

CITY OF DELANO

The undersigned does hereby state that he/she has received a copy of the **“Personnel Policy”** which was adopted by the City Council amended April 20, 2010.

(Signature)

(Date)

CITY OF DELANO
EMPLOYEE PERSONNEL POLICY
AMENDED
April 20, 2010

**CITY OF DELANO, MINNESOTA
ECONOMIC DEVELOPMENT AUTHORITY
PERSONNEL POLICY**

SECTION I. PURPOSE AND SCOPE

A. PURPOSE

It is the purpose of this Policy to provide a uniform, comprehensive, and efficient System of personnel administration and to give effect to provisions of the State Statutes, and the City Code. This Policy is not intended to create a contract between the City and its employees and is intended only as a general guideline.

B. POLICY STATEMENT

These regulations have been written with the realization that the strength and future growth of the City depends directly on the individual contributions made by every employee.

The policy of the City is to be always frank, fair, and honest with its personnel and to respect individual rights of all employees. The City shall continue to strive to achieve mutual respect in working relationships to insist that the supervisor/department heads do all in their power to carry out such a policy. To continue working together successfully, each employee and each supervisor/department head must realize that harmonious relationships are not entirely a matter of rules, but are the outgrowth of daily decisions and cooperative attitudes.

C. ADOPTION, MODIFICATION, AND/OR REVOCATION

This Personnel Policy and Procedures Manual will become effective upon adoption by the City Council of Delano, and may be revised from time to time by the City Council.

D. DEPARTMENTAL RULES

Department heads are expected to maintain efficiency in their operations. With the review and approval of the City Administrator and the City Council, Department Heads may adopt and enforce departmental rules and regulations consistent with this Policy. Department Heads will report upon the efficiency of their subordinates, notify the City Administrator of changes in duties and responsibilities of their employees, recommend pay adjustments, and other personnel matters as necessary.

E. ADMINISTRATION

The City Council, City Administrator and Department Heads shall administer this Personnel Policy and Administrative Policy.

F. SCOPE OF POLICY

1. The Personnel Policies enunciated herein shall apply to all City employees except when in conflict with state law, federal law, or union contracts. The following officers and positions shall be wholly exempt:
 - a. Elected Officials.
 - b. Appointed Members of Boards and Commissions.
 - c. Delano Volunteer Fire Fighters; and
 - d. Consulting and/or contractual personnel.

2. Union Contracts.

Any employee included in a collective bargaining agreement entered into in accordance with the Public Employment Labor Relations Act (Minn. Stat. §179A.01 to 179A.25) shall be exempt from any provision of these policies which is inconsistent with such agreement. Nothing in this part is intended to modify or supersede any provision of the Veteran’s Preference Act, Minn. Stat. §197.455, 197.46 and 43A.11.

The City reserves the right to make any changes at any time to this Personnel Policy by adding to, deleting, or changing any existing policy. The City may vary from this Personnel Policy in any respect, if, in the City Council’s judgment, the circumstances so require.

SECTION II. EQUAL EMPLOYMENT OPPORTUNITY

It is the Policy and intent of the City of Delano not to discriminate in employment and personnel management based upon race, color, creed, religion, national origin, political affiliation, age, sex, handicap, marital status, sexual orientation or public assistance status in all aspects of personnel policies, programs, practices and operations. This Policy applies to all phases of full, part-time, temporary and seasonal employment including, but not limited to, recruitment, hiring, placement, promotion, demotion, transfer, layoff, recall, termination, rate of pay or other forms of compensation, and selection for training. The Policy also applies to the use of all facilities and participation in all city-sponsored employee activities.

**SECTION III. EMPLOYEE CLASSIFICATION
SENIORITY AND PERFORMANCE EVALUATIONS**

A. EMPLOYEE CLASSIFICATION

The City of Delano shall consist of the following classifications of employees: Full-time employees, temporary part-time employees, and part-time employees.

1. Full-time employees: A full-time employee is a person: a) hired to fill a City Council approved full-time departmental position; b) works, including vacation, holiday and sick time, a minimum (or equivalent) of eight hours per day, five days per week, 52 weeks or 2,080 hours per year; and c) is eligible for vacation and sick leave benefits and is entitled to all fringe benefits provided by the City.
2. Temporary Part-time employees: A temporary part-time employee is a person: a) hired purely on a temporary basis; b) is compensated at an hourly rate for the actual number of hours worked; and c) whose employment is to fulfill a specific assignment, usually not to exceed 120 days. Employees working under this classification shall not be eligible for fringe benefits of any kind except those fringe benefits expressly required by law.
3. Part-time employees: A part-time employee is a person: a) hired and approved by the City Council; b) works at least 30 hours (or averages at least 1,560 hours per annum) but less than standard 40 hours per week for 52 weeks per year; and c) is eligible for pro-rated vacation, sick leave and paid holidays and all other fringe benefits as described in Section VI of this Policy relating to the fringe benefits.

