

CITY OF REMER
PERSONNEL POLICY

Adopted effective July 1, 2013

POLICY STATEMENT

It is the purpose of this policy to establish a uniform and equitable system of personnel administration for employees of the City of Remer. The provisions of this personnel policy do not establish contract terms and shall not be construed as contractual provisions. All employees shall be “at will” employees. Although we hope your employment relationship at the City of Remer will be long term, either you or the City may terminate the employment relationship at any time. This policy provides guidelines for behavior from which the City Council may deviate and may be amended at any time at the sole discretion of the City Council.

It is the intent of the City to be in compliance with the laws governing employment as set forth in Minnesota Statutes and by the federal government. If any provision of this policy is in conflict with such laws, the laws shall prevail.

If any specific provision of the Personnel Policy conflicts with any current labor agreement, the labor agreement will prevail. Any policy or portion thereof that does not conflict with a labor agreement will remain in full force and effect and will continue to govern the actions of all covered employees.

EQUAL EMPLOYMENT OPPORTUNITY (EEO)

The City of Remer is committed to providing equal opportunity in all areas of employment. No person shall be employed, promoted, demoted or discharged by the City or in any way favored or discriminated against because of political opinions or affiliations, race, color, creed, national origin, religion, sex, sexual orientation, age, marital status, status with regard to public assistance, disability, or any other category protected by law, or because of the exercise of any rights under provisions of the [Public Employment Labor Relations Act](#).

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CONDITIONS OF EMPLOYMENT

This Personnel Manual applies to all public employees of the City of Remer.

A full-time employee is defined as an employee normally scheduled to work forty (40) hours each week averaged over a four (4) week period. A full-time employee is also a non-Union employee that is hired to work in a “permanent” position, scheduled forty (40) hours per work week.

A part-time employee shall be hired or be paid for a minimum of four (4) hours per call. A part-time employee is defined as an employee normally scheduled to work less than forty (40) hours each week averaged over a four (4) week period. A part-time employee is also a person whose service does not exceed the lesser of 14 hours per week or 35 percent of the normal work week in the employees appropriate unit, or an employee who works in a position that is reasonably expected to be less than sixty-seven (67) working days in a calendar year, or is a student worker who is scheduled for less than one hundred (100) working days in a calendar year, all as set forth in the job description approved by the City Council. The determination of the number of working days for part-time employees will start with the first hire date per calendar year. Part-time employees shall not be eligible for any benefits, except those which may be set forth below or required by law.

Since all employees share the responsibility for keeping their department operating in an orderly, safe and efficient manner, they are entitled to know the types of conduct that contribute to fulfilling their department’s functions. At a minimum, all employees are required to observe the terms and conditions of the City policy, including the following rules:

1. Be on time and ready to begin work at the specified time;
2. Stick by the job and avoid interrupting the work of others by unnecessary visiting;
3. Help keep the work area and equipment in good order;

4. Restrict the use of the telephone. Personal calls during working hours are discouraged and should be brief when necessary;
5. Be an example. Your conduct and attitude as a public employee should be beyond criticism and should not draw unfavorable attention;
6. Be courteous and cooperative with public officials, your fellow workers and members of the public. Do what you can to help new employees adjust to their job; and
7. Perform duties as directed through your job description, supervisor, Personnel Committee or City Council.

All City employees will be required to submit a W-4 form at the beginning of each fiscal year and an employee information form at certain times.

PERSONNEL COMMITTEE

In January of each year, along with other City appointments, the City Council shall appoint the Mayor and one member of the City Council to serve as a Personnel Committee.

This Committee will have the responsibility for the following tasks:

- Oversee the City employee workforce on behalf of the City Council, including review of employee work schedules and time cards
- Conduct employee performance reviews on behalf of the City Council
- Review and recommend updates to job descriptions
- Review and recommend updates to the City Personnel Policy
- Investigate any reports of employee misconduct and report to the City Council

The Personnel Committee will not have the power to make final decisions, but will make recommendations to the City Council regarding these and any other personnel related issues.

EMPLOYMENT OF MINORS

A minor under age eighteen (18) may not be employed under certain conditions and may not perform certain occupations as set forth in existing legal requirements. An individual must be sixteen (16) years or older to operate push or riding lawn mowers and weed whips but are restricted from operating most other City-owned power drive equipment. An individual must be eighteen (18) years or older to drive City vehicles as part of their normal duties.

