially. Employees and the City are best served when discipline is administered to correct actions rather than to punish.

305.36.03 PROCEDURE

- 1 The tenure of City employees shall be based on reasonable standards of job performance and personal and professional conduct. Failure or refusal to meet these standards shall constitute just cause for disciplinary action including oral or written reprimand, suspensions, demotions, and dismissal.
- 2 Disciplinary action is not primarily intended to be punitive, but rather to maintain the efficiency and integrity of City service. The nature and severity of the offence and the employee's prior record shall be considered.
- 3 In any disciplinary action, the pertinent information shall be reviewed with the employee specifying the following: the cause for discipline; the specific reasons supporting the cause; the discipline to be imposed; the effective date; and the right of the employee to be heard.
- 4 The degree of discipline administered will depend on the severity of the infraction, civil service rules and regulations, and City policies and procedures as well as local, state or federal laws and regulations.
- 5 It is the responsibility of the Department Head and/or City Administrator to evaluate thoroughly the circumstances and facts as objectively as possible and then apply the most suitable form of discipline.
- 6 The original copy of the disciplinary action is to be signed by the employee and placed in the employee's personal file with a copy given to the employee.

305.36.04 TYPES OF DISCIPLINARY ACTION

1 Oral Warning

This type of discipline should be applied to infractions of a relatively minor degree or in situations where the employee's performance needs to be discussed. The oral warning should be given in private. Department Heads should inform the employee when and oral warning is being issued so the employee is being given an opportunity to correct the condition. If the condition is not corrected, the employee will be subject to more severe disciplinary action.

2 Written Warning/Reprimand

A written warning/reprimand notice will be issued in the event the employee continues to disregard an oral warning, or if the infraction is severe enough to warrant a written reprimand in the employee's personnel file. Written warning/reprimand notices should be issued within ten days after the occurrence or knowledge of the violation claimed by the Department Head. A written warning/reprimand is given at the discretion of the Department Head.

The warning/reprimand shall state the nature of the infraction in detail and what corrective action must be taken by the employee to avoid further discipline as outlined below.

A copy of the written warning/reprimand is to be handed to the employee at the time of discussion of the discipline. The employee shall sign the written warning/reprimand to acknowledge receipt. A copy, signed by the employee, will be placed in the employee's personnel file. If the employee refuses to sign the acknowledgement, then the Department Head and one other witness shall note on the written warning/reprimand the employee received a copy thereof and refused to sign it.

3 Suspension – Generally

This form of discipline is administered as a result of a sever infraction of policies or for repeated violation. For minor infractions, a suspension is often given after the employee has received a written warning.

4 Suspension Without Pay

An employee will be suspended without pay subject to the approval of the City Administrator when the offence is of a serious enough nature usually sufficient for discharge but when circumstances related to an employee's overall performance would not warrant immediate discharge. Investigatory suspensions may be used in cases where it is necessary to investigate a situation to determine what further disciplinary action may be justified. This suspension gives the supervisor the opportunity to discuss the problem with his/her supervisor to determine an appropriate course of action when the situation is serious enough for the employee to be removed from the work environment.

If after the investigation, it is determined the employee was not guilty of any violation, they will normally be returned to their position, paid for any lost time, and a letter exonerating the employee will be placed in their official personnel file. However, the employee is found in violation, then the appropriate disciplinary actions will take effect on the date the investigatory suspension began.

5 Suspension With Pay

At the discretion of the City Council, an employee may be suspended with pay and benefits pending an investigation of the allegations of misconduct, when the nature of the allegation compromises the ability of the employee to perform their duties, and when a substantial period of time will be required to complete an investigation or legal action. Such suspension is not a disciplinary action and may not be appealed. If the charges are substantiated, disciplinary action will be taken in accordance with the nature of the offense, and may include recovery of salary and benefits during the suspension. If the charges are unfounded, the employee will be restored to duty and a letter of exoneration will be placed in the employee's official personnel file.

6 Demotion

Demotion may be used in those instances where an employee has been promoted to a position where they are unwilling or unable to perform the responsibilities of that position. Demotion is not to be used as a substitute for dismissal, when dismissal is warranted.

7 Discharge

Immediate removal of an employee from the job site pending review for discharge may be warranted in instances involving serious insubordination, theft, serious illegal or destructive acts while on the job, or other substantial reasons deemed appropriate by the Appointing Authority. An employee may also be discharged after repeated offences or conduct of a less serious nature if the offenses have been documented by the supervisor and appropriate behavioral changes have not resulted from previous disciplinary actions. Discharge (except as listed below), may only occur upon approval of the City Council. Full-time, part-time, temporary or seasonal employees may be terminated at any time with out cause and without the right of appeal.

Probationary employees (including interns), may be terminated at any time without cause and without the right of appeal subject to the recommendation of the Department Head and approval of the City Administrator. Notification of dismissal in writing shall be provided to the employee and a copy filed in their personnel file.

305.37

EMPLOYEE ETHICS

305.37.01 PURPOSE

The City of Dundas believes that proper operation of government requires that employees be independent, impartial and responsible to the people; that government decisions and policies be made in the proper channels of governmental structure; that public employment not be used for personal gain; and that the public have confidence in the integrity of its government. Accordingly, it is the purpose of this policy to establish ethical standards of conduct for all employees of the City of Dundas and to set forth those acts which are incompatible with such standards; to require disclosure by employees of private financial or other interests in matters affecting the City of Dundas and to provide effective means for enforcement thereof. This policy is not to be construed so as to impair the ability of employees to participate in ceremonial representational or informational functions pursuant of their official duties.

This policy is not all encompassing in its definitions of conflict of interest. The “prudent person” theory can and will be applied: action deemed inappropriate by a reasonable person, whether specifically cited in this policy or not, will be subject to inquiry.

305.37.02 POLICY STATEMENT

- 1 Conflicts of interest – No City employees shall engage in any act which is in conflict, or creates an appearance of impropriety or conflict with the performance of official duties. An employee shall be deemed to have a conflict if the employee:
 - A Has any financial interest in any sale to the City of any goods or services when such financial interest was received with prior knowledge that the City intended to purchase the property, goods, or services.
 - B Solicits, accepts, or seeks a gift, gratuity, or favor from any person, firm, or corporation involved in a contract or transaction which is or may be the subject of official action by the City.

Recognizing that personal friendships often precede and can be evolve from official contact between employees and persons engaged in business with the City, reasonable exceptions to this section are permitted for those occasions which are social in nature and are not predicated on the employee’s ability to influence, directly or indirectly, any matter before the City.

The employee will be guided in interpretation of this section by the distinction between a gift, gratuity, or favor given or received which has significant monetary value and is offered or accepted in expectation of preferential treatment, and an expression of courtesy. Examples of acceptable courtesies include: A meal or social event; exchanges of floral offerings or gifts of food to commemorate events such as illness, death, birth, holidays, promotions; a sample of promotional gift of nominal value (\$5.00 or less).

- C Participants in their capacity as a City employee in the issuing of a purchase order or contract in which they have a private financial interest, direct or indirect, or performs in regard to such contrast some function requiring the exercise of discretion on behalf of the City.
- D Engages in, accepts employment from, or renders services for private interests for any compensation or consideration having monetary value when such employment or service is incompatible with the proper discharge of official duties or would tend to impair independence of judgment or action in performance of official duties, or give the appearance of the above.

An employee should not make a unilateral decision if there is any doubt about their private employment. The City Administrator should be consulted.

- E Except for courtesies as provided in section “B” above, no employee shall, directly or indirectly, give or receive, or agree to receive any compensation, gift, reward, commission or gratuity from any source except the City for any matter directly connected with or related to his/her official services as such employee with the City.
 - F Discloses or uses without authorization confidential information concerning property or affairs of the City to advance a private interest with respect to any contrast or transaction which is or may be the subject of official action of the City.
 - G Have a financial interest or personal interest in any legislation coming before the City Council and participates in discussion with or gives an official opinion to the City Council unless the employee discloses on the record of the Council the nature and extent of such interest.
- 2 Use of Public Property - No employee of the City shall request, use, or permit the use of City-owned vehicles, clothing, equipment, materials, or other property for unauthorized personal convenience, for profit, for private use, or as part of secondary employment. Use of such City property is to be restricted to such services as are available to the City generally and for the conduct of official City business.

Authorized personal uses include taking an assigned City vehicle to lunch on workdays as needed, use of a City copy machine at cost, stopping to run personal errands when the destination point is in conjunction with official or authorized business, and other nominal personal uses as permitted by the City Administrator on a case-by-case basis.

3 Political Activities:

- A No City employee may use City time or property in any manner to promote any political issue or candidate, or to solicit funds for any political purpose or to influence the outcome of any election. With the approval of the City Administrator, an exception may be allowed when the subject of an election has received the endorsement and support of the City Council (e.g. bond issue). Lobbying Congress or the State Legislature on issues effecting City government is allowed if consistent with legislative positions taken by the Dundas City Council.

- B If a City employee is appointed or elected to any public office when the holding of such office would be incompatible or would substantially interfere with the discharge of official duties, they will resign their employment with the City or take a leave of absence as determined by the City Attorney.
- 4 Discipline – Any employee who is found to be in violation of this policy may be subject to disciplinary action up to and including termination from employment. Depending upon the seriousness of the action, other appropriate civil or criminal sanctions may also be pursued.

305.37.03 DEFINITIONS

1 Employee.

An employee is defined as any person holding a regular compensated position for the City, including regular full-time, part-time, temporary, seasonal, probationary, or any other classification which is regularly compensated. Exclusions include City Council members and members of appointed Boards and Commissions.

2 Interest.

Interest is any direct or indirect monetary or material benefit accruing to a City employee as a result of a contract or transaction which is or may be the subject of an official act or action by or with the City (except for such transaction which would confer similar benefits to all other persons and/or property similar situated).

Interests include: (a) an employee's immediate family, (b) any business entity in which stock or legal beneficial ownership is in excess of one percent (1%) of the total stock, or legal ownership is controlled or owned directly or indirectly by the employee, (c) interest in any business entity in which the City employee is an officer, director, or employee, (d) interest in any person or business entity whom a contractual relationship exists with the employee; provided that a contractual obligation of less than \$500 or a commercially reasonable loan or purchase made in the course of ordinary business shall not be deemed to create a conflict of interest.

3 Immediate Family.

Family includes spouse, child, parent, parent-in-law, brother, sister, grandparent, son-in-law, daughter-in-law, and grandchildren.

4 Contract.

Contract shall include any contract or agreement, sale, lease, purchase, or purchase order.

305.37.04 PROCEDURES

1 Interpretation.

Interpretation of this policy shall be referred to the City Administrator.

2 Investigation.

The City Administrator shall investigate, or cause to be investigated, all suspensions, allegations, and written complaints of unethical conduct.

Complaints or allegations which may be criminal in nature may be referred to an appropriate outside agency for investigation.

305.38**CONTRIBUTATIONS/HONORARIUM\$/OUTSIDE
EMPLOYMENT****305.38.01 PURPOSE**

To establish a policy and procedure for reporting contributions and honorarium.

305.38.02 POLICY STATEMENT

- 1 Speeches and presentations which are related to City services delivered by City employees to community and professional organizations are made without charge. If an organization wishes to give an honorarium or contribution for such a presentation, the remuneration must be made to the City, not to the individual employee.
- 2 An honorarium or contribution for a speech or other presentation made by a City employee to a group outside the City, either during work time or for which the City provided travel expenses, will also be made to the City.
- 3 Such contributions and honorariums shall be turned over to the City Treasurer for disposition.
- 4 An employee should not make a unilateral decision if there is any doubt about the appropriateness of an honorarium or contribution. The City Administrator should be consulted.
- 5 The City is to receive the proceeds of any sale of work product for the City of Dundas (i.e. software, data studies, and reports) and may not be done for personal profit.

305.38.03 OUTSIDE EMPLOYMENT

Employees may not engage in any outside occupation, employment or business which may hinder impartial or objective performance of their public duties, be incompatible with their City employment, or impair their efficiency on the job. Outside work shall be regarded as secondary to regular City employment and shall not interfere with the availability of employees for emergency or on call duty. The City's Workers Compensation insurance does not cover any individual injured in the course of outside employment.

305.39 HARASSMENT

305.39.01 PURPOSE

- 1 To establish policy prohibiting harassment.
- 2 To define procedure for reporting harassment.
- 3 To establish guidelines for administration of discipline.

305.39.02 DEFINITION

Harassment is unwarranted and unwanted verbal or nonverbal conduct which threatens, intimidates, or insults another person, where such conduct has the purpose of creating an offensive, intimidating, or degrading environment, or interferes with or adversely affects a person's work performance.

Harassment does not include the conduct or actions of Department Heads intended to provide employee discipline, such as deficiency notices, performance evaluations, oral warnings, and reprimands or their supervisory actions intended to promote productive performance.

305.39.03 POLICY STATEMENT

It is the policy of the City that harassment will not be tolerated. All employees are prohibited from engaging in the harassment of any other employee or other person in the course of or in connection with employment. The desired standard of employee behavior is one of cooperation and respect for each other, despite any differences. Employees have a right to a work place free of verbal and/or physical harassment.

305.40

TOBACCO USE IN CITY-OWNED BUILDINGS & VEHICLES

305.40.01 PURPOSE

The City has established this policy regulating tobacco use in City-owned buildings and vehicles.

- 1 To comply with the Minnesota Clean Air Act.; and
- 2 To respond to the increasing evidence that tobacco use creates a danger to the health of persons who use tobacco as well as persons who are present in a smoke-filled environment; and
- 3 To promote a safe and healthy environment for staff and citizens and to set an example to the community in limiting tobacco use.

305.40.02 POLICY STATEMENT

- 1 All City-owned buildings and vehicles shall be tobacco-free which includes smoking and the use of tobacco products. Park shelters are exempt from this policy.
- 2 Within City-owned buildings, this includes employee work stations, employee break areas, receptions areas, storage areas, hallways, meeting rooms and all other areas inside buildings not specifically mentioned herein.
- 3 Within City-owned vehicles, smoking and other tobacco use is prohibited by any and all occupants.
- 4 All individuals on City premises share in the responsibility for adhering to and enforcing this policy. The responsibility for compliance is shared by employees, supervisors, and the general public.
- 5 Employees hosting visitors are expected to inform them of the City's smoke free policy.
- 6 Information on approved smoking cessation programs is available to City staff by the City.
- 7 Complaints of violation of the policy should be directed to the City Administrator. The City Administrator shall be responsible for notifying the violator of the pertinent portions of this policy. Failure to comply with the policy after proper notification shall initiate the City's progressive discipline procedures.
- 8 In accordance with the Minnesota Clean Indoor Air Act, smoking in a designated non-smoking area is a petty misdemeanor.