B. SENIORITY AND PERFORMANCE EVALUATION

1. Full-time Employees.

The anniversary date for a full-time employee, for the purpose of seniority and performance evaluation for annual merit increase, shall be the first annual date of his/her employment and subsequently each year thereafter.

2. Part-time Employees:

The first and subsequent yearly anniversary date for a part-time employee for the purpose of seniority and yearly performance evaluation for merit increases shall be the date on which an employee completes 2,080 work hours.

SECTION IV. EMPLOYEE RULES AND REGULATIONS

A. EMPLOYEE WORK DAY

1. Work hours: All full-time employees shall be expected to work the equivalent of eight hour days, or 40 hour work week, except for authorized absences. Normal working hours are from 7:30a.m. to 5:00p.m. Monday through Thursday and Friday from 8:00a.m. to 12:00 Noon, or an equivalent number of hours by an arrangement of working scheduled by the Department Head and City Administrator, with the approval of the City Council.
2. Lunch: All employees shall have one-half hour period per day designated for a lunch break as scheduled by the Department Head which shall not be part of the compensated work day. Employees may only be compensated for not taking the designated lunch break with previous approval by the Department Head or City Administrator.
3. Coffee Breaks: All employees may be allowed two coffee breaks of fifteen minutes each morning and afternoon as scheduled by the Department Head. This time is a part of the compensated workday.

B. POLITICAL ACTIVITIES OF EMPLOYEES

1. City employees are neither appointed to nor retained in municipal employment on the basis of their political activities, but rather on the basis of their merits.
2. City employees shall not be required to contribute to any political fund or render any political service to any person or party and no employee shall be separated, demoted or otherwise prejudiced by refusing to do so.

C. GENERAL WORK RULES

The following work rules are applicable to all employees of the City. Department Heads may establish work rules specific to their department consistent with these rules.

1. Employees are to abide by all provisions of the Personnel Policy, ordinances, work rules and other laws and procedures which pertain to them.
2. Employees are to perform all the tasks of their position efficiently and are to comply with their supervisor's instructions unless such instructions are illegal or injurious to their safety or health.
3. Employees are not to indulge in offensive conduct or use abusive language towards the public, or in public, or towards city officials, supervisors or other employees while on duty.

4. Employees are not to be careless or negligent with the monies or property of the City.
5. Employees are not to sleep on the job.
6. Employees are to comply with the City drug and alcohol policy.
7. Employees are not to deliberately or carelessly endanger the safety of themselves or other employees.
8. Employees are not to use, threaten or attempt to use personal or political influence in an effort to secure promotion, leave of absence, transfer, or change of classification, pay or character of work.
9. Employees are not to induce or attempt to induce other employees in the service of the City to commit an unlawful act or to act in violation of any departmental or official regulation, orders or laws.
10. Employees are not to accept from any person or group of persons, any fee, gift, or other valuable thing in the course of, or in connection with work, for personal use, when such gift or other valuable thing is given in the hope or expectation of receiving a favor or better treatment than that accorded to other persons.
11. Employees shall not solicit political contributions from other employees and shall not engage in political activities on City property during work time.
12. Employees are not to falsify personnel records, time reports or other City records or reports.
13. Employees are not to steal, intentionally damage, abuse or destroy City property.
14. Employees are to observe posted no smoking areas
15. Employees are to observe safety rules or practices.
16. Employees are to report all injuries received while on their job to their supervisors as soon as possible, but in any event, no later than 24 hours after the incident.
17. Employees are not to sell, solicit, or collect contributions on the City's time without prior approval of the Department Head or City Council.
18. Employees are to start work at the designated time, are to observe rest periods, are to quit work at the proper time and to remain at their workstation unless authorized to leave.

19. Employees are to notify their supervisors of absence from work in accordance with the personnel policies and departmental procedures.
20. Violation of these rules may lead to disciplinary action(s) as outlined in the Personnel Policy.

SECTION V. PAY DAYS, OVERTIME, AND HOLIDAY COMPENSATION

A. PAY DAYS

All City employees shall be paid bi-weekly on alternate Fridays. When a payday falls on an official holiday, employees shall receive their paychecks the nearest preceding workday.