DATA PRACTICES

The [Minnesota Government Data Practices Act \(Minnesota Statutes Chapter 13\)](#) affects employees of the City of Remer.

Official employee personnel files shall be maintained in the City Clerk's office. Information contained in these files which is classified as public shall be made available to the public upon request within a reasonable time and during regular business hours. Information contained in the files which is not public will only be made available to City staff and elected officials who have need of it in order to conduct the business of the City.

Under the Minnesota Government Data Practices Act, the following data is automatically public:

- an employee's name
- whether an employee is a veteran
- relevant test scores
- an employee's rank on the City's eligible list
- an employee's job history
- an employee's education and training
- an employee's work availability
- an employee's actual gross salary and salary range
- an employee's actual gross pension
- the value and nature of an employee's fringe benefits
- the basis for the amount of any added enumeration, such as expense or mileage reimbursement, in addition to any employee's salary
- an employee's job title

- an employee's job description
- the dates of any employee's first and last employment with the City
- the status of any complaints or charges against an employee while employed by the City of Remer, whether or not they result in disciplinary action
- the final outcome of any disciplinary action taken against an employee of the City of Remer and all the supporting documentation about the case
- an employee badge number, if any
- an employee's work location and work telephone number
- honors and awards received
- data which accounts for an employee's work time

Anything not listed above which is placed in an employee's personnel folder (such as medical information, letters of recommendation, resumes, etc) is made by this statute to be private information, and will not be shared with anyone but those members of the City's staff and elected officials who must use it to file personnel records, or to conduct normal City business. The City will give access to personnel files as required by state and federal laws.

Employees who wish to review their own file should contact the City Clerk. Employees may review information in their own file in the presence of the City Clerk.

EXPOSURE TO HAZARDOUS SUBSTANCES

Any employee routinely exposed to hazardous substances or harmful physical agents as defined in the [Minnesota Employee Right to Know Act of 1983 \(Laws 1983, Chapter 316, Minnesota Statutes Sections 182.65 – 182.675\)](#) shall be trained before being assigned or reassigned work exposing the employee to such substances or agents. Training shall include an explanation of how and where information about hazards is stored in the workplace, how the hazards are labeled, and where to obtain specific information. The City shall provide for such training and for compliance with the [Minnesota Employee Right to Know Act of 1983](#), including the establishment of specific policies to insure compliance with the state law and regulations. An employee acting in good faith

has the right to refuse to work under conditions that the employee reasonably believes presents an imminent danger of death or serious physical harm to the employee.

MEDICAL INFORMATION/SAFETY

Due to the effect that certain prescription and over the counter medications may have on an individual, all employees who are using prescription medications are required to have their doctor provide information to the City about any restrictions on their work activities. Employees should also report their use of any over the counter medications that may affect their job performance to their supervisor. Based on objective evidence, employees who are taking medications that may affect their ability to safely perform job functions, especially the operation of vehicles and equipment, will be assigned other duties. If no appropriate duties are available, the employee will be granted unpaid leave until such time as duties become available that they are able to perform, or until such time as they are deemed able to return to their normal work duties.

Employees having medical conditions which could affect their safety on the job or the health and safety of other employees or the public should discuss these conditions with their supervisor. Appropriate measures will be taken to provide for the safest working environment possible.

RECRUITMENT

The Personnel Committee shall be in charge of writing advertisements for open positions and the publishing and placement of the advertisement. The City Clerk will be responsible for keeping track of applications as they are submitted. Each application/resume will be rated using a 100-point Training and Education (T&E) form, which will be prepared by the Personnel Committee. Applicants scoring at or above the minimum requirement set by the Personnel Committee on the T&E form will be called in for interviews. The Personnel Committee will be responsible for preparing interview questions and shall conduct the interviews. The Personnel Committee will present its recommendation to the City Council after interviewing each candidate. The City Council shall make the final hiring decision.

In instances where it would be beneficial to accelerate the hiring process, the City Council may authorize an individual or committee to complete any or all steps in the foregoing process.

All applications for employment shall be kept on file for two (2) years following the date of their submission to the City.