305.41 GRIEVANCE PROCEDURE

305.41.01 POLICY STATEMENT

The City will provide a structured process whereby an employee may bring forth a grievance regarding current policy, alleged maltreatment, violation of a policy, rule of regulation, disciplinary action carried out against the employee, etc.

305.41.02 DEFINITION

A grievance is a dispute or disagreement raised by an employee against the City and/or their Department Head because of an interpretation or alleged violation of these regulations or the City work rules.

305.41.03 PROCEDURE

It shall be the policy of the City to resolve all grievances promptly and fairly. In order to facilitate the proceeding of employee grievances in orderly and timely manner and to provide the employee access to all levels of management and fair and impartial hearing, the following procedures are to be used:

STEP 1:

An employee having a grievance shall present such grievance in writing to the City Administrator within five (5) working days after the event causing the grievance. The employee may be accompanied by an attorney. It shall be the responsibility of the City Administrator to investigate the grievance, discuss the grievance with the employee and give a written answer to the employee within five (5) working days from the time the grievance was initially presented.

STEP 2:

A grievance not resolved in Step 1 may be appealed to Step 2. The grievance shall be set forth in writing stating the nature of the grievance, the facts on which it is based, the provision(s) of these regulations or the City work rules allegedly violated and the remedy requested. The Step 2 grievance shall be presented to the City Council within ten (10) working days from the time of the City Administrator's response in writing. The City Council shall make, or cause to be made, an investigation of the complaint and alleged violation of the regulations. The decision of the City Council shall be final (with the exception of suspensions over thirty (30) days and dismissal) and shall be placed in writing to the employee within fifteen (15) working days following receipt of the appeal grievance. All grievances shall be resolved as confidential personnel matters, and meetings of the City Council shall be closed until the grievance is resolved.

305.41.04 EMPLOYEE REPRESENTATION

Employees shall be paid by the City at their regular rate of pay for time reasonably spent during their ordinary work day to attend a grievance proceeding, unless the employee is on suspension without pay.

305.41.05 REPRISALS PROHIBITED

No employee shall be disciplined for seeking redress through a grievance or as a result of their testimony in accordance with the provisions of these regulations.

305.42

ELECTRONIC COMMUNICATIONS RESOURCES

305.42.01 POLICY STATEMENT

The City of Dundas provides employees with access to and use of a variety of electronic communications resources. These resources are provided to employees in an effort to allow them to be more efficient, productive and have access to information that is necessary for them to carry out their responsibilities as an employee of the City. Use of the City's electronic communications resources in violation of the electronic communications resources policy may lead to discipline, up to and including termination of employment.

305.42.02 SCOPE OF COVERAGE

Application – This policy applies to all employees (regular, full-time, part-time, seasonal, temporary), contractors, volunteers, interns, employees of other local or state unit of government working with the City of Dundas, elected officials, and other individuals who have been granted access to and use of the City's electronic communications resources.

305.42.03 DEFINITIONS

Electronic Communications Resources are all equipment and software that retain, transmit, copy, modify, analyze or process information in any form. Electronic communications resources include, but are not limited to, the City's telephone system, answering machine, desktop and laptop computers, printers, scanners, modems, facsimile (fax) machines, databases, electronic mail (e-mail) systems and files, Internet access, Internet browsers, computer applications, utilities and operating systems.

The **Internet** is a system comprised of, but not limited to, several services which may include the World Wide Web (www), Email, Internet relay chat, which is generally reached by City employees via the City's computer system.

Online Services include, but are not limited to, any computer network or bulletin board, whether commercial or private, which can be reached via the City's computer system or via modem. Services which are covered under this definition include, but are not limited to, CompuServe, American Online, MSN, yahoo!, and any bulletin board systems, local or otherwise.

305.42.04 USE OF CITY'S ELECTRONIC COMMUNICATIONS RESOURCES

1. **Business Use** – The City's electronic communications resources are City property and intended for City business. These resources are not to be used for employee personal gain or to support or advocate for non-city related business or purposes. All use of City electronic communication resources is subject to management access pursuant to this policy.

Incidental and occasional personal use of electronic communications resources is permitted if it does not interfere with the use of equipment for City purposes and is not excessive, or does not unduly interfere with an employee's work time, job activities, or the job activities of other employees. Such use and any messages of data created or accessed will be treated no differently from other messages or data.

If the City's electronic communications resources are used for personal use, the employee assumes personal responsibility for the additional cost of any such personal use and will pay any cost incurred for such use. The City reserves the right to reduce or eliminate any personal uses by an employee on a case-by-case basis, or take disciplinary action as needed or required.

2. **Unacceptable Use** – Unacceptable uses of the City's electronic communications resources include, but are not limited to the following:
 - A. To transmit threatening, abusive, obscene, offensive, lewd, profane or harassing material or communications.
 - B. To transmit, receive, access, upload, download, or distribute obscene, pornographic, abusive, or sexually explicit materials or language or any material which suggests any lewd or lascivious act.
 - C. Disruption of network services, such as distributing computer viruses.
 - D. Sending messages likely to result in the loss of recipients' work or systems, and any other types of use that could cause congestion of the computer system, or otherwise interfere with the work of others.
 - E. Use of someone else's identity and/or password for access to information without proper authorization.
 - F. Misrepresenting one's identity or affiliation in any communications.
 - G. Attempt to evade, disable, or otherwise bypass password or other security provisions of systems on the computer.
 - H. Reproduction or distribution of copyrighted materials without proper authorization.
 - I. For commercial ventures, personal gains, religious or political causes, or other non-job-related solicitations.
 - J. To engage in any form of gambling via electronic communications resources.
 - K. To advocate or access information advocating any type of unlawful violence, vandalism, or illegal activity.
 - L. To secure access to any form of City electronic communications resources without the authorization of the Administrator.
 - M. Any use of City electronic communications resources for messages that are, or could reasonably be considered, offensive to another on the basis of race, sex, age, sexual orientation, religious or political beliefs, national origin, marital status, public assistance status or disability.

3. **Privacy** – The City reserves the right, as is reasonably necessary, to search, review, audit, intercept, or access any employee's use of electronic communications resources. All materials created, developed, composed, sent or received using City electronic resources will remain the property of the City of Dundas.

The use of electronic mail is not private. Messages sent via e-mail are subject to monitoring, interception, and forwarding, which is beyond the control of the person sending the message. Although e-mail messages may appear to the user to have been deleted, the message or the data that it contained may nevertheless continue to exist on the computer system in which the e-mail system operates. Stored e-mail messages and other computerized data are discoverable documents, which may be exchanged in litigation. The content of e-mail messages may subject the sender to civil liability, discipline and criminal sanctions.

Users should be aware that even though they may have a confidential password to access e-mail, this does not suggest that the e-mail is the property right of the employee. The City retains the right to and shall maintain the ability to access any employee's e-mail or other electronic data on devices. An employee assigned a computer access account is responsible for all usage of that resource. Users should not share their passwords with anyone other than their supervisor and must take all reasonable precautions for password protection and maintenance.

The contents of electronic data sent by, between, and/or to individuals covered by policy may be disclosed within or outside the City without the permission of the individual at any time for any purpose deemed necessary by the City, subject to any limitations imposed by law, including but not limited to, the Minnesota Government Data Practices Act. Under the Minnesota Government Data Practices Act, the public has broad access to government records. Government records include data that is in the possession of the government "regardless of its physical form, storage media, or conditions of use." Electronic data, including e-mail messages, is treated as government records subject to data practices request.

Employees who resign, are terminated, laid off, suspended, or otherwise cease (permanently or temporarily) their employment with the City of Dundas have no right to the contents of their e-mail messages and shall not be allowed access to the computer system. The Administrator may access an employee's e-mail if employees are on leave of absence, vacation or otherwise absent, or at any other time that the supervisor deems necessary for the City's business purposes.

4. **Security Measures** – The user must scan application executables (.exe) or data files from all outside sources, including the Internet, with anti-virus software before use.

305.42.05 SOFTWARE USE

Only software purchased by or licensed to the City of Dundas can be installed on City computers. The use of this software must be in compliance with the license agreement and cannot be copied to multiple computers, unless so permitted by the licensor. Employee-owned software, shareware, or freeware can only be installed on City computers with prior authorization of the City Administrator.

305.42.06 INTERNET USE

1. **Business Use** – The City of Dundas provides certain employees with access to and use of the Internet if necessary for business purposes. All of the provisions of this ordinance apply to Internet use. Internet resources are provided to employees in an effort to allow them to be more efficient, productive, and to have access to information that is necessary for them to carry out their responsibilities as an employee of the City. Employees are expected and required to use the Internet in a manner consistent with their position and work responsibilities with the City
- 6 **Monitoring Use** – Employees should be aware that it is possible to track Internet sites visited by a particular workstation. The City reserves the rights to access, monitor, and disclose all Internet and online services for any purpose not specifically prohibited by statute or regulation.

The City retains the right to keep, retrieve, and monitor all access to Internet or online service activity. Restrictions may be placed on use of the Internet or online services to protect the City and its resources. Inappropriate use of the City's Internet resources may result in discipline up to and including discharge of employment.

305.42.07 LAPTOP/PORTABLE COMPUTER USE

It is the responsibility of the employee using the City's laptop computer or other portable equipment to keep the equipment in a safe environment, protected to the extent possible from theft or damage. All data collected, stored, processed, or disseminated by City employees on portable computer equipment owned by the City is governed by the Data Privacy Act. Additional software or programs may not be loaded on portable computers without prior authorization from the City Administrator. Any copying of software on portable computers for personal use is prohibited. Any non-business use of portable computers is prohibited. Any use of portable computers by unauthorized persons is prohibited. Employees must immediately notify the Administrator if portable computers are damaged or stolen.

305.42.08 COMPUTER USE

Computers are provided to employees to be used as tools to help perform their job responsibilities. This equipment belongs to the City and has the same restrictions as set forth in section 305.49.07 for laptop and portable computers.

305.42.09 PURCHASING

Purchasing of data processing hardware and software shall be processed through the City Administrator for review based on need and appropriateness, procurement of quotations, and processing for approval by the City Council.

305.42.10 TELEPHONE AND FAX MACHINE USE

In addition to the provisions above, the following policies apply:

1. **Business Use** – The City's telephone system and equipment are designed for City business use.
 - a. **Personal Calls** – The City does understand that employees occasionally need to use the City phone system to make or receive personal phone calls. The employee should attempt to make personal phone calls during non-working hours (breaks or lunch). Excessive use of the City phone system for personal calls is prohibited and may lead to disciplinary action.
 - b. **Long Distance Personal Calls** – Employees who find it necessary to make a personal long distant call must reimburse the City for the call within sixty (60) days of making the call. It is the employee's responsibility to notify the Administrator of the date and time of the call and request cost information of any personal long distant calls made, as necessary.
 - c. **Personal Use of Fax Machines** – Employees shall reimburse the City at the designated rate set for the use of fax machines. Reimbursement shall be made at the time of use.

305.42.11 VIRUS CONTAINMENT

City of Dundas staff should notify the City Administrator immediately if they suspect or confirm that their computer system has been infested with a virus. Only properly trained individuals should attempt to destroy or remove a virus.

CITY OF DUNDAS PERSONNEL POLICY

Article I. Table of Contents

Article I. INTRODUCTION.....	6
Section 1.01 Purpose.....	6
Section 1.02 Scope.....	6
Section 1.03 EEO Policy Statement.....	6
Section 1.04 Data Practices Advisory	7
Section 1.05 Media Requests	7
Section 1.06 Personal Communications and Use of Social Media.....	8
Article II. CITYWIDE WORK RULES & CODE OF CONDUCT.....	9
Section 2.01 Conduct as a City Employee	9
Section 2.02 Attendance & Absence.....	10
Section 2.03 Access to and Use of City Property.....	11
Section 2.04 Appearance.....	11
Section 2.05 Conflict of Interest	11
Section 2.06 Falsification of Records	11
Section 2.07 Personal Telephone Calls	11
Section 2.08 Political Activity	11
Section 2.09 Smoking	12
Article III. DEFINITIONS	12
Section 3.01 Authorized Hours.....	12
Section 3.02 Benefits	12
Section 3.03 Benefit Earning Employees	12
Section 3.04 Core Hours.....	12
Section 3.05 Demotion.....	13
Section 3.06 Direct Deposit.....	13
Section 3.07 Employee	13

Section 3.08	Exempt Employee	13
Section 3.09	FICA (Federal Insurance Contributions Act).....	13
Section 3.10	Fiscal Year	13
Section 3.11	Full-Time Employee	13
Section 3.12	Hours of Operation	13
Section 3.13	Management Employee	13
Section 3.14	Non-Exempt Employee	13
Section 3.15	Part-Time Employee.....	13
Section 3.16	Pay Period.....	14
Section 3.17	PERA (Public Employees Retirement Association).....	14
Section 3.18	Promotion.....	14
Section 3.19	Reclassify	14
Section 3.20	Seasonal Employee	14
Section 3.21	Service Credit.....	14
Section 3.22	Temporary Employee.....	14
Section 3.23	Training/Probationary Period.....	14
Section 3.24	Transfer.....	15
Section 3.25	Weapons.....	15
Section 3.26	Workweek	15
Article IV.	EMPLOYEE RECRUITMENT & SELECTION	15
Section 4.01	Scope.....	15
Section 4.02	Features of the Recruitment System.....	15
Section 4.03	Testing and Examinations	16
Section 4.04	Pre-Employment Medical Exams	16
Section 4.05	Selection Process.....	17
Section 4.06	Background Checks	17
Section 4.07	Training Period.....	17
Article V.	ORGANIZATION	17
Section 5.01	Job Descriptions.....	17
Section 5.02	Assigning and Scheduling Work.....	18
Section 5.03	Job Descriptions and Classifications	18
Section 5.04	Layoff	18
Article VI.	HOURS OF WORK.....	18
Section 6.01	Work Hours	18