B. OVERTIME/COMPENSATION

There shall be no overtime worked without prior approval by the appropriate Department Head and/or City Administrator. The Department Head and/or City Administrator may authorize overtime only when the need arises and any overtime thus approved should not exceed the departmental budget appropriations during the year. The payment of overtime will be as follows:

1. Employees who are entitled to overtime pay pursuant to the Fair Labor Standards Act shall be compensated for overtime work at one and one-half times their regular rate of pay.
2. Opportunity to work overtime shall be distributed as equally as practical among employees in each department. If an employee establishes that he/she has not received his/her fair share of overtime, the employee shall have preference to future overtime until an equitable balance is achieved.
3. Employees who are exempt from the overtime pay provisions of the Fair Labor Standards Act shall not be eligible for overtime pay.
4. Overtime shall be accrued for hours worked per week (Sunday-Saturday) over forty hours. Overtime may also be granted in emergency or unusual circumstances for hours worked over nine hours per day (Monday through Thursday) or four hours per day (Friday), with approval of the City Administrator.

C. COMPENSATORY TIME OFF

The administration of compensatory time shall be as follows:

1. Employees must obtain prior approval from the City Administrator for overtime that may be used for compensatory time off.
2. Non-exempt salaried employees shall be compensated for hours worked over forty (40) hours per week at one and one-half times the extra hours worked.

3. Exempt salaried employees shall be compensated for hours worked over forty-five (45) hours per week at one and one-half times the extra hours worked.
4. Exempt employees may be eligible to accrue compensatory time for hours worked between forty (40) and forty-five (45) hours per week in the event of an emergency situation, only when approved in advance by the City Administrator. Such emergency situations include, but are not limited to, flooding, snow plowing, or other unplanned events that require response outside the regularly scheduled work times.
5. At no time shall an employee accrue in excess of eighty (80) hours of compensatory time. In addition, any accrued compensatory time hours in excess of sixty (60) hours must be used by the end of the calendar year or it will be lost and not carried over into the next calendar year. Employees are encouraged to use their compensatory time in the year in which it is accrued.
6. Accrued compensatory time may be taken in one (1) hour units. No more than sixteen (16) hours of compensatory time may be taken consecutively. All scheduling of compensatory time off shall be pre-approved by the City Administrator.
7. When an employee's employment is terminated, voluntarily or involuntarily, that employee is no longer entitled to take accrued compensatory time off or to receive any compensation of any kind for accrued compensatory time.

D. HOLIDAY COMPENSATION

A City employee who works in excess of thirty (30) hours a week and is required by the employee's Department Head or supervisor to work on any City-observed holiday shall be paid double the employee's regular rate of pay or shall receive compensatory time at a rate of two hours per hour worked for the time worked on such holiday. An exception of this policy is effective for employees of Delano Wine & Spirits, who may take a day off in replacement for a holiday within the same work week in which the holiday occurs. A City employee who works fewer than thirty (30) hours a week and is required by the employee's Department Head or supervisor to work on a City-observed holiday shall be paid at one and one-half the employee's regular rate of pay for time worked on such holiday.

SECTION VI. FRINGE BENEFITS

A. VACATION LEAVE

1. The following chart provides detailed vacation earnings and accumulation information for each year of continuous full-time service with the City.

ACCRUAL CHART

<u>Years of Service</u>	<u>Vacation Time</u>	<u>Accumulation Rate</u>
0-5 Years Maximum 160 hours annual carry over	10 Days (80 hrs) per yr.	0.077 hours per comp. hour
6-10 Years Maximum 240 hours annual carry over	15 days (120 hrs) per yr.	0.11 hours per comp. hour
11 + Years Maximum 320 hours annual carry over Plus 8 additional hours per year over 10 years to a maximum of 160 hours earned per year.	15 days (120 hrs) per yr.	0.15 hours per comp. hour

2. No vacation shall be credited to an employee’s account until after six (6) months of continuous satisfactory employment. At this time, the hours accrued during the probationary period will be directly credited to the employee’s account. All employees will then earn vacation at the rate prescribed above, in accordance with their years of service. The beginning date for calculating each year’s authorized vacation is the employee’s anniversary date. No employee shall be eligible for vacation until after six (6) months of continuous employment. This only applies to full-time employees and on a prorated basis to part-time employees who work at least thirty (30) hours but less than forty (40) hours per week.
3. Employees who are employed for temporary and seasonal positions are not eligible for vacation benefits.
4. Leaves granted by the City shall not constitute a loss in years of service with the City. However, vacation time will not be earned during such leaves.
5. All employees shall receive permission from their Department Head and/or City Administrator at least five days before starting a vacation when such vacation is to extend for a consecutive period of more than two days. If the vacation is to be for two days or fewer, permission will be granted without notice if in the opinion of the Department Head and/or City Administrator; City services will not be affected. Vacation will be granted in not less than quarter-hour units, which is to mean that any time taken less than quarter hour will be charged as quarter hour of vacation. Any employee who is eligible for vacation and is leaving the municipal service in good standing after giving proper notice of such termination of employment shall be compensated for vacation leave accrued to the day of separation; or shall be granted time off prior to the employee’s last day of work, provided said employee has served at least twelve (12) consecutive months prior to separation. No employee shall be permitted to waive vacation for the purpose of receiving double pay unless otherwise decided by the City Council as serving the public interest.