BACKGROUND CHECKS/PRE-EMPLOYMENT DRUG TESTING/CONFIRMATION OF HIRE

Job applicants who are offered positions with the City may be required to authorize the City to conduct a background check and will be required to submit to pre-employment testing in accordance with this policy and with [Minnesota Statutes Sections 181.950-957 \(1987\)](#), the [Minnesota Drug and Alcohol Testing in the Workplace Act](#). The offer of hire will be contingent upon the successful outcome of the background check, job related physical and mental testing, and drug and alcohol testing. Upon receipt of the background check and pre-employment testing results, the Personnel Committee will meet to review the same. Information presented will be considered in relation to the duties of the position as listed in the job description to determine if the applicant is a suitable candidate for the position. Upon their review of the background check and pre-employment testing results, the Personnel Committee will recommend that the City Council either confirm or rescind the offer of hire to the applicant based on this information. Due to the length of time it takes to receive background check and pre-employment testing results, the applicant may be allowed to begin working for the City immediately upon their acceptance of the offer of hire with the understanding that the offer could be rescinded based on the results of the background check and pre-employment testing once they are received. As required by the Criminal Offenders Rehabilitation Act (Minnesota Statutes 364.05), the City will notify certain job candidates whose employment offer is rescinded based on criminal history of the following:

1. the grounds and reasons for the denial or disqualification;
2. the applicable complaints and grievance procedure as set forth in Minnesota Statutes Section 364.06;

3. the earliest date the person may reapply for a position of public employment or a license; and
4. that all competent evidence of rehabilitation presented will be considered upon reapplication.

EMPLOYEE PERFORMANCE EVALUATION

All full-time and part-time employees shall be probationary employees for the first six (6) months of employment and during such period may be discharged by the employer without cause. Employees will have their first performance evaluation at the end of their six-month probationary period. After that, the employee will be evaluated on a yearly basis. Prior to the evaluation, the employee will be asked to complete a questionnaire. The supervisor of the employee may be polled to assist the Personnel Committee in the performance review. The Personnel Committee shall perform employee evaluations at a closed session; provided however that such a meeting must be open at the request of the individual who is the subject of the meeting. The employee is required to be present at a portion of this session. The employee will receive a copy of the results of the performance evaluation and will be required to sign it acknowledging that they participated in the evaluation. The signature of the employee does not mean that the employee necessarily agrees with the results of the evaluation. The signed copy of the evaluation will be retained in the employee's personnel file along with copies of any evaluation form filled out by their supervisor. The results of the completed evaluation will be forwarded to the City Council and are subject to public reporting in accordance with the Minnesota Data Practices Act.

The Personnel Committee shall be responsible for creating, handing out, and collecting employee questionnaires and the forms used by the Personnel Committee for the evaluation. The Personnel Committee may review the performance evaluation forms used and makes changes to the format and content as they feel necessary.

ATTENDANCE

Tardiness and absenteeism detract from the efficiency and service levels of City department. Employees who are unable to report for work at the scheduled starting time should notify their supervisor

before the work shift begins. Failures to report for work and/or excessive tardiness may be grounds for disciplinary action.

If you find yourself unable to report to work at the assigned time, the following process must be followed to avoid an unexcused absence:

1. Employees must call the City office or a Personnel Committee member prior to your normal work start time to report your inability to work. If the City office is not yet open, leave a message on the answering machine as to the reason for your absence. In addition, you must call the City office in person, that morning, between the hours of 8:30 a.m. and noon, to speak directly to the City Clerk about your absence.
2. If you are a person responsible for the work of others during the time that you will be absent, it is also your responsibility to contact them to make them aware of your absence and to provide them with direction on what to do. This also must be done prior to their normal work start times.
3. In the event that the City office will be closed for that day, you must communicate your absence to a member of the Personnel Committee.
4. If you are a seasonal or part-time worker who answers to a City supervisor, you must contact your supervisor prior to your normal work start time to report your absence.

Failure to follow this process to report your absence may be reason for disciplinary action up to and including dismissal. For those employees covered under an effective labor agreement, these provisions specifically address unexcused absences.

WORK WEEK AND SCHEDULE

All working schedules shall be posted by Friday of the preceding week as reasonably possible.

All Union employees except part-time employees shall be available for forty (40) hours per week. In the labor agreement, the City agrees to employ all full-time employees as near as possible and practical for forty (40) hours per week. The forty (40) hour week shall consist of the number of days, not more than six (6), and the

number of hours per day, not more than eight (8), as agreed mutually by and between the City and the employee. The City agrees in scheduling the forty (40) hour week that insofar as possible and practical, the days off shall be to the best advantage of the employee and subject to their mutual agreement.