Section 6.02	Core Hours	18
Section 6.03	Meal Breaks and Rest Periods	19
Section 6.04	Adverse Weather Conditions	19
Article VII.	COMPENSATION	19
Article VIII.	Direct Deposit	20
Section 8.01	Paychecks	21
Section 8.02	Direct Deposit	20
Section 8.03	Time Reporting	21
Section 8.04	Overtime / Compensatory Time	21
Section 8.05	Non-Exempt (Overtime-Eligible) Employees	21
Section 8.06	Exempt (Non-Overtime-Eligible) Employees	22
Section 8.07	Leave Policy for Exempt Employees	23
Article IX.	PERFORMANCE REVIEWS	23
Article X.	BENEFITS	24
Section 10.01	Health, Dental, Life Insurance	24
Section 10.02	Retirement/PERA	24
Article XI.	HOLIDAYS	24
Article XII.	LEAVES OF ABSENCE	25
Section 12.01	Sick Leave	25
Section 12.02	Vacation Leave	27
(a)	Eligibility	27
(b)	Accrual Rate	27
(c)	Earnings and Use	28
Section 12.03	Funeral Leave	29
Section 12.04	Military Leave	29
Section 12.05	Jury Duty	30
Section 12.06	Court Appearances	30
Section 12.07	Victim or Witness Leave	30
Section 12.08	Job Related Injury or Illness	30
Section 12.09	Pregnancy and Parenting Leave	31
Section 12.10	Adoptive Parents	31
Section 12.11	School Conference Leave	31
Section 12.12	Bone Marrow/Organ Donation Leave	32
Section 12.13	Elections / Voting	32

Section 12.14 Regular Leave without Pay	32
Section 12.15 Reasonable Unpaid Work Time for Nursing Mothers.....	33
Section 12.16 Administrative Leave.....	34
Section 12.17 Light Duty/Modified Duty Assignment	33
Section 12.18 Reasonable Accommodations to an Employee for Health Conditions Relating to Pregnancy.....	34
Article XIII. SEXUAL HARASSMENT PREVENTION	34
Section 13.01 General	34
Section 13.02 Definitions	35
Section 13.03 Expectations	35
Section 13.04 Special Reporting Requirements	37
Section 13.05 Retaliation	37
Article XIV. RESPECTFUL WORKPLACE POLICY	38
Section 14.01 Applicability.....	38
Section 14.02 Abusive Customer Behavior.....	38
Section 14.03 Types of Disrespectful Behavior	39
(b) Discriminatory behavior:.....	39
(c) Offensive behavior:	39
(d) Sexual harassment:	39
Section 14.04 Employee Response to Disrespectful Workplace Behavior	390
Section 14.05 Supervisor's Response to Allegations of Disrespectful Workplace Behavior.....	400
Section 14.06 Confidentiality	411
Section 14.07 Retaliation.....	421
Article XV. Possession and Use of Dangerous Weapons	422
Article XVI. SEPARATION FROM SERVICE	422
Section 16.01 Resignations	422
Section 16.02 Severance Pay.....	422
Article XVII. DISCIPLINE.....	423
Section 17.01 General Policy.....	433
Section 17.02 No Contract Language Established	43
Section 17.03 Process	43
(a) Oral Reprimand.....	43
(b) Written Reprimand	43
(c) Suspension With or Without Pay.....	44

(d) Demotion and/or Transfer	44
(e) Salary.....	44
(f) Dismissal.....	45
Article XVIII. GRIEVANCE PROCEDURE	45
Section 18.01 Waiver.....	45
Article XIX. EMPLOYEE EDUCATION & TRAINING	466
Section 19.01 Policy	46
Section 19.02 Job-Related Training & Conferences	46
Section 19.03 Job-Related Meetings	46
Section 19.04 Request for Participation in Training & Conferences	46
Section 19.05 Out of State Travel.....	47
Section 19.06 Compensation for Travel & Training Time.....	47
Section 19.07 Memberships and Dues	47
Section 19.08 Travel & Meal Allowance.....	47
Article XX. OUTSIDE EMPLOYMENT.....	478
Article XXI. DRUG FREE WORKPLACE.....	48
Article XXII. CITY DRIVING POLICY	49
Article XXIII. CELLULAR PHONE USE.....	49
Section 23.01 General Policy.....	49
Section 23.02 Procedures.....	511
Section 23.03 Responsibility.....	51
Article XXIV. SAFETY	51
Section 24.01 Reporting Accidents and Illnesses	51
Section 24.02 Safety Equipment/Gear.....	51
Section 24.03 Unsafe Behavior	51
Section 24.04 Access to Gender-Segregated Activities and Areas	51

Article I. INTRODUCTION

Section 1.01 Purpose

- (1) It is the purpose of these policies to establish a uniform and equitable system of personnel administration for employees of the City of Dundas. Their provisions do not establish terms and shall not be construed as contractual provisions. They are not intended to be all-inclusive or to cover every situation that may arise. These policies may be amended at any time at the sole discretion of the City and they will supersede all previous personnel policies. Revisions and amendments shall become effective upon approval by the City Council.

Except as otherwise prohibited by law, the City of Dundas 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.

Section 1.02 Scope

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

1. Elected officials
2. City attorney
3. Members of city boards, commissions, and committees
4. Consultants and contractors
5. 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 and such rules will be further explained, and enforcement discussed with the employee by the immediate supervisor.

Section 1.03 EEO Policy Statement

The City of Dundas is committed to providing equal opportunity in all areas of employment, including but not limited to recruitment, hiring, demotion, promotion, transfer, selection, lay-off, disciplinary action, termination, compensation and selection for training. The City of Dundas will not discriminate against any employee or job applicant on the basis of race, color, creed, religion, national origin, ancestry, sex, sexual orientation, gender identity, or gender expression, disability, age, marital status, genetic information, status with regard to

public assistance, veteran status, familial status, or membership on a local human rights commission or lawful participation in the Minnesota Medical Cannabis Patient Registry.

Section 1.04 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.

Section 1.05 Media Requests

All city employees have a responsibility to help communicate accurate and timely information to the public in a professional manner. 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.

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.

Except for routine events and basic information readily available to the public, all requests for interviews or information from the media are to be routed through the city administrator. No city employee is authorized to speak on behalf of the city without prior authorization from the city administrator or his/her designee. Media requests include anything intended to be published or viewable to others in some form such as television, radio, newspapers, newsletters, social media postings, and websites. When responding to media requests, employees should follow these steps:

1. If the request is for routine or public information (such as a meeting time or agenda), provide the information and notify the city administrator of the request.
2. If the request is regarding information about city personnel, potential litigation, controversial issues, an opinion on a city matter, or if an employee is unsure if the request is a "routine" question, forward the request to the city administrator. An appropriate response would be, "I'm sorry, I don't have the full information regarding that issue. Let me take some basic information and submit your request to the appropriate person, who will get back to you as soon as he/she can." Then ask the media representative's name, questions, deadline, and contact information.

All news releases concerning city personnel will be the responsibility of the city administrator.

When/if the city administrator authorizes a staff person to communicate on behalf of the city in interviews, publications, news releases, on social media sites, and related communications, employees must:

- Identify themselves as representing the city. Account names on social media sites must be clearly connected to the city and approved by the city administrator.
- Be respectful, professional, and truthful when providing information. In most cases, only factual information (not opinions or editorial comments) should be provided: “The city finished street cleaning on 16 streets in the northwest corner of the city this past week” instead of “The city is doing a great job with street cleaning this year!” Corrections must be issued when needed.
- Generally do not include personal opinions in official city statements. One exception is communications related to promoting a city service. For example, an employee could post the following on the city’s Facebook page: “My family visited Hill Park this weekend and really enjoyed the new band shelter.” Employees who have been approved to use social media sites on behalf of the city should seek assistance from the city administrator on this topic.
- Notify the city administrator if they will be using their personal technology (cell phones, home computer, cameras, etc.) for city business. Employees should be aware that data transmitted or stored may be subject to the Minnesota Government Data Practices Act.

Section 1.06 Personal Communications and Use of Social Media

It is important for city employees to remember that the personal communications of employees may reflect on the city, especially if employees are commenting on city business or commenting on issues that implicate their city employment. As city representatives, employees share in the responsibility of earning and preserving the public’s trust in the city. An employee’s own personal communications, such as on social media, can have a significant impact on the public’s belief that all city staff will carry out city functions faithfully and impartially and without regard to factors such as race, sex/gender, religion, national origin, disability, sexual orientation, or other protected categories. Nonpersonal communications (performed within one’s job duties) to members of the public must be professional at all times. The following guidelines apply to personal communications, including various forms such as social media (Facebook, Twitter, blogs, YouTube, etc.), letters to the editor of newspapers, and personal endorsements:

- Do not share any private or confidential information you have access to as a result of your city position.
- Any personal communications made on a matter of public concern must not disrupt the efficiency of the city’s operation, including by negatively affecting morale. Put another way, such public comments must not undermine any city department’s ability to effectively serve the public. Disruptive personal communications can include liking or republishing (sharing/retweeting) a social media post of another individual or entity. The City can act on the personal communication that violates this policy without waiting for the actual disruption.
- Remember what you write or post cannot easily be undone. It may also be spread to larger audience than you intended. Use common sense when using email or social media sites. It is a good idea to refrain from sending or posting information or

photos you would not want your boss or other employees to read, or you would be embarrassed to see in the newspaper. Keep in mind harassment, bullying, threats of violence, discrimination, or retaliation concerning a co-worker or between co-workers that would not be permissible in the workplace is not permissible online, even if it is done after hours, from home and on home computers.

- The City of Dundas expects its employees to be fair, courteous, and respectful to supervisors, co-workers, citizens, customers, and other persons associated with the city. Avoid using statements, photographs, video or audio that reasonably may be viewed as malicious, obscene, threatening or intimidating, disparaging, or might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of sex, race, national origin, age, color, creed, religion, disability, marital status, familial status, veteran status, sexual orientation, gender identity, or gender expression, status with regard to public assistance or membership or activity in a local human rights commission.
- If you publish something related to city business and there is liable to be confusion whether you are speaking on behalf of the city, it would be best to identify yourself and use a disclaimer such as, "These are my own opinions and do not represent those of the City of Dundas."
- City resources, working time, or official city positions cannot be used for personal profit or business interests, or to participate in personal political activity. Some examples: a building inspector could not use the city's logo, email, or working time to promote his/her side business as a plumber; a parks employee should not access a park after hours even though he or she may have a key; a clerk, while working at City Hall, should not campaign for a friend who is running for City Council.
- Personal social media account name or email names should not be tied to the city (e.g., (Dundas) Cop).

Article II. CITYWIDE WORK RULES & CODE OF CONDUCT

Section 2.01 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 Dundas. 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.

Honesty is an important organizational attribute to our city. Therefore, any intentional misrepresentation of facts or falsification of records, including personnel records, medical records, leaves of absence documentation or the like, will not be tolerated. Further, dishonesty in city positions may preclude workers from effectively performing their essential job duties. As just one example, a police officer with a credibility issue under a Brady/Giglio designation very likely will be excluded from providing testimony for court cases thereby creating an employment strain where an employee cannot effectively perform the essential functions of the job. Any violations will result in corrective action, up to and including termination.

The following are job requirements for every position at the City of Dundas. 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 professionally toward both residents and staff and respond to inquiries and information requests with patience and every possible courtesy.
- Report any and all unsafe conditions to the immediate supervisor.
- Maintain good attendance while meeting the goals set by an employee's supervisor.

Section 2.02 Attendance & Absence

The operations and standards of service in the City of Dundas require that employees be at work unless valid reasons warrant absence, or an employee has a position that has been approved to work remotely. In order for a team to function efficiently and effectively, employees must fully understand the goals that have been set for them and the time required to be on the job. Understanding attendance requirements is an essential function of every city position.

Employees who are going to be absent from work are required to notify their supervisor as soon as possible in advance of the absence. In the event of an unexpected absence, employees should call their supervisor before the scheduled starting time and keep in mind the following procedures:

- If the supervisor is not available at the time, the employee should leave a message that includes a telephone number where he/she can be reached and/or contact any other individual who was designated by the supervisor.
- Failure to use the established reporting process will be grounds for disciplinary action.
- The employee must call the supervisor on each day of an absence extending beyond one (1) day unless arrangements otherwise have been made with the supervisor.
- Employees who are absent for three (3) days or more and who do not report the absence in accordance with this policy, will be considered to have voluntarily resigned not in good standing.
- The city may waive this rule if extenuating circumstances warranted such behavior.

This policy does not preclude the city from administering discipline for unexcused absences of less than three days. Individual departments may establish more specific reporting procedures.

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.

Section 2.03 Access to and Use of City Property

Any employee who has authorized possession of keys, tools, cell phones, pagers, or other city-owned equipment must register his/her name and the serial number (if applicable) or identifying information about the equipment with his/her supervisor.

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.

Employees are responsible for the safekeeping and care of all such equipment. The duplication of keys owned by the city is prohibited unless authorized by the city administrator. Any employee found having an unauthorized duplicate key will be subject to disciplinary action.

Section 2.04 Appearance

Departments may establish dress codes for employees as part of departmental rules. 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. Clothing, jewelry, or other items that could present a safety hazard are not acceptable in the workplace. Dress needs vary by function. Employees who spend a portion of the day in the field need to dress in a professional manner appropriate to their jobs, as determined by their supervisor. Employees may dress in accordance with their gender identity, within the constraints of the dress codes adopted by the city. City staff shall not enforce the city's dress code more strictly against transgender and gender diverse employees than other employees.

Section 2.05 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 themselves or a family member. If an employee has any question about whether such a conflict exists, he/she should consult with the city administrator.

Section 2.06 Falsification of Records

Any employee who makes false statements or commits, or attempts to commit, fraud in an effort to prevent the impartial application of these policies, will be subject to immediate disciplinary action up to and including termination and potential criminal prosecution.

Section 2.07 Personal Telephone Calls

Personal telephone calls are to be made or received only when truly necessary (e.g., family or medical emergency). They are not to interfere with city work and are to be completed as quickly as possible. Any personal long-distance call costs will be paid for by the employee. Please refer to the cell phone policy for information on use of cellular phones.

Section 2.08 Political Activity

City employees have the right to express their views and to pursue legitimate involvement in the political system. However, no city employee will directly or indirectly, during hours of

employment, solicit or receive funds for political purposes. Further, any political activity in the workplace must be pre-approved by the city to avoid any conflict of interest or perception of bias such as using authority or political influence to compel another employee to apply for or become a member in a political organization.

Section 2.09 Smoking

The City of Dundas 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 while in a city facility or vehicle.

Smoking of any kind, including pipes, cigars, cigarettes, vaping with e-cigarettes, and the use of chewing tobacco, is prohibited for employees while on duty. Employees 18 and over are allowed to smoke only during their breaks and lunch, and only in areas designated for that purpose.

Article III. DEFINITIONS

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

Section 3.01 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.

Section 3.02 Benefits

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

Section 3.03 Benefit Earning Employees

Employees who are eligible for at least a pro-rated portion of city-provided benefits. Such employees must be year-round employees who work at least 32 hours per week on a regular basis.