6. The employee who requests vacation first shall be given priority. However, should two employees simultaneously request the same vacation time off, seniority shall then prevail unless some mutual arrangements are worked out between the two employees and the Department Head or City Administrator. If an official holiday occurs during a scheduled vacation, the charge against the employee's earned vacation will be reduced one day.

B. SICK LEAVE

1. Eligibility for Sick Leave:

- a. Sick leave is authorized absence from duty, with pay, granted to employees in full-time regular positions and part-time employees who meet the criteria set forth in subsection (b) (ii). Sick leave is not a privilege which an employee may use at his/her discretion and shall be used only in case of necessity and actual need as outlined in this section.
- b. All regular, full-time employees and part-time employees shall be entitled to paid accumulated sick leave as follows:
 - i) All regular, full-time employees shall accumulate sick leave at the rate of eight hours for each complete month of service; and
 - ii) All part-time employees who work at least thirty (30) hours but fewer than forty (40) hours per week, or averaged between 30 and 40 hours per week shall accumulate sick leave prorated to the number of hours regularly worked or averaged for each continuous month of service.
 - iii) Employees who are employed for temporary or seasonal positions either on full-time or part-time basis shall not be eligible for any paid sick leave.
- c. New employees shall not be allowed to utilize accumulated sick leave until they have been employed continuously for six months.
- d. The maximum number of sick days an employee may accrue is limited to thirty (30). Compensation shall not be permitted for unused sick leave.
- e. Sick leave shall not be earned by an employee during a leave of absence without pay, or time otherwise not worked or paid unless the leave is for military leave as defined by Minn. Stat. §192.26 or §192.261.

2. Administration of Sick Leave:

The following procedure will be followed in administering the sick leave policy of the City.

- a. If approved, an employee may use accrued sick leave when he/she cannot perform work duties due to: illness, disability, including a pregnancy related disability, physical examinations, necessity for medical, dental or chiropractic care, exposure to contagious disease where such exposure may endanger the health of others with whom the employee would come in contact in the course of performing work duties. An employee may use accrued sick leave due to an illness of an injury to the employee's child or parent for such reasonable periods as the employee's attendance with the child or parent may be necessary, and on the same terms the employee is able to utilize sick leave benefits for the employee's own illness or injury. Sick leave will not be allowed when absence is due to willful misconduct or any illness or injury incurred while self-employed or employed by another employer(s).
- b. To receive approval for sick leave the employee must communicate with his/her immediate supervisor no later than 30 minutes after the time set for beginning work during the normal workday. However, should the supervisor or department head determine that the employee was unable to contact the supervisor or department head during the time allotted; sick leave may nonetheless be approved. To remain eligible for sick leave, employees are responsible for keeping their supervisors advised of the progress of their injury or illness or the health status of their sick child or parent.
- c. A medical doctor's certificate may be required for any sick leave absence; however, if an employee's sick leave exceeds three days in duration, a medical doctor's certificate shall be provided which certifies that the employee is sick or injured to the degree that prevents the employee from performing the employee's normal duties. Upon returning to work, the employee shall provide a medical doctor's certificate which states that the employee's physical condition is such that it will allow the employee to perform the employee's normal duties without qualification. When an employee utilizes sick leave for the care of a sick child or parent, a doctor's certificate documenting the illness shall be provided if the leave exceeds two days in duration. All medical doctors' certificates required by this paragraph will be obtained at the employee's expense.
- d. Sick leave shall be used in units of not less than quarter-hours.
- e. After all accrued sick leave is used, vacation leave may be used to the extent the employee is eligible for such leave. If accumulated vacation leave is used as an extension of sick leave, it shall be used under the same conditions as sick leave.
- f. Accumulated sick leave cannot be transferred from one employee to another.

- g. An employee who makes a false claim of sick leave shall be subject to disciplinary action, including discharge, as provided in Section X of this Policy.
- h. Sick leave used shall not count as time worked for purposes of overtime calculations.