All hours worked in excess of forty (40) hours per week or eight (8) hours have the option of receiving compensatory time off at the rate of one and one-half (1-1/2) times, in lieu of overtime pay. All compensatory time must be taken during the pay period following the one in which it was earned. Unused compensatory time shall be paid to the employee on the last check in December. There shall be no pyramiding or duplicating of daily or weekly overtime on premium pay.

All breaks and /or lunch periods shall be scheduled according to normal agreements.

Split shifts shall be scheduled only if mutual benefit and it is agreed to by the employee, management and the Union.

Available bargaining unit employees shall be offered scheduled shifts before casual employees and volunteers, so long as bargaining unit employees can work the shift at straight time and not exceed part-time hours for the pay period. When necessary to fill the shift with overtime seniority shall apply.

USE OF VOLUNTEERS: The Liquor Store: Volunteers may be scheduled to work as bartenders at the Liquor Store on the following days: Firemen's Day; Harvest Festival; an annual Customer Appreciation Day; Opening Weekend of Fishing; and Opening Deer Hunting Weekend provided bargaining unit employees must first be offered available shifts if they can work the shifts at straight time and not exceed part-time hours for the pay period.

All employees who are asked by the City to attend meetings or seminars during the regular work week shall receive pay at their regular rate of pay, and any hours so spent shall be included in their total hours worked. All arrangements will be made with the employee in advance when possible. Travel time after hours, or on scheduled days off, will be considered for compensatory time off or flex time in accordance with this policy or the applicable labor agreement if it is beyond eight hours in a day or on their day off.

In case of inclement weather, the Mayor or City Council member may make the decision to release the employees for the day. The employees shall be paid for all hours that they would normally work that day.

BREAKS

Employees who work seven (7) hours or more shall receive a fifteen (15) minute rest period before lunch and a fifteen (15) minute rest period after lunch. Employees who work four (4) hours or more, but less than seven (7) hours, shall receive one (1) fifteen (15) minute break. 15- minute breaks may not be “saved” and used to extend the lunch break or to leave work early.

TIMECARDS/TIME CLOCK

Accurately recording time worked is the responsibility of every employee. Federal and State laws require the City to keep an accurate record of time worked in order to calculate employee pay and benefits. The City of Remer may use a time clock and/or time cards to provide the source document for establishing payroll earnings for each employee. They provide the basis for paying employees for work rendered. Time cards must be completed and maintained for each employee on a daily basis.

If a time clock is used, all employees will be required to punch the clock each time they arrive at or leave work, including when they leave and return from a lunch break. Employees may not punch in more than five minutes before the scheduled shift begins or more than five minutes after the scheduled shift ends unless prior approval has been given by their supervisor. Exception: Employees that are called to work when not normally on duty, or that are completing work tasks away from the time clock location, will be allowed to manually note times on their time card. If for some reason an employee forgets to punch, they should manually note their time on the time card.

Employees must note the reason for any variance from these requirements. For example, if an employee works through lunch due

to a meeting, they should note that on their time card to explain why there was no punch out for a lunch break during the day. Employees should also note on their time cards any paid leaves taken, call-back hours worked, or compensatory time earned or used. Time cards shall be signed by supervisors at the end of each pay period. For payroll purposes, work time will be calculated to the minute each work day. When all time worked during a pay period has been totaled, the total will be rounded to the nearest quarter of an hour.

Each employee is responsible for his or her own time card or time clock punches. Employees will not be permitted to punch other employees in or out. Doing so may result in disciplinary action. Being tardy for a work shift on three separate occasions, as recorded on the time card, may be grounds for disciplinary action. Altering, falsifying, or tampering with time records may result in disciplinary action, up to and including termination of employment.

In addition to punching the time clock, employees in Public Utilities must also, from time to time, track the number of hours they spend working in each area of public utilities during each work day. This information should be tracked on a separate document.

LIGHT DUTY/MODIFIED DUTY ASSIGNMENT

The City may, at its sole discretion, provide for assignment of light duty work to temporarily disabled employees who are medically unable to perform their regular work duties. If required by law, the City will consider reasonable accommodations in this regard. Light duty will be evaluated on a case-by-case basis by the Personnel Committee. The City does not guarantee assignment to light duty and reserves the right to determine when and if light duty work will be assigned.