In accordance with federal health care reform laws and regulations, the city shall offer health insurance benefits to eligible employees and their dependents that work on average or are expected to work 32 or more hours per week or the equivalent of 130 hours or more per month. In order to comply with health care reform 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.

Section 3.04 Core Hours

The core hours that all full-time employees (exempt and non-exempt) are expected to work are 8 a.m. to 4:30 p.m., Monday through Friday. Police and public works employees do not have core hours and work the schedules established by their supervisors.

Section 3.05 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.

Section 3.06 Direct Deposit

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

Section 3.07 Employee

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

Section 3.08 Exempt Employee

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

Section 3.09 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 percent for Social Security and 1.45 percent for Medicare. The city contributes a matching 7.65 percent on behalf of each employee. Certain employees are exempt or partially exempt from these withholdings (e.g., police officers). These amounts may change if required by law.

Section 3.10 Fiscal Year

The period from January 1 to December 31.

Section 3.11 Full-Time Employee

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

Section 3.12 Hours of Operation

The city's regular hours of operation are Monday through Friday, from 8 a.m. to 4:30 p.m.

Section 3.13 Management Employee

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

Section 3.14 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.

Section 3.15 Part-Time Employee

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

Section 3.16 Pay Period

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

Section 3.17 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.

Section 3.18 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.

Section 3.19 Reclassify

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

Section 3.20 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 benefits or credit for seniority.

Section 3.21 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.

Section 3.22 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 benefits or credit for seniority.

Section 3.23 Training/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, unless covered by a collective bargaining agreement stating a different time frame. The training period is an integral extension of the city's selection process and is used by supervisors for closely observing an employee's work.

An employee serving his/her initial probationary period may be disciplined at the sole discretion of the city, up to and including dismissal. An employee so disciplined, including dismissal, will not have any grievance rights.

Nothing in this policy handbook shall be construed to imply that after completion of the probationary period, an employee has any vested interest or property right to continued City employment.

Time served in temporary, seasonal, volunteer or interim positions are not considered part of the probationary period. If an emergency arises during an employee's probationary period which requires a leave of absence, such time off, if granted, will not be considered as time worked, and the probationary period will be extended by the length of time taken.

Training begins on your first day of employment with an orientation process in which you will learn about city policies and procedures, take a tour of the city, and meet co-workers. Then you will begin to learn your job by training with your supervisor or a co-worker. In the first few months, you will meet with your supervisor frequently to discuss your progress and at six months, you will have a formal review.

Section 3.24 Transfer

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

Section 3.25 Weapons

Weapons are defined to include 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.

Section 3.26 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, park and recreation department).

Article IV. EMPLOYEE RECRUITMENT & SELECTION

Section 4.01 Scope

The city administrator or a designee will manage the hiring process for positions within the city. While the hiring process may be coordinated by staff, 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.

Section 4.02 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, 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 online or by 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 deadline for application may be extended by the city administrator. 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.

Section 4.03 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 exercises 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 a planning director position, for example.
- 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 will be open to any city employee who: (1) has successfully completed the initial training period; (2) meets the minimum qualifications for the vacant position; and (3) 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.

Section 4.04 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. (Psychological/psychiatric exams will be conducted by a licensed psychologist or psychiatrist). The physician will notify the city administrator or designee that a candidate either is or isn’t 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.

Section 4.05 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, seasonal and temporary employees may be terminated by the supervisor 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 City of Dundas needs.

Section 4.06 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.

Section 4.07 Training Period

The training period is an integral part of the selection process and will be used for the purpose of 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 may be extended by, for example, an unpaid leave of absence.

Article V. ORGANIZATION

Section 5.01 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 non-exempt), 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. In addition, job descriptions may also describe the benefits offered and potential career path opportunities as a means to entice a qualified pool of applicants. 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 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.

Section 5.02 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.

Section 5.03 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.

Section 5.04 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 layoffs.

Article VI. HOURS OF WORK

Section 6.01 Work Hours

Employee work schedules and opportunities to work remotely will be established by supervisors with the approval of the city administrator. The regular workweek for employees is five eight-hour days in addition to a lunch period, Monday through Friday, except as otherwise approved by the city administrator in accordance with the customs and needs of the individual departments.

Section 6.02 Core Hours

To ensure employee availability and accountability to the public the city serves, all full-time employees (exempt and non-exempt) are to be at work or available to the public and co-workers during the hours of 8 a.m. to 4:30 p.m., Monday through Friday, unless away from the work site for a work-related activity or on approved leave.

Section 6.03 Meal Breaks and Rest Periods

A paid fifteen-minute break is allowed within each four consecutive hours of work. An unpaid thirty-minute lunch period is provided when an employee works eight (8) 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 lunch time 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 whose duties involve traveling throughout the city may stop along the assigned route at a restaurant or other public accommodation for their fifteen-minute break. Exceptions must be approved by the supervisor or city administrator.

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.

Section 6.04 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 not reporting to work for reasons of personal safety will not normally have their pay reduced as a result 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.

Decisions to cancel departmental programs (special events, recreation programs, etc.) will be made by the respective supervisor or the city administrator.

Article VII. COMPENSATION

Full-time 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 wages. 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. §181.172, 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 wages.
- 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. §181.172, subd. 3.

The city cannot retaliate against an employee for disclosing his/her own wages. An employee's remedies under the 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.

Article VIII. Direct Deposit

Section 8.01 Direct Deposit

As provided for in Minnesota law, all employees are required to participate in direct deposit. Employees are responsible for notifying the city administrator of any change in status, including changes in address, phone number, names of beneficiaries, marital status, etc.

Section 8.02 Improper Deduction and Overpayment Policy

If an employee believes that an improper deduction or overpayment, or another type of error, has been made, he/she should immediately contact his/her supervisor. If the City determines it has made an improper deduction from a paycheck, it will reimburse the employee for the improper amount deducted and take good faith measures to prevent improper deductions from being made in the future.

In cases of improper overpayments, employees are required to promptly repay the City in the amount of the overpayment. The employee can write a personal check or authorize a reduction in pay to cover the repayment. The city will not reduce an employee's pay without written authorization by the employee. Once the overpayment has been recovered in full, the employee's year to date earnings and taxes will be adjusted (so that the year's Form W-2 is correct) and the paying department will receive the corresponding credit. When an overpayment occurs, the repayment must be made within the same tax year.

In the exceptional situation where the overpayment occurs in one tax year and is not discovered until the next year, the overpayment must be repaid in the year it is discovered, but there will be additional steps and paperwork required. Any overpayments not repaid in full within the calendar year of the overpayment are considered "prior year overpayments" and the employee must repay not only for the net amount of the overpayment, but also the federal and state taxes the City has paid on their behalf. The city is able to recover the overpaid Social Security and Medicare taxes. Accordingly, the city will not require the

employee to repay those taxes provided the employee provides a written statement that he/she will not request a refund of the taxes. The overpayment amount will remain taxable in the year of the overpayment since the employee had access to the funds. The employee is not entitled to file an amended tax return for the year but may be entitled to a deduction or credit with respect to the repayment in the year of repayment. Employees should contact their tax advisors for additional information.

Section 8.03 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 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 and submitted to payroll on a bi-weekly basis. Each time reporting form must include the signature of the employee and immediate supervisor. Reporting false information on a time sheet may be cause for immediate termination.

Section 8.04 Overtime / Compensatory Time

The City of Dundas 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.

Section 8.05 Non-Exempt (Overtime-Eligible) Employees

All overtime-eligible employees will be compensated at the rate of time-and-one-half for all hours worked over 40 in one workweek. Vacation, sick leave, and paid holidays do not count toward “hours worked.” Compensation will take the form of either time-and-one-half pay or compensatory time. 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.

The employee’s supervisor must approve overtime hours in advance. An employee who works overtime without prior approval may be subject to disciplinary action.

Overtime earned will be paid at the rate of time-and-one-half on the next regularly scheduled payroll date.

The maximum compensatory time accumulation for any employee is 40 hours per year. Once an employee has earned 40 hours of compensatory time in a calendar year, no further compensatory time may accrue in that calendar year. All further overtime will be paid. Employees may request and use compensatory time off in the same manner as other leave requests.

All compensatory time will be marked as such on official time sheets, both when it is earned and when it is used.

The Finance Department will maintain compensatory time records. All accrued comp time will be paid out at the first pay period in December.

Section 8.06 Exempt (Non-Overtime-Eligible) Employees

Exempt employees are expected to work the hours necessary to meet the performance expectations outlined by their supervisors.

Generally, to meet these expectations, and for reasons of public accountability, 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 workweek.

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 Dundas 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 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 Dundas 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 workweek in which the budget-related deductions are made.

The City of Dundas 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.

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.

Section 8.07 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. The normal hours of business for exempt staff are Monday through Friday, 8 a.m. to 4:30 p.m., plus evening meetings as necessary.

Exempt employees are required to use paid leave when on personal business or away from the office for four hours or more, on a given day. Absences of less than four 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 8 a.m. to 4:30 p.m. Monday through Friday requirement. Exempt employees must 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 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 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.

Article IX. PERFORMANCE REVIEWS

An objective performance review system will be established by the city administrator 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.

Article X. BENEFITS

Section 10.01 Health, Dental, Life Insurance

The city will contribute a monthly amount toward group health, dental, and life insurance benefits for each eligible employee and his/her dependents.

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

Section 10.02 Retirement/PERA

The city participates in the Public Employees Retirement Association (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 many employees). For information about PERA eligibility and contribution requirements, contact the city administrator.

Article XI. HOLIDAYS

The city observes the following official holidays for all regular full-time and part-time employees:

New Year's Day	Labor Day
Martin Luther King, Jr. Day	Veterans Day
Presidents Day	Thanksgiving Day
Good Friday	Friday after Thanksgiving
Memorial Day	½ day Christmas Eve
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 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.

Full-time 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.

Premium pay of 1.5 times the regular hourly wage for employees required to work on a holiday will be for hours worked on the “actual” holiday as opposed to the “observed” holiday.

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.

Article XII. 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.

Section 12.01 Sick Leave

Sick leave is authorized absence from work with pay, granted to qualified full-time and part-time employees. Sick leave is a privilege, not a right.

Employees are to use this paid leave only when they are unable to work for medical reasons and under the conditions explained below. Sick leave does not accrue during an unpaid leave of absence.

- Full-time employees will accumulate sick leave at a rate of one day/8 hours per month.
- Temporary and seasonal employees will not earn or accrue sick leave.
- Sick leave may be used only for days when the employee would otherwise have been at work. It cannot be used for scheduled days off.

Sick leave may be used as follows:

- When an employee is unable to perform work duties due to illness or disability (including pregnancy).
- For medical, dental or other care provider appointments.
- When an employee has been exposed to a contagious disease of such a nature that his/her presence at the workplace could endanger the health of others.
- To care for the employee's injured or ill children, including stepchildren or foster children, for such reasonable periods as the employee's attendance with the child may be necessary.
- To take children, or other family members to a medical, dental or other care provider appointment.
- To care for an ill spouse, father, father-in-law, mother, mother-in-law, stepparent, grandparent, grandchild, sister or brother.

Pursuant to Minn. Stat. §181.9413, eligible employees may use up to 160 hours of sick leave in any 12-month period (January 1 to December 31) for absences due to an illness of or injury to the employee's adult child, spouse, sibling, parent, grandparent, stepparent, parent-in-law (mother-in-law and father-in-law), and grandchild (includes step-grandchild, biological, adopted, or foster grandchild).

- Safety leave. Employees are authorized to use sick leave for reasonable absences for themselves or relatives (employee's adult child, spouse, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent) who are providing or receiving assistance because they, or a relative, is a victim of sexual assault, domestic abuse, or stalking. Safety leave for those listed, other than the employee and the employee's child, is limited to 160 hours in any 12-month period (January 1 to December 31).

After accrued sick leave has been exhausted, vacation leave may be used upon approval of the city administrator, to the extent the employee is entitled to such leave.

To be eligible for sick leave pay, the employee will:

- Communicate with his/her immediate supervisor, as soon as possible after the scheduled start of the workday, for each and every day absent;
- Keep his/her immediate supervisor informed of the status of the illness/injury or the condition of the ill family member;
- Submit a physician's statement upon request.

After an absence, 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. Sick leave may be denied for any employee required to provide a doctor's statement until such a statement is provided.

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.

(c) 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.

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. Requests for vacation must be received at least forty-eight hours in advance of the requested time off. This notice may be waived at the discretion of the supervisor and city administrator. Vacation can be requested in increments as small as one hour up to the total amount of the accrued leave balance. Vacation leave is to be used only by the employee who accumulated it. It cannot be transferred to another employee.

Vacation time can be accrued to a maximum of 24 days (192 hours). Additional vacation time accrued above the 24 days will be forfeited annually. There may be circumstances where the city administrator may approve limited carryover of vacation hours into the following year.

Vacation leave cannot be converted into cash payments except at termination.

(d) Severance Pay

Employees leaving the city in good standing will receive 100 percent of their unused vacation leave balance as compensation (applicable taxes will be withheld). Employees have the option of directing those dollars into a 457 deferred compensation plan (subject to IRS maximum deferral regulations and Minnesota law).

Employees leaving the City in good standing will receive 100 percent of any unused sick leave hours but at an amount not to exceed the maximum of \$7,000. Employees have the option of directing those dollars into a 457 deferred compensation plan (subject to IRS maximum deferral regulations and Minnesota law).

Upon separation from employment, the amount of accrued sick leave to be paid, up to the maximum of \$7,000, will be computed in the following manner:

- | | |
|--|------|
| a. Less than 6 full years of continuous employment | 33% |
| b. Start of the 7 th year through end of 17 th year of continuous employment | 67% |
| c. Start of the 18 th year of continuous employment and thereafter | 100% |

(e) Death of an Employee

In the event of the death of an eligible employee, separation pay shall be paid to the employee's estate.

Section 12.03 Funeral 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. 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.).

Section 12.04 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, or 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 day paid leave of absence. Employees on extended unpaid military leave will receive fifteen 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 working days in advance of the requested leave. If an employee has not yet used his/her fifteen days of paid leave when called to active duty, any unused paid time will be allowed for the active duty time, prior to the unpaid leave of absence.

Employees returning from military service will be reemployed in the job that they would have attained had they not been absent for military service and with the same seniority, status and pay, as well as other rights and benefits determined by seniority. Unpaid military leave will be considered hours worked for the purpose of vacation leave and sick leave accruals.

Eligibility for continuation of insurance coverage for employees on military leave beyond fifteen days will follow the same procedures as for any employee on an unpaid leave of absence.

Employees will be granted up to ten working days of unpaid leave whose immediate family member is a member of the United States armed forces who has been injured or killed while engaged in active service. The 10 days may be reduced if an employee elects to use appropriate accrued paid leave.