C. FUNERAL LEAVE

Each benefits earning employee shall be allowed to use a maximum of 24 hours of sick leave every year for a death of a family member or close acquaintance. If an employee needs additional time off relating to a death, such time off shall be a Leave of Absence, without pay, unless the employee elects to take vacation time.

D. JURY DUTY, OTHER LEGAL DUTIES, VOTING IN NATIONAL AND STATE ELECTIONS

- 1. Employees shall be granted leave with pay for required jury duty. Such employees will receive that portion of their regular compensation which will, together with their jury duty pay or fees, equal their total compensation, for that period. An employee excused or released from jury duty during the employee's regular working hours shall report to the employee's supervisor immediately.
- 2. Employees shall notify their supervisor as soon as possible after receiving notice to report for jury duty. The employee will be responsible for insuring that a report of jury duty is completed by the Clerk of Court each week so the City will be able to determine the amount of compensation due for the period involved.
- 3. Employees shall be granted leave with pay for appearances as a witness for a Court, Legislative Committee, or other body in a proceeding involving the federal government, State of Minnesota, or a political subdivision thereof, if the appearance is in response to a subpoena, or direction by a proper authority and if such attendance is in connection with the employee's official duties. The City Administrator shall approve such leave.
- 4. Every employee who is entitled to vote any statewide general election or federal general election shall be granted a reasonable amount of time off with pay in the forenoon to vote.

E. MILITARY LEAVE

An employee is entitled to military leave pursuant to the provisions of Minn. Stat. §192.26 or §192.261 and/or U.S.C.A. Title 38, §2021.

F. LEAVE WITHOUT PAY

1. Maternity/Paternity Leave:

- a. Pregnant employees in regular full-time or part-time positions shall be granted a leave of absence without pay (except for payments made under sick-leave provisions of this policy) for four months for maternity/paternity (childbirth or legal adoption). If possible, the employee shall notify her supervisor at least thirty (30) days prior to the date the leave is to commence and also indicate the date said leave will end.
- b. If necessary, the department head may require medical certification stating that the employee is able to perform the duties of her position until the commencement date of the leave.
- c. When the employee returns to work she or he will be reinstated to her original position or a position in a same or similar class with the same pay range. If the employee desires she or he may revise the end date of her leave by notifying the department head. These changes shall not extend the leave beyond four months from commencement of the leave. In the case of maternity leave, the department head may require that the employee produce medical certification that she is fit to return to work.

2. A request for an extension of a maternity leave of absence beyond the four months limit shall be treated as a personal leave without pay. Sick Leave Without Pay:

- a. A leave of absence without pay, not to exceed six (6) months, may be granted to regular full-time or permanent part-time employees because of illness or injury. A statement from the proper medical authority delineating the type of illness and expected date of return shall be provided before such leave is granted. A request to extend the sick leave beyond the expected date of return may be granted if accompanied by the appropriate medical statement but in no case shall leave exceed six (6) months in duration.
- b. Certification stating that the employee is fit to work may be required before the employee is allowed to return to work. A request for a sick leave of absence without pay beyond the six month limit shall be treated as personal leave.

3. Personal Leave Without Pay:

A department head may allow permanent employees in regular full-time positions to be absent without pay for personal reasons for a period or periods not to exceed thirty (30) days in a calendar year. Such requests for personal leaves must be approved by the City Council. Employees shall request such leaves in advance of the date so desired. The best interest of the City shall be the only consideration in granting a personal leave without pay. In no instance shall an employee be granted a personal leave without pay if he/she can use accumulated vacation time.

4. General Leave of Absence Regulations:

Sick leave, vacation time, and seniority shall not accumulate during a personal leave of absence, which is authorized by department heads and City Council. Accrued amounts of sick leave, vacation time and seniority shall remain on record at the inception of the leave of absence and shall resume upon the return of the employee. City-paid insurance benefits described in Section VI, Subsection J (1) of this Policy, terminate at the end of the month during which any leave of absence described in Section VI, Subsection F (3) commences, unless otherwise authorized by the City or unless the employee wishes to continue these benefits at his/her own expense, in which event the employee may do so by filling out the proper forms available in the City Clerk's office.

G. UNAUTHORIZED LEAVE

Any absence of an employee from duty, including any absence for a day or part of a day, that is not authorized pursuant to the provisions of this Policy shall be without pay and the employee may be subject to disciplinary action including discharge, as provided by Section X of this policy. City-paid insurance benefits are reinstated upon return to City employment.