When an employee is unable to perform the essential duties of their position due to a temporary disability, they must notify their supervisor in writing as to the nature and extent of the disability and the reason why they are 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 duties and functions of the City's job description along with a written request for light duty.

COMPENSATION

Pay Date: All City employees shall be paid every two (2) weeks and shall occur within five (5) working days after the end of the work period. Paychecks will only be given to the employee whose name is on the check unless written permission is submitted to the City Clerk to have another person pick up the check.

PAY INCREASES

Union employees wage rates are set forth in the applicable labor agreement. The wages found there shall constitute the minimum scale of wages to be paid to employees covered by the labor agreement. An employee temporarily assigned to a higher classification shall be compensated at the rate of pay for that classification.

For non-Union employees there are two types of pay increases that the City Council may grant. They are as follows:

Merit Increases. The City Council *may*, at its discretion, choose to give a merit increase to employees at the beginning of each calendar year.

Other Increases. The City Council *may*, at its discretion, choose to give a pay increase to an employee for any other reason that, in the option of the Council, warrants a pay increase.

The payroll records of an employee shall be open to inspection by the affected employee at such reasonable times as will enable the parties to determine whether or not the provisions of this policy or any labor agreement are being complied with.

EMPLOYEE EXPENSES

Mileage: When an employee is required to use their own vehicle in the performance of assigned job duties, the City shall reimburse the employee at the standard mileage rate set by the IRS for the current year. The number of miles an employee is reimbursed for will not be substantially higher than the number of miles in the most direct route from their starting point to their destination.

Meals: Employees on off-site City business in the State of Minnesota, at the express authorization of the City, shall receive up to a maximum daily reimbursement of \$33.00 based on the following schedule: breakfast - \$8.00; lunch - \$10.00; dinner - \$15.00. In no case will the City reimburse an employee for the cost of alcoholic beverages. The employee requesting reimbursement must submit an expense claim form along with receipts for each item claimed.

Hotel/Lodging: Employees on City business, at the express authorization of the City, shall be reimbursed for the actual cost of hotel/lodging based upon single occupancy room charges provided that they must travel more than 60 miles from the City while on City business or obtain the approval of the City Council. The City will pay these expenses in advance when requested and with proper invoicing/documentation.

Other Expenses: Employees on City business, at the express authorization of the City, shall receive reimbursement for expenses other than mileage and lodging as approved by the City and when submitted with proper receipts/documentation.

The employee requesting reimbursement of expenses must fill out and sign an employee expense reporting form provided by the City Clerk. Proof of expenditures (in the form of receipts) must be included. This form must be returned to the City Clerk and will be included along with the other claims for payment at the next regularly scheduled City Council meeting. Payment will be made upon approval by the City Council.

PROTECTIVE EQUIPMENT

Personal protective equipment required to be worn by all employees by applicable state and Federal law under the circumstances shall be provided by the City. Necessary safety clothing and accessories, such as hearing protection and safety vests, do not need to be purchased and will be supplied by the City.

VACATION

ALLOWANCE: A new employee shall earn one (1) calendar week paid vacation after completing one (1) year of employment. Each permanent employee starting his/her second (2nd) year shall earn vacation leave at the rate of two (2) calendar weeks per year. An employee beginning his/her sixth (6th) year of employment shall earn three (3) calendar weeks per year. Vacation leave is not earned until after the completion of the working calendar year, based on the date of hire. An employee, after sixteen (16) years of employment shall receive three (3) weeks of vacation, plus one (1) day and one (1) day per year thereafter to a maximum of five (5) weeks of vacation with pay.

DATE: Vacation leave may be used after earned (or allowed to accrue) provided that the management shall approve the time at which the vacation leave may be taken.

ACCRUAL: Employees may allow vacation leave to accrue to a maximum of three (3) calendar weeks.

TERMINATION LEAVE: An employee leaving employment in good standing after giving proper notice of such termination of employment, shall be compensated for vacation leave accrued and unused to the date of separation.

VACATION WAIVER: As vacation leave is granted to employees for a period of recreation, no employee shall be permitted to waive such leave for purpose of receiving double pay, except by special permission of the City Council in consideration of extenuating circumstances.

ACCRUAL DURING LEAVE: Employees using earned vacation leave shall be considered to be working for the purpose of accumulating additional leave.

QUALIFICATIONS OF VACATION LEAVE: An employee, to qualify for vacation leave, must have been employed as a full-time employee for a minimum of six (6) months. After completing six (6) months as

a full-time employee, vacation leave shall accumulate back to his/her beginning date of full-time employment.