Unless the leave would unduly disrupt the operations of the city, employees whose immediate family member, as a member of the United States armed forces has been ordered into active service in support of a war or other national emergency, will be granted

an unpaid leave of absence, not to exceed one day's duration in any calendar year, to attend a send-off or homecoming ceremony for the mobilized service member.

Section 12.05 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.

Section 12.06 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.

Section 12.07 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.

Section 12.08 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 the 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 make arrangements for a medical appointment.

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

Section 12.09 Pregnancy and Parenting Leave

Employees who work twenty hours or more per week and have been employed more than one year are entitled to take an unpaid leave of absence under the Pregnancy and Parenting Leave Act of Minnesota. This leave applies to pregnant 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 as eligible for up to 12 weeks of unpaid leave and must begin within twelve 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. Employee should provide reasonable 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 leave (i.e., sick leave, vacation leave, etc.) 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. 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 will remain available while the employee is on leave pursuant to the Pregnancy and Parenting Leave Act, but the employee will be responsible for the entire premium unless otherwise provided in this policy (i.e., where leave is also FMLA qualifying). For employees on an FMLA absence as well, the employer contributions toward insurance benefits will continue during the FMLA leave absence.

Section 12.10 Adoptive Parents

Adoptive parents will be given the same opportunities for leave as biological parents (see provisions for Pregnancy and 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.

Section 12.11 School Conference Leave

Employees who work twenty hours or more per week and have been employed more than one year may take unpaid leave for up to a total of sixteen 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.

Section 12.12 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 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 or organ donor, the paid leave of absence granted to the employee prior to that medical determination is not forfeited.

Section 12.13 Elections / Voting

An employee selected to serve as an election judge pursuant to Minnesota law, will be allowed time off without pay for purposes of serving as an election judge, provided the employee gives the city at least twenty days written notice.

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.

Section 12.14 Regular Leave without Pay

The city administrator may authorize leave without pay for up to thirty days. Leave without pay for greater periods may be granted by the City Council.

Typically, employee benefits will not be earned by an employee while on leave without pay. 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 days when the leave is for medical reasons and FMLA has been exhausted.

If an employee is on a 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. 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 based on actual hours worked.

Leave without pay hours 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. Leave without pay for purposes other than medical leave or work-related injuries will be at the convenience of the city.

Employees returning from a 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 calendar days or less.

Employees receiving leave without pay in excess of thirty 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.

The FMLA applies to all public agencies, including state, local and federal employers, and local education agencies (schools). To be eligible for FMLA leave, an employee must work for a covered employer and:

- have worked for that employer for at least 12 months; and
- have worked at least 1,250 hours during the 12 months prior to the start of the FMLA leave; and
- work at a location where at least 50 employees are employed at the location or within 75 miles of the location.

Section 12.15 Reasonable Unpaid Work Time for Nursing Mothers

Nursing mothers will be provided reasonable unpaid break time to express milk for her child. The city will provide a 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.

Section 12.16 Administrative Leave

Under special circumstances, an employee may be placed on an 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.

Section 12.17 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. Light duty is evaluated by the city administrator on a case-by-case basis. 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 or not to assign light duty work to the employee. Although this policy is handled on a case-by-case basis.

If the city offers a light duty assignment to an employee who is out on workers' 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.

Section 12.18 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:

- More frequent restroom, food, and water breaks;
- Seating;
- Limits on lifting over 20 pounds; and/or
- Temporary transfer to a less strenuous or hazardous position, should one be available.

Unless such accommodations impose an undue hardship on the city, the city will engage in an interactive process with respect to an employee's request for a reasonable accommodation.

Article XIII. SEXUAL HARASSMENT PREVENTION

Section 13.01 General

The City of Dundas is committed to creating and maintaining a public service workplace free of harassment and discrimination. Such harassment is a violation of Title VII of the Civil Rights Act of 1964, the Minnesota Human Rights Act, and other related employment laws

In keeping with this commitment, the city maintains a strict policy prohibiting unlawful harassment, including sexual harassment. This policy prohibits harassment in any form, including verbal and physical harassment.

This policy statement is intended to make all employees, volunteers, members of boards and commissions, and elected officials sensitive to the matter of sexual harassment, to express the city's strong disapproval of unlawful sexual harassment, to advise employees against this behavior and to inform them of their rights and obligations. The most effective way to address any sexual harassment issue is to bring it to the attention of management.

Section 13.02 Definitions

To provide employees with a better understanding of what constitutes sexual harassment, the definition, based on Minnesota Statute § 363.01, subdivision 41, is provided: sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, or other verbal or physical conduct or communication 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.
- (a) 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. The harassment policy applies to social media posts, tweets, etc., that are about or may be seen by employees, customers, etc.
 - 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.

Examples of inappropriate behaviors that are unacceptable and therefore prohibited, even if not unlawful in and of themselves include: unwanted physical contact; unwelcome sexual jokes or comments; sexually explicit posters or pinups; repeated and unwelcome requests for dates or sexual favors; sexual gestures or any indication, expressed or implied, that job security or any other condition of employment depends on submission to or rejection of unwelcome sexual requests or behavior. In summary, sexual harassment is the unwanted, unwelcome or repeated action of an individual against another individual, using sexual overtones.

Section 13.03 Expectations

The City of Dundas recognizes the need to educate its employees volunteers, members of boards and commissions, and elected officials on the subject of sexual harassment and stands committed to providing information and training. All employees are expected to treat each other and the general public with respect and assist in fostering an environment free

from offensive behavior or harassment. Violations of this policy may result in discipline, including possible termination. Each situation will be evaluated on a case-by-case basis.

Employees who feel that they have been victims of sexual harassment, or employees who are aware of such harassment, should immediately report their concerns to any of the following:

1. A supervisor;
2. City administrator;
3. Mayor or city councilmember.

In addition to notifying one of the above persons and stating the nature of the harassment, the employee is also encouraged to take the following steps, if the person feels safe and comfortable doing so. If there is a concern about the possibility of violence, the individual should use his/her discretion to call 911, and as soon as feasible, a supervisor.

1. Communicate to the harasser the conduct is unwelcome. Professionally, but firmly, tell whoever is engaging in the disrespectful behavior how you feel about their actions, and request the person to stop the behavior because you feel intimidated, offended, or uncomfortable. If practical, bring a witness with you for this discussion.
2. In some situations, such as with an offender from the public, it is preferable to avoid one on one interactions. Talk to your supervisor about available options to ensure there are others available to help with transactions with an offender.
3. To reiterate, it's important you notify a supervisor, the city administrator, the mayor or councilmember of your concerns. The person to whom you speak is responsible for documenting the issues and for giving you a status report on the matter. 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, the mayor or the city attorney.

The city urges conduct which is viewed as offensive be reported immediately to allow for corrective action to be taken through education and immediate counseling, if appropriate. Management takes these complaints seriously and has the obligation to provide an environment free of sexual harassment. The city is obligated to prevent and correct unlawful harassment in a manner which does not abridge the rights of the accused. To accomplish this task, the cooperation of all employees is required.

In the case of a sexual harassment complaint, a supervisor must report the allegations promptly to the city administrator. If the city administrator is the subject of the complaint, then the supervisor is to report the complaint to the City Attorney. A supervisor must act upon such a report even if requested otherwise by the victim. The city will take action to correct any and all reported harassment to the extent evidence is available to verify the alleged harassment and any related retaliation. All allegations will be investigated. Strict confidentiality is not possible in all cases of sexual harassment as the accused has the right to answer charges made against them; particularly if discipline is a possible outcome. Reasonable efforts will be made to respect the confidentiality of the individuals involved, to the extent possible.

The City is not voluntarily engaging in a dispute resolution process within the meaning of Minn. Stat. § 363A.28, subd. 3(b) by adopting and enforcing this workplace policy. The filing of a complaint under this policy and any subsequent investigation does not suspend the one-year statute of limitations period under the Minnesota Human Rights Act for bringing a civil action or for filing a charge with the Commissioner of the Department of Human Rights.

Section 13.04 Special Reporting Requirements

When the supervisor is the alleged harasser, a report will be made to the city administrator who will assume the responsibility for investigation and discipline.

If the city administrator is the alleged harasser, 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 councilmember is the alleged harasser, 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.

If an elected or appointed city official (e.g., council member or commission member) is the victim of disrespectful workplace behavior, the City Attorney will be consulted as to the appropriate course of action.

Section 13.05 Retaliation

The City of Dundas will not tolerate retaliation or intimidation directed towards anyone who makes a complaint of employment discrimination, who serves as a witness or participates in an investigation, or who is exercising his/her rights, including when requesting religious or disability accommodation. Retaliation is broader than discrimination and includes, but is not limited to, any form of intimidation, reprisal or harassment. While each situation is very fact dependent, generally speaking retaliation can include a denial of a promotion, job benefits, or refusal to hire, discipline, negative performance evaluations or transfers to less prestigious or desirable work or work locations because an employee has engaged or may engage in activity in furtherance of EEO laws.

It can also include threats of reassignment, removal of supervisory responsibilities, filing civil action, deportation or other action with immigration authorities, disparagement to others or the media and making false report to government authorities because an employee has engaged or may engage in protected activities. Any individual who retaliates against a person who testifies, assists, or participates in an investigation may be subject to disciplinary action up to and including termination.

If you feel retaliation is occurring within the workplace, please report your concern immediately to any of the following:

1. Immediate supervisor;
2. City administrator;
3. Mayor or City Councilmember
4. In the event an employee feels retaliation has occurred by the city administrator or the City Council, then reporting may be made to the City Attorney.

Supervisors who have been approached by employees with claims of retaliation will take the complaint seriously and promptly report the allegations promptly to the city administrator, or if the complaint is against the city administrator to the City Attorney, who will decide how to proceed in addressing the complaint.

Article XIV. RESPECTFUL WORKPLACE POLICY

The intent of this policy is to provide general guidelines about conduct that is, and is not, appropriate in the workplace and other city-sponsored social events.

The city acknowledges this policy cannot possibly predict all situations that might arise, and also recognizes that some employees are exposed to disrespectful behavior, and even violence, by the very nature of their jobs.

Section 14.01 Applicability

Maintaining a respectful public service work environment is a shared responsibility. This policy is applicable to all city employees, volunteers, members of boards and commissions and City Council members.

Section 14.02 Abusive Customer Behavior

While the city has a strong commitment to customer service, the city does not expect employees to accept verbal and other abuse from any customer.

An employee may request that a supervisor intervene when a customer is abusive, or the employee may defuse the situation themselves, including professionally ending the contact.

If there is a concern about the possibility of violence, the individual should use his/her discretion to call 911, and as soon as feasible, a supervisor. Employees should leave the area immediately when violence is imminent unless their duties require them to remain (such as police officers). Employees must notify their supervisor about the incident as soon as possible.

Section 14.03 Types of Disrespectful Behavior

The following behaviors are unacceptable and therefore prohibited, even if not unlawful in and of themselves:

- (a) Violent behavior:**
includes the use of physical force, harassment, bullying or intimidation.

(b) Discriminatory behavior:

includes inappropriate remarks about or conduct related to a person's race, color, creed, religion, national origin, disability, sex, pregnancy, gender-biased statements, such as stereotypes about women or men, marital status, age, sexual orientation, gender identity, or gender expression, familial status, or status with regard to public assistance.

(c) Offensive behavior:

may include such actions as: rudeness, angry outbursts, inappropriate humor, vulgar obscenities, name calling, disparaging language, or any other behavior regarded as offensive to a reasonable person based upon violent or discriminatory behavior as listed above. 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 supervisor 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 general 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.

(d) Sexual harassment: See Section 13.02.

Section 14.04 Employee Response to Disrespectful Workplace Behavior

All employees should feel comfortable calling their supervisor or another manager to request assistance should they not feel comfortable with a situation. If situations involve violent behavior call the police or ask the individual to leave the area.

If employees see or overhear a violation of this policy, employees should advise a supervisor, the city administrator, or City Attorney promptly.

Employees who believe disrespectful behavior is occurring are encouraged to deal with the situation in one of the ways listed below. If there is a concern about the possibility of violence, the individual should use his/her discretion to call 911, and as soon as feasible, a supervisor.

Step 1(a). If you feel comfortable doing so, professionally, but firmly, tell whoever is engaging in the 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.

In some situations, with an offender from the public it is preferable to avoid one on one interactions. Talk to your supervisor about available options to ensure there are others available to help with transactions with the offender.

Step 1(c). The city urges conduct which is viewed as offensive be reported immediately to allow for corrective action to be taken through education and immediate counseling, if appropriate. It is vitally important you notify a supervisor, the city administrator, the mayor or councilmember of promptly of your concerns. Any employee who observes sexual harassment or discriminatory behavior, or receives any reliable information about such conduct, must report it promptly 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.

Section 14.05 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, consistent with Section 13.04, or discriminatory behavior, a supervisor must report the allegations promptly 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(a). 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 the conduct not reoccur. This approach is particularly appropriate when there is some ambiguity about whether the conduct was disrespectful.

Step 1(b). Supervisors, when talking with the reporting employee will be encouraged to ask him or her what he or she wants to see happen next. When an employee comes forward with a disrespectful workplace complaint, it is important to note the city cannot promise complete confidentiality, due to the need to investigate the issue properly. However, any investigation process will be handled as confidentially as practical and related information will only be shared on a need to know basis and in accordance with the Minnesota Data Practices Act.

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. Typically, 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 (assuming the allegations do not involve the city administrator).

Step 4. In most cases, as soon as practical after receiving the written or verbal complaint, the alleged policy violator will be informed of the allegations, and the alleged violator will have the opportunity to answer questions and respond to the allegations. The City will follow any other applicable policies or laws in the investigatory process.

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 and to the extent permitted by the Minnesota Government Data Practices Act.

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 determine how to proceed in addressing the complaint as well as appropriate 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 councilmember 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.

If an elected or appointed city official (e.g., council member or commission member) is the victim of disrespectful workplace behavior, the City Attorney will be consulted as to the appropriate course of action.

Section 14.06 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).

Section 14.07 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.

Article XV. Possession and Use of Dangerous Weapons

Possession or use of a dangerous weapon (see attached definitions) 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.

Article XVI. SEPARATION FROM SERVICE

Section 16.01 Resignations

Employees wishing to leave the city service in good standing must provide a written resignation notice to their supervisor, at least ten working days before leaving. Exempt employees must give thirty calendar days' notice. The written resignation must state the effective date of the employee's resignation.

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.

Section 16.02 Severance Pay

See Section 12.02(d).

Article XVII. DISCIPLINE

Section 17.01 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 Dundas. 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.