H. HOLIDAY

1. The following calendar days and such other days as the City Council may fix are deemed holidays with time off with full pay to all regular full-time employees. Part-time employees who regularly work at least thirty but fewer than forty hours per week shall receive holiday pay that is prorated to the number of hours regularly worked. An employee is entitled to holiday pay as specified above only if the employee works all regularly scheduled hours of that employee's last regularly scheduled work day prior to the holiday and all regularly scheduled hours of that employee's next regularly scheduled work day after the holiday.
2. All official holidays shall be considered to commence at the beginning of the first shift on the day of which the holiday is observed and continue for twenty-four hours thereafter.

HOLIDAY	DATE
New Years Day	January 1
Martin Luther King's Birthday	3 rd Monday in January
President's Day	3 rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	1 st Monday in September
Veteran's Day	November 11
Thanksgiving Day	4 th Thursday in November
Day after Thanksgiving	Friday after Thanksgiving
Christmas Eve	December 24

3. Whenever a holiday falls on Sunday, the following Monday shall be considered the holiday. Whenever a holiday falls on a Saturday, the preceding Friday shall be considered the holiday. This provision shall not apply to those employees regularly required to work on Saturday and/or Sundays, provided, however, that all eligible employees shall receive the same number of holidays. If the holiday is observed on an employee's scheduled day off or during a vacation day, said employee shall be paid or given a compensatory day off for the unworked holiday at the option of the City.
4. Eligible employees shall receive pay for official holidays at their normal rate of pay provided they are in pay status the last regular shift to which they would have been assigned following the holiday.
5. Eligible employees that are required to work on any city-observed holiday will be compensated as provided in Section V, Subdivision C, of this Policy. For the purpose of computing over-time, all holiday hours (worked or unworked) for which an employee is compensated (in cash or with compensatory time off) shall be regarded as hours worked.
6. An employee that observes a religious holiday on days which do not fall on a Sunday or a legal holiday shall be entitled to such days off from employment for such observance. Such days off shall be without pay except where the employee has accumulated vacation leave, and in that case such days off shall be charged against the accumulated vacation leave unless the employee is able to work an equivalent number of days at some other time during the fiscal year to compensate for the day(s) lost.

H. INSURANCE, SUPPLEMENTAL INSURANCE, WORKER'S COMPENSATION AND UNEMPLOYMENT COMPENSATION, RETIREMENT, UNIFORM ALLOWANCE, SEVERANCE PAY AND DEATH BENEFITS

1. Insurance and Supplemental Insurance Benefits:

a. Life Insurance

The City may make available and contribute towards the cost of Term Life Insurance Policy Death and Dismemberment coverage for regular full-time employees and part-time employees that elect to receive coverage. If an eligible employee opts to purchase a policy for his/her dependent(s), he/she shall be required to pay the cost of dependent coverage.

b. Hospital, Medical, Surgical and Dental Insurance

The City may make available and contribute towards the cost of group hospitalization, medical, surgical and dental insurance coverage per Council resolution from time to time for all regular full-time and all part-time employees (who work at least 30 hours per week) and their dependents who wish to participate in the group policies selected and authorized by the City.

2. Workers Compensation

Upon request of a full-time employee who is absent from work as the result of a compensable injury covered under the provisions of the Worker's Compensation Act, the employer will pay the difference between the Worker's Compensation benefit received and the employee's normal base pay, to the extent of the employee's earned sick leave.

- a. Such payment shall be made by the employer to the employee only for the period of the disability or until the employee's earned sick leave is exhausted.
- b. The deduction from an employee's earned sick leave shall be a prorated amount based on the Worker's Compensation benefit and the employee's normal daily wages.

3. Retirement Benefits

- a. The City of Delano is a member of the Public Employee's Retirement Association (PERA). This is a statewide organization that administers the retirement funds for public employees. Most employees are covered under the Public Employee's Retirement Association – Federal Social Security Old Age Survivor's Insurance (PERA-OASDHI) combined retirement plan.
- b. It is important for retiring employees to contact the PERA office for a suitable annuity plan. They are, therefore, advised to contact the PERA office at least four months prior to their retirement:

Public Employees Retirement Association
914 St. Peter Street
Suite 200
St. Paul, MN 55102
Telephone: 651-296-7460

c. ICMA

The City of Delano is a member of the International City Management Association (ICMA) Retirement Fund. All employees may contribute the City's paid portion of benefits towards this fund of their own contribution per annual allowable amount.

4. Uniform Allowance

A uniform allowance shall be allowed for those employees who are required to wear uniforms by the City. The amount of such an allowance will be determined by the City Council by a resolution from time to time.

5. Severance Pay

All eligible employees who retire or whose service is terminated in good standing after twenty (20) years of employment with the City shall be entitled to payment for accumulated vacation time plus unused sick leave not to exceed sixty (60) days at the time of separation.