Section 17.02 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.

Section 17.03 Process

The city may elect to use progressive discipline, a system of escalating responses intended to correct the negative behavior rather than to punish the 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 contractual right or guarantee (also known as 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:

(a) 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.

(b) 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 of time.

Serious infractions may require skipping either the oral or written reprimand, or both. Written reprimands are issued by the supervisor with prior approval from the city administrator.

A written reprimand will: (1) state what did happen; (2) state what should have happened; (3) identify the policy, directive or performance expectation that was not followed; (4) provide history, if any, on the issue; (5) state goals, including timetables, and expectations for the future; and (6) 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.

(c) 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, who have completed their initial probationary period, 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.

An employee may be suspended or placed on involuntary leave of absence pending an investigation of an allegation involving that employee. The leave may be with or without pay depending on a number of factors including the nature of the allegations. If the allegation is proven false after the investigation, the relevant written documents will be removed from the employee's personnel file and the employee will receive any compensation and benefits due had the suspension not taken place.

(d) 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.

(e) Salary

An employee's salary increase may be withheld, or the salary may be decreased due to performance deficiencies.

(f) 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, who has completed his/her initial probationary period, the appropriate hearing notice will be provided, and all rights will be afforded the veteran in accordance with Minnesota law.

Article XVIII. 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 date at which the incident allegedly occurred, 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 days after the alleged violation or dispute has occurred. The supervisor will respond to the employee in writing within seven 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 date at which the incident allegedly occurred, 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 days after the supervisor's response is due. The city administrator or his/her designee will respond to the employee in writing within seven calendar days. The decision of the city administrator is final for all disputes with exception of those specific components in a performance evaluation subject to a challenge through the Minnesota Department of Administration.

Section 18.01 Waiver

If a grievance is not presented within the time limits set forth above, it will be considered "waived." If a grievance is not appealed to the next step in the specified time limit or any agreed extension thereof, it will be considered settled on the basis of 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.

Article XIX. EMPLOYEE EDUCATION & TRAINING

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.

Section 19.01 Policy

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

Section 19.02 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.

Section 19.03 Job-Related Meetings

Attendance at professional meetings costing \$25.00 or less and directly related to the performance of the employee's work responsibilities do not require the approval of the city administrator. Advance supervisor approval is required to ensure adequate department coverage.

Section 19.04 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. 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 employee's work responsibilities with the city.

Requests totaling more than \$25.00 must be approved by the employee's supervisor and the city administrator. 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.

Section 19.05 Out of State Travel

Attendance at training or conferences out of state is approved only if the training or conference is not available locally. All requests for out of state travel are reviewed for approval/disapproval by the city administrator.

Section 19.06 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.

Section 19.07 Memberships and Dues

The purpose of memberships 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.

Section 19.08 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. In no case will city funds be used to pay for, or reimburse, for events sponsored by or affiliated with political parties. 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. The city will also not reimburse employees for the costs for travel of family members.

Employees who find it necessary to use their private automobiles for city travel 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.

Expenses for meals, including sales tax and gratuity, will be reimbursed according to this policy. No reimbursement will be made for alcoholic beverages.

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.

Article XX. OUTSIDE EMPLOYMENT

The potential for conflicts of interest is lessened when individuals employed by the City of Dundas regard the city as their primary employment responsibility. All outside employment is to be reported to the employee's immediate supervisor. If a potential conflict exists based

on this policy or any other consideration, the supervisor will consult with the city administrator.

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 as a result 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.

Article XXI. DRUG FREE WORKPLACE

In accordance with federal law, the City of Dundas has adopted the following policy on drugs in the workplace:

- A. 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, safe and secure work environment.
- B. The unlawful manufacture, distribution, possession, or use of a controlled substance 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.

- C. The city recognizes drug 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.
- D. 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.

Article XXII. 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.

Employees who lose their driver's license or receive restrictions on their license are required to notify their immediate supervisor on the first work day 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

Article XXIII. CELLULAR PHONE USE

This policy is intended to define acceptable and unacceptable uses of city issued cellular telephones. Its application is to ensure cellular phone usage is consistent with the best interests of the city without unnecessary restriction of employees in the conduct of their duties. This policy will be implemented to prevent the improper use or abuse of cellular phones and to ensure that city employees exercise the highest standards of propriety in their use.

Section 23.01 General 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.
- 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 to facilitate the provisions of this policy.

- Reading/sending text messages, making or receiving phone calls, 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”

Alternatively, 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.

Regardless of who pays the bill, cell phone records about city business are subject to the Minnesota Government Data Practices Act. What this means is that if a request were received, the city would be under the obligation to determine what information is public data and what information is private data and would need access to the employee’s phone records and possibly the phone itself in order to provide the data that is being requested. Therefore, the best practice is to limit usage of personal cell phones for city business to that which is truly necessary or be prepared to produce your cell phone and the associated records if needed.

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.

Use of public resources by city employees for personal gain and/or private use including, but not limited to, outside employment or political campaign purposes, is prohibited and subject to disciplinary action which may include termination and/or criminal prosecution, depending on the circumstances. Incidental and occasional personal use may be permitted with the consent of the supervisor.

Personal calls will be made or received only when absolutely necessary. Such calls must not interfere with working operations and are to be completed as quickly as possible. In cases where the city does not regard accounting for personal calls to be unreasonable or administratively impractical due to the minimal cost involved, personal calls made by

employees on a city-provided cellular phone must be paid for by the employee through reimbursement to the city based on actual cost listed on the city's phone bill.

Section 23.02 Procedures

It is the objective of the City of Dundas to prevent and correct any abuse or misuse of cellular telephones through the application of this policy. Employees who abuse or misuse such telephones may be subject to disciplinary action.

Section 23.03 Responsibility

The city administrator, or designee, will have primary responsibility for implementation and coordination of this policy. All supervisors will be responsible for enforcement within their departments.

Article XXIV. SAFETY

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.

Section 24.01 Reporting Accidents and Illnesses

Both Minnesota workers' 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.

Section 24.02 Safety Equipment/Gear

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

Section 24.03 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.

Section 24.04 Access to Gender-Segregated Activities and Areas

With respect to all restrooms, locker rooms or changing facilities, employees will have access to facilities that correspond to their affirmed gender identity, regardless of their sex at birth. The city maintains separate restroom and/or changing facilities for male and female employees and allows employees to access them based on their gender identity.

In any gender-segregated facility, any employee who is uncomfortable using a shared facility, regardless of the reason, will, upon the employee's request, be provided with an

appropriate alternative. This may include, for example, addition of a privacy partition or curtain, provision to use a nearby private restroom or office, or a separate changing schedule. However, the city will not require a transgender or gender diverse employee to use a separate, nonintegrated space, unless requested by the transgender or gender diverse employee, because it may publicly identify or marginalize the employee as transgender.

Under no circumstances may employees be required to use sex-segregated facilities that are inconsistent with their gender identity.

DRAFT



REQUEST FOR COUNCIL ACTION

TO: City Council Members

FROM: Jenelle Teppen, City Administrator

SUBJECT: Consider Approving Market Analysis and Pay Grid Calibration to Update the City's Compensation Plan

DATE: For the City Council Meeting of May 9, 2022

PURPOSE/ACTION REQUESTED

Consider approving a proposal from David Drown and Associates to update the City's compensation plan.

SUMMARY

In 2018 the City hired David Drown and Associates (DDA) to perform a Classification and Compensation Study. That plan was subsequently adopted by the City Council and it has been followed since that time.

There are a number of reasons suggesting the need and timing is right to re-visit this work:

- Best practices suggest completing compensation studies every 3-4 years.
- The inflation rate over the past 18 months is the highest in over 40 years.
- The recent recruitment of Public Works Assistant has demonstrated that a city in our group of comparables is currently paying the same position at the top of Dundas' range.

DDA submitted the attached proposal at my request. They have it broken down so that we can select the services we feel are needed to ensure that the compensation plan is in a place where we can attract and retain quality employees.

It's apparent that we have fallen out of step with our comparable group therefore a Market Analysis and Pay Grid Calibration are the services I recommend undertaking. The cost to perform these activities is \$4,500

The City Council's HR Committee has reviewed the proposed proposal and recommends approval.

RECOMMENDATION

Motion to approve the proposal from DDA to perform a Market Analysis and Pay Grid Calibration as recommended by the HR Committee.



Classification and Compensation Services Proposal
Submitted by DDA Human Resources, Inc.



DDA
Human Resources, Inc.
a David Drown Associates Company

Prepared by:
Dr. Tessia Melvin
DDA Management Consultant
612-920-3320 x103
tessia@daviddrown.com

March 23, 2022

Janelle Teppen, City Administrator/ Clerk
City of Dundas
P.O. Box 228
108 DeMann Court
Dundas, MN 55019-0028

RE: Proposal for Job Classification and Compensation Services

Dear Ms. Teppen:

We are pleased to be invited to submit a proposal to complete classification and compensation services for the City of Dundas. We enjoyed working with the City and hope to build on our relationship. In the pages that follow, we have briefly provided information about DDA Human Resources, our staff credentials and experience, a detailed description of services to be provided and various levels of project scope. We have included cost for each option for 8 positions as follows:

- Option 1: Market Analysis: \$2,500
- Option 2: Market Analysis with Pay Grid Calibration: \$4,500
- Option 3: Market Analysis, Pay Grid Calibration and Budget Implementation: \$5,500
- Option 4: Ongoing Maintenance: \$2,700 annually
- Option 5: Update jobs and classifications as needed, pricing per job

Three major factors distinguish DDA Human Resources from other providers:

- All our employees come with years of public sector experience. We specialize in government and we know first-hand the challenges of managing public sector compensation. This helps us deliver practical, workable solutions.
- We believe that classification and compensation can and should be managed as a practical, common-sense process – not as some theoretical or statistical exercise in regression analysis. We will help you design a compensation system that is technically solid and one you understand. We measure our effectiveness as a consulting firm not by studies completed, but by studies that are **actually implemented**.
- We think a compensation should be actively managed as an ongoing program – not neglected and then fixed with a major compensation study like this. With proper on-going maintenance support, major disruptive and expensive compensation studies are unnecessary. We are pioneers in providing ongoing maintenance solutions.

Our firm's goal is to be known as the best human resources consultant in Minnesota. There is only one way to get there – by delivering exceptional service. We will do our very best to earn your trust, your respect, and your future business.

Sincerely,

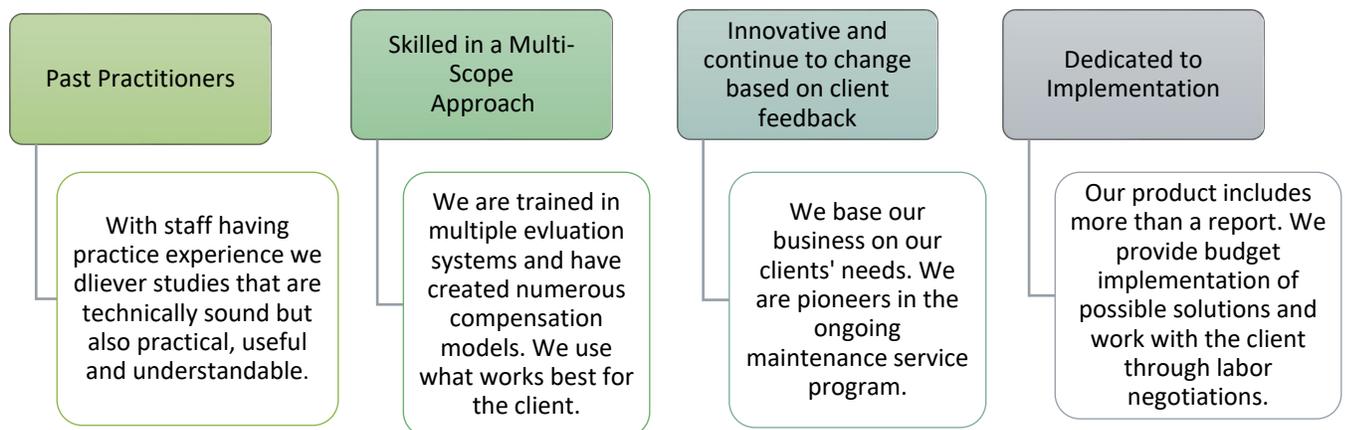
Tessia Melvin
Dr. Tessia Melvin, Management

CONTENTS OF THIS PROPOSAL

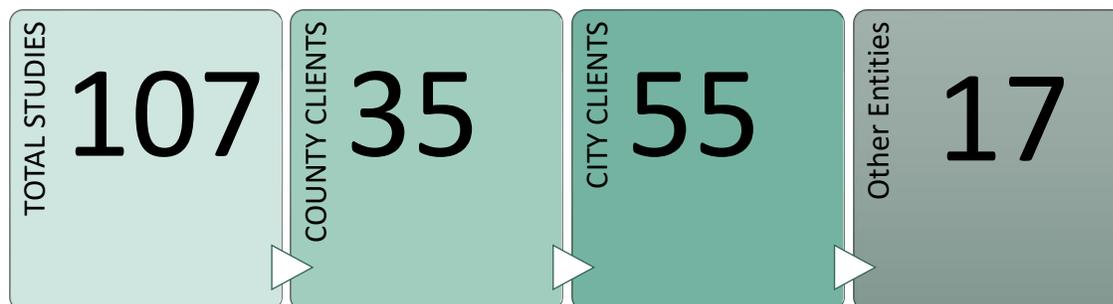
- Our Firm and Qualifications
- Our Service Team
- References
- Our Philosophy for Classification Studies
- Proposed Services
- Fees
- Our clients

OUR FIRM & QUALIFICATIONS

Our parent company, David Drown Associates, Inc. has provided consulting services to over 450 units of government across Minnesota since 1997. Over these years, DDA staff has gotten to know government well and we continually strive to keep our services practical, useful, and up to date. Our history and corporate culture have grown from an honest desire to serve public sector clients in a practical and common-sense manner. We are not your ordinary consultant, we are:



DDA Human Resources, Inc. was formed in 2013 to provide human resource support services exclusively to governmental clients in Minnesota. We currently offer services for executive recruitment, organizational design, and staff an HR Technical Assistance Program for the Association of MN Counties which provides technical advice and assistance to the HR staff of all the State's 87 counties. Since activating our compensation section in 2016, we have worked with clients as small as 4 employees to as large as 1,500 employees. Our completed studies include:



OUR SERVICE TEAM

DDAHR maintains a staff of 10 individuals. We also maintain relationships with several independent consultants in key specialty areas. Here is the Team we have assembled for your project:

Dr. Tessia Melvin –Department Head

Tessia heads the compensation and classification (C&C) services area of DDAHR. Over the past six years, Tessia has served as lead analyst on over 65 separate C&C engagements with Minnesota communities. She brings to the position nearly 13 years of diverse service to city and county government. As a City Administrator in Maple Plain, Minnesota, Tessia drafted five-year budgets, capital improvement plans, infrastructure improvement plans, and led strategic planning program. Working in Dakota County, Minnesota, Tessia provided leadership training, managed their performance management system, and worked with compensation and benefits. Dedicated to local governments and continued learning, Tessia earned her doctorate in Public Administration.



Mark Goldberg, MA-HRR – Principal Consultant

Mark Goldberg is a Principal Consultant with the firm. Mark's experience is broad and deep. He has held a variety of compensation leadership positions in media, high tech, manufacturing, local government organizations and the University of Minnesota. In addition, Mr. Goldberg has over 6 years of experience consulting with major public sector organizations around the country with a focus on project in Minnesota such as Koochiching County, the city of Red Wing and the City of Aitkin. He has a Master's Degree in Industrial and Labor Relations from Cornell University and a Bachelor's Degree in Human Resource Administration from Muhlenberg College.



David Drown – Technical Support

David is the founder and owner of DDA. David will lend his technical and statistical expertise to the team to manage the collection and analysis of market data, help calibrate your compensation plan, and calculate budget impacts. David received his undergraduate degree in civil engineering and served in local government as a registered civil engineer early in his career. He also holds an MBA in finance from the Carlson School of Management and has served as a finance and economic development consultant to numerous cities and counties across the State.

Kelly Jones – Technical Support

Kelly received his Bachelor of Arts degree in Psychology and his Master of Science degree in Industrial and Organizational Psychology from Saint Cloud State University in Saint Cloud, Minnesota. Prior to entering the field of compensation, he served as a project coordinator and talent management specialist for Sleep Number and Robert Half. Kelly has spent the last 3 years as a technical analyst and compensation consultant, while assisting dozens of Cities and Counties across the United States with their compensation and classification needs. His work will be primarily focused on data collection and analysis, while also assisting the DDA team with any ongoing project needs.

Elizabeth Blakesley – Clerical Support

Elizabeth has worked at DDA for over 20 years. She will provide technical and clerical assistance to coordinate the market surveying process and prepare documents. She will utilize her organizational and technological skills to help provide concise, professional work results. After attending the University of MN – Duluth, Elizabeth began working with local units of government in Minnesota with the MN Small Cities Association. Her work in municipal finance and economic development has given her a good insight into the operations of counties and cities throughout the State.

SUPPORTING TEAM MEMBERS (*Our Bench*)

Melanie Ault

Melanie Ault brings to DDAHR over 20 years of experience leading Minnesota county human resources and labor relations operations with additional experience at the city, regional, and state levels. Melanie joined DDAHR in 2017, after serving as Washington County's HR Director. You might recognize her by her passion for examining pending legislation and its ramifications for the public sector. Melanie holds BA, MAPA, and JD degrees, with further education in public administration. She is an avid supporter of professional organizations, serving on the state and national levels. She loves making new connections and looks forward to helping you find answers and ideas. Melanie is one of our AMC Human Resources Technical Assistance Program staff.

George Gmach

George has been doing classification and compensation study work in Minnesota for 30 years. He worked with the Stanton Group for 12+ years with management responsibility for salary and benefit surveys and compensation consulting. His experience has crossed multiple industries and included private, non-private and public sectors. George also worked at Employers Association and its successor for 16 years. During his career, he has designed and conducted several hundred compensation and benefit surveys and has implemented multiple compensation programs in large and small organizations across all sectors. He designed and modified job evaluation systems and implemented them in the public sector. He has worked with the Minnesota Pay Equity Statutes since their inception. In addition, he is a military veteran who served as a combat medic in Vietnam.

REFERENCES

Reference #1: **City of Victoria, Minnesota**

Contact: Gwen Campbell, Communications and HR Manager
952-443-4230
gcampbell@ci.victoria.mn.us

Contract dated: May 15, 2019 – completed October 2019, we continue to provide ongoing maintenance

Scope of Services: *This was a full-service class and comp study for a rapidly growing suburban community. We updated all job descriptions including several new job titles; classified all job titles using DDA's JET system, completed a market analysis of 14 benchmark communities (93% participation) and 5 "spotlight communities", evaluated two alternative salary plans with pay ranges calibrated at 100% of benchmark averages, and provided an implementation plan with employee-by-employee grade/step assignments and a calculation of budget impact. Victoria says they plan to enroll in DDA's ongoing service program.*

Reference #2: City of Fridley, MN

Contact: Becca Hellegers, Employee Resources Manager, 763-572-3507, Becca.Hellegers@FridleyMN.gov

Contract Dated: February 2020 – December 2020, they have entered an ongoing maintenance contract with us

Scope of Services: *DDA was originally engaged to complete a market study only of wages paid to 97 position descriptions. The work plan was expanded to have us perform a full classification and compensation study for all positions, classifying all jobs and designing a new pay plan for the City.*

Reference #3: City of Golden Valley, MN

Contact: Kirsten Santelices, HR Director
763-593-3989
ksantelices@goldenvalleymn.gov

Contract Dated: January 2020 – completed December 2020, we continue to provide ongoing maintenance

Scope of Services: *All job titles were reclassified using the JET evaluation system, and several employee challenges were reviewed and resolved. Market wage study revealed that the current pay plan wages averaged about 5% below the benchmark average. We developed a new pay plan with expanded steps, reviewed several approaches for implementation, and ultimately arrived at a plan that worked within the City's limited budget.*

Reference #4: Rochester, MN

Contact: Linda Hillenbrand, HR Director
507-328-2561
lhillenbrand@rochestermn.gov

Contract Dated: October 2021 for ongoing maintenance

Scope of Services: *This is an example of a client engagement with a scope of services looking to maintain their current classification system. We learned a new classification system, their job positions and are able to maintain their pay philosophy, job descriptions and maintain competitive pay without having to complete an entire study.*

OUR PHILOSOPHY FOR COMPENSATION STUDIES

Government is in the service delivery business, and quality service requires quality employees. An effective compensation system will help you attract and keep talented employees. Likewise, an out-of-date or ill-conceived compensation system will produce turnover and hamper efforts to recruit quality replacements.

In the real world of limited resources, government is increasingly expected to do more with less. Accordingly, a community's pay philosophy must strike a reasonable balance between a desire to pay your good employees well to retain their good services, while at the same time controlling costs to keep faith with the taxpayers. Designing a pay system is not easy, every community is different, and a "one size fits all" approach seldom produces a good result. As we work with you to build the best compensation system for your community, we keep four very practical objectives in mind:

Compensation and Benefits	Internal Equity	Positive and Transparent	Customized
<ul style="list-style-type: none">•Competitive to hire, retain, and motivate qualified employees	<ul style="list-style-type: none">•Satisfy MN Pay Equity Requirements	<ul style="list-style-type: none">•Be open and fair to employees, managers and unions	<ul style="list-style-type: none">•Establish a pay philosophy based on your organization

We approach compensation study work as a practical, common-sense process – not as some theoretical or statistical exercise in regression analysis. We collect information, analyze it, and communicate our findings in simple understandable ways. Our honest goal is to help you design a compensation system that is technically solid, is one you actually understand, and one that works better than what you have now. We measure our effectiveness as a consulting firm not by studies completed, but by studies that are **actually implemented**. We do this through customizing your competitive pay philosophy.

Proposed Services

Introduction and Project Orientation (Included in all options)

- **Project Initiation Meeting:** Facilitated by DDA HR with applicable stakeholders as appropriate (1) to address current issues related to compensation, pay structure, policies, philosophies, and strategies, (2) to discuss the strengths and weaknesses of the current compensation system and (3) to identify possible barriers to implementing and maintaining change.
- **Information Collection:** Organization & salary material collected, including an employee roster, detailing key information (salary, job title, pay grade, etc.).
- **Project Administration:** Meeting with Project Team to develop and confirm detailed project schedule and review system history/materials.
- **Define Communication Strategy:** Partner with the City to design a communication strategy that combines best practices in the industry with practical applications and tools.
- **Employee Orientation Sessions (optional):** Conducted virtually, with one session recorded so any employee who is unable to attend can see the information presented.
- **Job Description Review:** We will undertake a general review of your existing job descriptions and recommend changes to assure compliance with ADA and other State and Federal Requirements. We can rewrite any job descriptions for an additional cost.

WE CUSTOMIZE YOUR COMPETITIVE PAY BY:

- **Approved benchmarks**
 - We will help create a list that matches your demographics, service level, tax capacity, employee numbers and other factors that fit your organization
- **Market results that illustrate where you are to the market**
- **Determine a pay philosophy of where you want to be in relation to the market**
- **Adjusting your pay structure**
- **Ongoing maintenance**

Rewrite Job Descriptions (included with Ongoing Maintenance with Full Study or as needed for \$150)

- Review of Current System: DDA HR will review current job descriptions and provide any comments on any recommended changes.
- Position Analysis Questionnaire (PAQ)- DDA will work with you to design a PAQ that reflects your needs. This document is critical to the process as DDA will use it to create the job descriptions and to evaluate all positions.
- We will distribute a position analysis questionnaire (PAQ) to all employees and their supervisors, asking them to outline all the important requirements for and duties of the job.
- Based upon the information on the PAQs, the job description for each position will be updated or rewritten in standardized format developed with and approved by the Project Team.
- Employees and supervisors will be asked to review the new job descriptions, and we will guide a controlled process for employees to appeal the content of descriptions before they are finalized.
- Addition job descriptions may be added to provide for internal promotional opportunities, or jobs may be consolidated to make administration easier.
- Final job descriptions will be submitted for final approval by department heads, the Project Team and governing Council.
- Job Description Appeal Process: Once jobs descriptions are completed, employees and supervisors will review. If changes are needed, they will complete a Job Description Appeal form.
- DDA will review appeals and work with Project Team and employees to create consistent results.

Job Evaluation (Included in Ongoing Maintenance and Full Study or as needed for \$150)

Job classification is a series of decisions about how a position is valued within an organization. Each factor requires a decision as to how the job under consideration will be rated using levels that are increasingly complex and of great impact, frequency, or quantity. We look at the job rather than the employee. Jobs are evaluated as they exist, or as the management plan says that they should exist, to meet the needs of the organization.

- Review of Current System: DDA HR will review current job descriptions and provide any comments on any recommended changes.
- Job Evaluation: DDA HR will use the existing system to evaluate all jobs using the information gathered from the PDQs.
- Appeal of Assigned Grade: DDA HR will partner with the City to design a structure that aligns internally. However, we strongly recommend an appeal process should an employee feel that their position was assigned an incorrect grade. We will provide forms and a process for the City to use for these appeals with all appeal decisions reviewed by Council.
- Recommend Changes to Current System: DDA HR will conduct analysis of existing classifications and provide recommendations on any changes to current classification plan, to include recommendation of standard classification and titling conventions.
- Review Fair Labor Standards Act (FLSA) Designations: DDA HR will review exempt and non-exempt designations to ensure they are appropriate for classifications and make

recommended changes, where appropriate.

Market Analysis (included in all options)

- MN Data: DDA HR, in collaboration with the Project Team, will (1) confirm the labor market, (2) identify comparable organizations and gather data from various sources including the League of MN Cities, the Association of MN Counties and our roster of data from previous clients. We will work with the Project Team to select a group of benchmarks who you compete for talent, organizations that are similar to your services, and organizations that have similar factors including population, tax capacity, budget, number of employees and others as directed by the Project Team.
- We will collect detailed wage information on *all jobs* that you have in common with these communities – not just a selected list. We plan to utilize the wage survey data that is annually collected in the LMC/AMC wage data base, supplemented by other sources as needed to provide a meaningful set of comparison data. We will organize the results of this analysis using a series of graphs and charts that are designed to clearly show how your current pay ranges and wages compare to those of benchmark entities. This is the information needed to develop a pay structure that balances both internal and external equity and assures compliance with State Pay Equity Compensation Standards.

Pay Grid Calibration (included options 2, 3 and 4)

- Data Analysis: DDA HR will perform the following activities on all data: (1) perform a competitive analysis, (2) conduct a diagnostic review of the current salary structures to identify opportunities for simplification and reduction in pay compression and (3) recommend updates to the existing pay structures or develop pay structures.
- We will provide recommendations and options for either an adjustment of your existing compensation plan, or a replacement plan that produces a better match with your compensation philosophy.
- We will fine tune the plan to establish fair and equitable compensation relationships within and outside the organization that are workable within a union and non-union environment.
- We will provide system testing to assure that any option proposed will comply with the State's pay equity standards and Federal requirements.

Predict Payroll Cost Implementation (included in options 3 and 4)

- We will outline transition options and next steps/costs.
- We will evaluate the cost/budget implications of up to two (2) alternative implementation strategies that consider your current budget constraints. The objective of this work is to provide you with meaningful, employee-by-employee level information that is useful for your detailed budgeting use.
- We will prepare final documents for the plan, including presentation, policy, guidelines, and procedures for administration. Any written and computerized data and supporting information will be submitted as appropriate or requested.

Final Report (included in all options)

- Draft Report and Communications Plan: DDA HR develops draft report and communications plan and discusses report elements with the Project Team
- Quality Assurance: DDA HR conducts quality assurance reviews and provides the draft report to the City for review and feedback.
- Final Report: DDA HR discusses consolidated feedback from the City and finalizes the report and communications plan.
- Guidelines and Policies: DDA HR provides the Project Team with compensation administrative guidelines and policies aligned with the updated/new system for review.
- Final Presentation: DDA HR presents study findings and recommendations to officials.

Ongoing Maintenance

This exclusive DDA Human Resources, Inc. program is designed to eliminate the need for large classification and compensation study every 4 to 6 years. Services include everything needed to keep a freshly updated compensation plan perpetually current. We find that over half of larger communities who have completed a compensation study with DDAHR have opted to convert to this management approach. Our ongoing maintenance scope generally includes a three-year commitment and includes the following services:

- We review, update and reclassify as necessary 1/3 of job descriptions annually.
- We annually update a market analysis of wages with benchmark communities and suggestion changes to pay plan as necessary to remain in tune with the market.
- For any new jobs or changed jobs, we will write and classify the position for placement in the compensation system.
- We will complete and submit a pay equity report every three years or when otherwise required.
- If desired, we will handle data input of wage data into the LMC/AMC salary system

We will provide budget support by:

- Recommending an adjustment to your Pay Plan for the coming year based upon COLA and market factors.
- Preparing up to two (2) analysis of budget impacts of alternatives for wage adjustments.
- Making an annual presentation to the staff and/or selected group on the status of your compensation system.