6. Death Benefits

Upon the death of an employee, severance pay will be made available upon demand by the decedent's surviving spouse, dependents or personal representative, in the form of a check made payable to the decedent's estate. Severance pay shall include accumulated sick leave not to exceed sixty (60) days, accumulated vacation pay, and all wages earned but not received by the deceased employee.

**SECTION VII. TRAVEL AND EDUCATIONAL EXPENSE
REIMBURSEMENT POLICY**

A. POLICY STATEMENT

It is the policy of the City to reimburse employees for expenses incurred while performing and conducting official business and attending seminars, conferences, conventions, workshops or other educational functions approved by the City in order to provide opportunities for career growth and development necessary and directly related to the betterment and efficiency of City functions.

B. ALLOWABLE TRAVEL EXPENSES

1. Mileage shall be reimbursed when using an automobile for travel as established by Council. For other modes of transportation, expenses shall be reimbursed if prior approval is obtained from the City Administrator.
2. Meals shall be reimbursed while traveling outside of the City.
3. Lodging shall be reimbursed when overnight travel is required.

C. AUTHORIZATION

1. Upon recommendation of the department head, the City Administrator shall be responsible for authorizing travel. When travel expenses exceed budgeted travel expenses, City Council approval is necessary prior to authorizing travel.

2. Travel expenses will be reimbursed only if the employee is representing the interests of the City.

D. PROCEDURE FOR REIMBURSEMENT

1. The employee shall submit an expense sheet and receipts verifying expenses to the City Administrator through the department head. Expenses are generally reimbursed after they have been incurred. Total or partial advance reimbursement is possible upon approval of the City Council. If advance reimbursement is made, the employee must submit the expense sheet and receipts verifying expenses at the earliest possible date.
2. The City Administrator and City Council must approve expenses prior to the reimbursements.
3. A special check will be issued for expense reimbursement after the claim is audited by the Council.

E. ALLOWABLE EDUCATION EXPENSES

1. Fees for seminars, conferences, conventions, or other educational functions required by the City.
2. Subject to advance approval of the City Council, tuition fees for continuing education classes which are successfully completed by the employee and cover work-related subjects.
3. 100% of the cost for required books or materials.
4. Travel expenses as defined in Section VII.B. (1).

F. AUTHORIZATION

1. Prior to attending the function for which expense reimbursement is desired, the employee must obtain the approval of the City Administrator. If anticipated expenses will exceed the department's budgeted travel expenses, approval of the City Council must be obtained.
2. The content and objectives of the function must be directly related to the employee's present position.
3. The department head and employee shall identify in writing the function and state the objectives of the employee's attendance. A copy shall be filed in the employee's personnel file and the employee shall receive the original.

G. OTHER COMPENSATION

An employee who is attending a seminar, conference, workshop, etc., that is required by the employer and related to City business, shall be paid the regular pay for a normal workday. Exceptions to this provision shall be clearly stated.

**SECTION VIII. PERSONNEL RECORDS AND REPORTING
PERSONNEL EVALUATIONS AND MERIT PAY**

A. EVALUATIONS

Reasonable efforts will be made to conduct personnel evaluations before the beginning of each calendar year. An evaluation made by the employee's supervisor shall be submitted in writing to the employee and the City Administrator. Evaluations shall be based upon the performance of the individuals in the position measured against established job performance criteria. Such criteria may include level of knowledge, skills, ability, personal work traits, compliance with established City or department rules and regulations or any other criteria that indicates performance. The results of the employee's evaluation may have an impact on his/her salary, benefits, and/or employment status.

B. ONE-TIME MERIT PAY

All merit increases must be approved by the City Council and nothing in this policy requires the granting of a merit increase. Merit increases are also subject to budgetary constraints and the requirements of state and federal laws. Employee's who receive merit pay are expected to continue performing at an exceptional level and may have their wages frozen or reduced if their performance decreases.

The purpose of the One-time merit pay policy is to provide incentive for employees to strive for exceptional levels of performance. One-time merit may be awarded to an employee under one or more of the following circumstances:

- For projects or situations where the employee rises above and beyond their normal duties or work level in order to accomplish a work assignment or serve the public.
- Consistently high performance.
- Substantially improved quality and/or increased productivity.
- Overcame adverse obstacles or worked under unusual circumstances.
- Demonstrated exceptional creativity.
- Increased process, department, or City effectiveness or cost savings.
- Demonstrated exceptional customer service.

The one-time merit may consist of up to 2% of the employee's current annual pay or up to 40 hours added to the employee's annual leave bank or a combination thereof. One-time merit is not added to the employee's base wage. One-time merit will be awarded by

the City Council upon recommendation of the City Administrator and Department Head, if applicable.

C. PERFORMANCE AWARDS

The City may, at its discretion, establish an Exceptional Performance Award and give an annual award for performance of service by a City employee. The award may consist of a monetary or non-monetary gift. A Performance Award shall only be granted according to guidelines as established by the City Council.

The purpose of the Performance Award policy is to provide incentive for employees to strive for exceptional levels of performance. A Performance Award may be awarded to an employee under one or more of the following circumstances.

- For projects or situations where the employee rises above and beyond their normal duties or work level in order to accomplish a work assignment or serve the public.
- Consistently high performance.
- Substantially improved quality and/or increased productivity.
- Overcame adverse obstacles or worked under unusual circumstances.
- Demonstrated exceptional creativity.
- Increased process, department, or City effectiveness or cost savings.
- Demonstrated exceptional customer service.

Annually, at their December meeting, the Human Resource Committee will review the nominations for the Performance Award that were submitted that year. This program is designed to commend truly significant contributions, the City Council on recommendation of the Human Resource Committee may only approve an award which, in their professional judgment, is truly merited and meets the program purposes and guidelines.

SECTION X. MISCELLANEOUS PROVISIONS

A. IDEAS AND SUGGESTIONS

The City welcomes suggestions from employees for improving the personnel program of the City. Such suggestions may be presented to the City Council either orally or in writing. If it becomes apparent that changes in any part of the personnel program are necessary, such changes will be submitted to the City Council for consideration and approval.

B. LOST OR STOLEN PROPERTY

Employees shall be responsible for all City equipment and material issued to them. If such equipment or material is lost or stolen, it should be reported to the employee's immediate supervisor or department head at the earliest possible time.

C. SAFETY AND HEALTH

1. All department heads shall be responsible for establishing and maintaining active safety programs within their respective departments and coordinate all the safety measures with the City Administrator's office. All employees are expected to conduct themselves and handle equipment in such a manner as to avoid accidents and are also responsible for observing all city and department safety rules, and reporting unsafe working conditions to their supervisors and department heads.
2. All accidents/injuries occurring while performing normal city duties shall be reported to the City Administrator within 24 hours by filling out the First Report of Injury Form.
3. Before commencing employment, every person appointed to a position with the City may be required to undergo a physical examination by a medical authority selected by the City to verify that the individual is able to competently perform the duties of the position. An employee may be required to undergo a periodic examination to protect the health and safety of other employees. The City shall pay the cost of all examinations required under this section when such examinations are ordered by the City Council.

D. RESIGNATION

Any employee wishing to leave the City in good standing shall file with the employee's department head, at least fourteen days before leaving, a written resignation stating the effective date of the employee's resignation and the reason for the resignation. If the employee fails to comply with this procedure, the employee shall be considered not to have resigned in good standing.

SECTION XI. DISCIPLINARY ACTION PROCEDURES

A. POLICY STATEMENT

In general, City employees shall be subject to disciplinary action for failing to fulfill their duties and responsibilities, including observance of work rules adopted by the Council or the employee's supervisor. The department head, City Administrator or City Council shall investigate any allegation upon which disciplinary action might be based before any disciplinary action is taken. Discipline will be based on the nature and severity of the infraction and conditions surrounding the incident. Disciplinary action may include oral reprimand, written reprimand, involuntary demotion, forced transfer to a comparable position under a different supervisor, withholding a salary increase, or decreasing the employee's salary, suspension, and dismissal.

B. SUSPENSION

Subject to state law on veteran's preference, the City Council may suspend an employee without pay for disciplinary reasons.

C. DISMISSAL

Subject to state law on veteran's preference, any employee may be dismissed from municipal service by the City Council for any reason.

D. DISCIPLINARY PROCEDURES

1. Responsibility for initiating and administering disciplinary action lies with supervisors, department heads, the City Administrator and the City Council.
2. An incident that may be subject to disciplinary action shall be investigated at the earliest possible date.
3. Proposed suspensions without pay and dismissals will be subject to Council approval before they may be acted upon.
4. Any information pertinent to a disciplinary action, including written notices to the employee shall be maintained in the employee's personnel file.
 - i. Documentation will be signed by the employee to acknowledge that the employee has viewed the documentation. If an employee refuses to sign, it should be appropriately noted on the documentation and filed.
 - ii. In cases where disciplinary action has been initiated based on allegation, and the allegation has proven false, all written items pertaining to the case shall be removed from the employee's personnel file and the employee informed of this action.
5. All employees shall be subject to the terms of this disciplinary policy and procedure in accordance with State or Federal law and pertinent contract agreements.
6. The City may vary from the procedure set forth above if, in the Council's judgment, the circumstances so require.