PROPOSED FEE FOR SERVICES

OPTION 1: MARKET ANALYSIS	TOTAL: \$2,500
OPTION 2: MARKET ANALYSIS AND PAY GRID CALIBRATION	TOTAL: \$4,500
OPTION 3: MARKET ANALYSIS, PAY GRID CALIBRATION AND BUDGET IMPLEMENTATION	TOTAL: \$5,500
OPTION 4: ONGOING MAINTENANCE	TOTAL: \$2,700 EACH YEAR for 3 YEARS

For clients who prefer to receive maintenance support in a less rigorous manner, we offer a full range of support services with standard pricing:

- Write and classify a new or revised job description \$300 per position
- Classify a job description provided by client \$150 per position
- Market Wage Analysis \$100 base fee plus \$150 per position

Hourly rates:

- Professional \$250 per hour
- Technical Support \$150 per hour
- Clerical \$100 per hour

OUR CLIENTS

55 City Classification and Compensation Study Clients

Aitkin	Glyndon	Mankato	Royalton
Audubon	Golden Valley	Mayer	St. Augusta
Brainerd	Granite Falls	Medford	St. Paul Park
Breezy Point	Harmony	Medina	Staples
Caledonia	Hawley	Minneota	Thief River Falls
Cannon Falls	Howard Lake	New Ulm	Victoria
Clarks Grove	Kasson	North St. Paul	Warroad
Crosby	Lake Elmo	Norwood Young America	Watertown
Detroit Lakes	Lake Park	Olivia	Waverly
Dundas	Lakefield	Pequot Lakes	Zumbrota
East Grand Forks	Lanesboro	Pierz	
Eyota	Lester Prairie	Pillager	
Fairfax	Little Canada	Preston	
Fridley	Mahnomen	Rochester	
Gaylord	Mantorville	Rockville	

35 County Classification and Compensation Study Clients

Benton County	Mahnomen County
Big Stone County	McLeod County

Blue Earth County	Meeker County
Brown County	Morrison County
Clay County	Mower County
Cook County	Murray County
Chippewa County	Olmsted County
Dodge County	Polk County
Douglas County	Rice County
Fillmore County	Rock County
Freeborn County	St. Louis County
Goodhue County	Swift County
Houston County	Wadena County
Hubbard County	Waseca County
Jackson County	Wilkin County
Koochiching County	Yellow Medicine County
Le Sueur County	

18 Other Government Classification and Compensation Study Clients

Brainerd Utilities	Murray County Hospital
Counties Providing Technology	New Ulm Utilities
Detroit Lakes Utilities	Rice and Steele 911 Center
East Regional Development Commission	Southlake Minnetonka Police Department
Headwaters Regional Development Commission	Sourcewell
Metro I-Net	Tri-Cap
MN Prairie County Alliance	Tri-County Community Corrections
MN Multi Housing Authority	Upper Valley Regional Development Center
Mower County Soil and Water Conservation District	Washington County Conservation District

City of Dundas
Public Works Staff Meeting / City Engineer Update 5/4/22

May 5, 2022
Agenda

The City Administrator, Public Works Director, and City Engineer meet at least monthly to plan and review projects and tasks, and to discuss public works matters of all types. The agenda used for the most recent Public Works staff meeting forms the basis for the updates that are provided to the City Council. Following is the most recent Public Works staff meeting agenda with notes added.

1. 2021 Street Maintenance
 - 5% retainage will be held until spring of 2022 to reassess tack coat on driveway at 307 Hester Street W before approving final payment.

2. 2022 Sidewalk/Trail Improvements
 - ECRT North-south connection along 1st Street North.
 - Drainage improvements will be made at the low point of 1st Street and Everett Street.
 - Crosswalk markings will be installed on Hester Street at 1st Avenue will be coordinated with Rice County. 11/3/21 County will be responsible for the crossing markings on pavement on Hester Street and 1st Street. The existing pedestrian ramp on the SW corner of the intersection will be expanded for better access to 1st street to the southwest.
 - An 8-foot striped bike lane will be added in the street on the east side of 1st street, extending from the East Cannon River Trail to Memorial Park.
 - Staff plans to send out a request for quotes in February or March with work to begin in the spring.
 - On-street bike lane plan has been revised based on Council comments from the March 14th Council meeting. Revisions include adding bike lane crosswalks at all intersections and striping the west side of the road for on-street parking.
 - 1st Street will be seal coated as part of the 2022 seal coating project. All bike lane striping will be done after the seal coating. This project will be done separately from the Memorial Park Improvements project.
 - ***The SHIP grant funding application was approved by in the amount of \$4,680.00. The City will work with Rice County on media relations as part of the grant funding.***

3. 2022 Storm Sewer Maintenance
 - Hester Street
 - On the south side of Hester Street between the Menard and City ponds; the storm sewer outlet from 3rd Street will be extended, and the pond side slopes flattened in this area. 12-16-21 Menard Inc indicated that they are not willing to turn over the stormwater pond to the City. Staff continues to work with Menard on the maintenance and grading easement.
 - Modification work to the catch basin near the Dundas Dome driveway. Structure cannot be lowered. Lower grade around casting and structure and rip rap area. Regrade from

road and Dundas Dome swale to improve drainage with the possible addition of a concrete flume from street to catch basin. Work will be done in 2022 with potential sidewalk project. Staff is developing a concept plan for this work.

4. 2023 Street Lighting

- On Railway Street down to West Avenue; and including lights at each end of the pedestrian bridge over the Cannon River.
- Updated pricing will be requested from the supplier.
- As part of the project, the existing poles at City Hall will re-located to the Railway Street/Memorial Park area and shorter (16') poles will be installed.

5. Comprehensive Transportation Planning

- 8/9/21 Staff met with Bridgewater Township officials to discuss the road policy/plan referenced in the OAA. Township officials indicated they would submit initial drafts based on the discussion in September. Meeting was held with BWT on 10/27/21 to discuss initial draft. The Joint Road Policy from BWT has been reviewed and staff has prepared a City of Dundas JRP. Staff is in conversation with BWT to set up a meeting date.
- Staff is preparing a preliminary road design and estimate of project costs for street improvements for a portion of 115th Street between CSAH 20 and CSAH 22. Costs are being prepared for state aid design option vs paving the existing gravel. Initial project funding has been identified in the draft CIP. 11-3-21 Staff met with Rice County. County plans to reconstruct CSAH 20 in 2025 and plans look at options to realign the intersection of CSAH 20, 115th Street and TH 3. Coordination between City, BWT, State and County will be required.
- 4/12/21 the City Council approved a resolution in support of Rice County preparing a planning Study of Decker Avenue from TH 19 to CSAH 1. 11-3-21 Staff met with Rice County. The County is planning to revisit the study in 2022.

6. CSAH 1/TH 3 Pedestrian Crossing

- The scope includes a crossing of CSAH 1 connecting the existing trail near the PRV to the sidewalk on Stafford Road North; and pedestrian connections west along the south side of CSAH 1 to Cannon Road.
- A trail would be extended along CSAH 1 from TH 3 to connect to the existing sidewalk on Cannon Road and Stafford Road North. A trail connection would also be made from TH 3 to the existing trail to the northeast.
- Storm sewer modifications would be made to accommodate the new trails.
- The addition of ADA pedestrian curb ramps and crosswalk markings would be added to the intersection. Minor signal modifications and the addition of pedestrian push buttons would be included at all legs of the intersection.
- MnDOT has reviewed the concept and has provided comments.
- A trail would be extended along CSAH 1
- Rice County does not have funding budgeted for cost sharing in 2022. Project would be done in 2023. Staff is exploring funding options and have reached out to Rice County and MnDOT to inquire about cost sharing. Staff is working on identifying cost participation from the County and State.
- A portion of the \$121,900 capital expenditure budgeted for Sidewalk/Trail in 2021 is to further preliminary design of these crossing concepts.
- ***Staff met with MnDOT on 5/4 to discuss cost participation through the Local Partnership Program funding. MnDOT will have internal conversations to discuss the project further. Meeting will be scheduled with Rice County to discuss the project as well.***

7. ECRT Parking Lot

- An aggregate base parking area is proposed to be created at the ECRT on the NE corner of 1st Street N / Everett Street.
- Project is in the 2023 CIP
- Staff contacted the DNR and they would welcome the addition of the parking lot but do not hold any formal interest in the land use of that area. Direction was given to notify Northfield of any improvements.
- ***Staff has revised and reviewed a preliminary layout for the parking lot. Staff will schedule survey to be done on the area to further the design and determine the scope of the project.***

8. Forest Avenue and Depot Street

- Based on recent soil borings, extensive pavement repair has been included in the draft CIP, future construction which will likely include pavement reclamation and a bituminous overlay. The pavement rehabilitation needs of Forest Avenue will be reviewed again in the spring of 2022; mill and overlay needs for Depot Street may become a higher priority. ***Forest Avenue and Depot Street will be reviewed in the Spring to evaluate street conditions.***
- Staff will be getting cores in the roadway on Depot Street from Hester Street to Forest Avenue, to evaluate the condition of the pavement and the subgrade conditions below the pavement. ***Coring has been completed on Depot Street. The recommendation for rehabilitation of the roadway is full pavement removal and replacement or full depth reclamation.***

9. Memorial Park

- Staff will look at installing bike racks near the bleachers. Staff will coordinate this work internally and work will not be included in the project.
- ***Contract was awarded at the April 11th Council meeting to Heselton Construction, LLC.***
- ***Preconstruction meeting was held on April 28th with Heselton Construction and work started on the project on May 2nd. Substantial completion date is May 31st.***

10. Mill Town Trail Head

- The sculpture will be re-set in early 2022.
- Sculpture area landscaping will go out for bid following sculpture reset and cleaning.

11. Northfield Wastewater Treatment

- Meeting was held with City of Northfield on 10/5/21 and 10/11/21
 - Staff performed survey on a section of the sewer shed with high TSS results. Survey results show potential problems with the lines. Staff is coordinating cleaning and televising of lines. Testing will be performed after lines are cleaned. Televising and cleaning of the lines is complete. One area of pipe has installation/settlement issues. Staff is working to identify solutions to correct the pipe in the area.
 - Staff is exploring a new connection between existing manholes to bypass the area of concern. Private utility companies have submitted their maps. Staff will review City infrastructure in the area to create a concept plan and costs.
 - Meetings will be set up twice a year with the City of Northfield to discuss the City of Dundas' wastewater flows with respect to the limits set in the agreement and to stay updated on things Northfield is working on, such as the permit

ammendment. First meeting with Northfield staff will be set up after PCA review period has ended.

- Northfield staff indicated that they are planning to hire a consultant in 2023 to review the Wastewater Agreement. They expect the consultant would suggest modifications to the Agreement to reflect growth projections for both the City of Northfield and the City of Dundas.
- The PCA provided information on the possibility of Dundas having its own wastewater facility. Staff is reviewing the information in order to determine the feasibility of the facility. ***The information will be presented at a work session in June.***
- ***Northfield received written approval from the PCA for the permit ammendment. The City of Northfield will approve future sanitary sewer extension permits and the surcharge will be discontinued while the City's flows remain within the revised limits.***

12. Public Works Tasks

- The storm water code and fees are under review, including sump pump connection requirements. Staff met with Andrew Albers to discuss his concerns regarding the amount of City fees he pays and research he has done on fee options.
- The City received an inquiry regarding converting the Access Road west of TH 3 between CSAH 1 and Hester Street to a public street; a draft policy will be prepared for reviewing these types of requests.
- Staff is working on a concept to install a sidewalk from Railway Street to the future railroad crossing along Hester Street. Work will include relocating the retaining wall and stop sign at 236 Railway Street. ***Staff met on site to review the scope of work.***
- Staff has reached out to Union Pacific Railroad to start conversations about making the sidewalk crossing over the tracks.
- ***2022 Seal Coat Project will include the following streets: 1st Street from Memorial Park to Everett Street. Everett Street from 1st Street to 3rd Street and Highland Parkway from Bluff Street to Bridgewater Parkway. Staff is preparing a quote package for the work.***

13. Regional Storm Water and Wetland

- This will be the next storm water pond cleaning project; the focus for work at the regional pond will be clearing trees/brush and removing sediment. A future study will be done to quantity treatment capacity and service area for the pond.
- ***Staff will be reviewing the scope of work in May.***

14. Two Year Warranty Inspections

- Warranty inspections have been completed for the 2019 projects; Swenke will be contacted about one small settlement on Stafford Road North

15. AT&T East tower antenna modification

- 11/11/21 Staff has approved the submittals and is coordinating the work with AT&T.
- AT&T will provide the City with estimated dates of construction. A preconstruction meeting will be set up prior to any work being performed. Work to begin in February at the earliest. SEH run AT&T run project has been suspended.
- 3/22/22 Preconstruction meeting was held. Contractor will provide project schedule when it is known.

16. Dundas Dome Site

- A request for an extension of the completion date for parking lot work was approved by the City Council on 10/12/20. Extension is through October 2022.

17. Stoneridge Hills 2nd

- On 8/6/21 the City Planner forwarded a letter to the developer indicating their land use application was incomplete for review.
- 11/19/21 Staff and Developer executed a conditional grading permit. Developer has started minor site grading work.
- 2-7-22 Developer submitted revised plans for City Review. Staff has completed a drainage and engineering review for the submittal.
- 3/10/2022 Staff and Developer are working on a conditional grading permit for grading in the City outlot for the stormwater pond in Stoneridge 1st Addition. ***Stormwater revisions for the City outlot stormwater pond have been reviewed and approved.***
- ***5-2-Staff spoke with the Developer's Engineer, and they are working on a new submittal for City review.***

18. Tower Heights

- ***Staff is looking into gates for the emergency vehicle connection on Highland Parkway and 115th Street.***
- 8/12/21 a LOC reduction was authorized.
- 10/6/21 a LOC reduction was authorized.
- 11/30/21 a LOC reduction was authorized.

19. West Avenue Apartments

- 3/26/22 Preconstruction meeting was held with Developer. Developer will inform the City of project start date when it is known.
- ***Weekly and rainfall inspections will be done on behalf of the City through the duration of construction ensure erosion control issues do not arise.***
- ***Grading and excavation began on the site on 5/2.***

20. Industrial Zone – 600 Railway Street South

- Staff prepared a concept plan of street and utility improvements and preliminary cost estimate. Information was presented at the EDA meeting on 11/22/21

21. Pavement Management Plan

- ***Pavement Management Plan approved by Council at April 11th Council Meeting.***
- ***Data collection and inspections for City roadways are scheduled for June and July of 2022.***