Part-time employees with five (5) years of service shall receive one (1) week of prorated vacation. Part-time employees with ten (10) years of service shall receive two (2) weeks of prorated vacation.

BASIS FOR DETERMINING TIME OF EMPLOYMENT FOR PURPOSE OF ACCUMULATING VACATION LEAVE: To determine the amount of vacation a full-time employee has earned, the following schedule shall be used. All overtime hours shall be excluded in determining vacation leave:

40 Hours Equal One Week
1040 Hours Equal Six Months, Equals One-Half Year
2080 Hours equal One Year

SICK LEAVE

FULL-TIME ELIGIBILITY: Sick leave with pay shall be granted to all probationary and permanent full-time employees at the rate of one (1) working day for each calendar month of service, subject to the accrual regulations to follow. Said sick leave with pay shall apply on days which are regularly scheduled days of work for the employees involved. An employee to qualify for sick leave must have been employed as a full-time employee for a minimum of six (6) months. After six (6) months of employment, sick leave accumulates from the date of full-time employment.

PART-TIME ELIGIBILITY: Sick leave with pay shall be granted to all permanent part-time employees who are scheduled to work an average of twenty-four (24) hours, but less than forty (40) hours per week at the rate of one half (1/2) working day for each calendar quarter of service, subject to the accrual regulations to follow. Said sick leave with pay shall apply on days which are regularly scheduled days of work for the employees involved. An employee to qualify for sick leave must have been employed as a part-time employee for a minimum of six (6) months.

REASONS FOR LEAVE: Sick leave shall be granted only for absence from duty because of personal illness, legal quarantine or death or serious illness in the immediate family. If the Council requests, it will be necessary to have the attending physician certify that the employee's attendance and assistance to the members of the family who are ill is required. Specifically, three (3) days will be allowed

for each serious illness of the immediate family if attended by a physician.

An employee off because of illness shall be given his/her job back without loss of seniority rights when well enough to report for work, provided he/she reports for work within a period of one (1) year from the beginning date of such illness, and provided he/she has not accepted other work from another employer in the interim. The management may demand a certificate of fitness for work of this employee from his/her physician.

ACCRUAL OF SICK LEAVE: Sick leave may be accumulated to a total of not more than one hundred twenty (120) working days. Workers' Compensation Benefits received by an employee shall be credited against the compensation due an employee during sick leave with a corresponding credit to earned sick leave computed to the nearest multiple of one-half (1/2) day.

PROOF OF NEED: In order to be eligible for sick leave with pay, an employee must:

- 1) Report promptly to his supervisors in management the reason for his/her absence.
- 2) Keep his/her management superior informed of his/her condition if absent for more than two (2) days.
- 3) Submit a qualified certificate for any absence if required by the management.

PENALTY: Claiming sick leave when physically fit, except as permitted in this and previous sections, will be cause for disciplinary action, including suspension, demotion or dismissal. The sworn statement with witness of any individual who is known as a reputable person by the several members of the City Council shall constitute cause for investigation and consideration by said Council. If the Council of the City of Remer should determine that an employee actually did falsely claim sickness and fraudulently receive sick leave pay, they shall take such actions as are deemed appropriate.

TERMINAL SICK LEAVE: No sick leave benefits of any kind shall be granted upon termination of employment.

ACCRUAL DURING SICK LEAVE: Employees using earned sick leave shall be considered to be working for purposes of accumulating additional sick leave.

The same basis for determining time of employment applied for sick leave as for vacation leave.

HEALTH AND WELFARE

The City of Remer is a signatory to a labor agreement where it is bound by the labor agreement and Declaration of Trust as amended, establishing the Northern Minnesota-Wisconsin Area Retail Food Health and Welfare Fund, copies of which may be furnished on request to employers and employees. It is agreed the provisions of the labor agreement and the Declaration of Trust and any rules, regulation or plans adopted by the Trustees shall become a part of the labor agreement. The following applies only to full-time employees.

Rates of contribution shall be established by the Union and the Area Grocers Associations. The Employer agrees to payments established by such Fund.

The Employer agrees to pay the Health Fund the single coverage rate for each eligible employee as established by the Fund.

Any employee who likewise desires health insurance coverage for dependents may obtain the same by paying to the City of Remer in advance each month the necessary required premiums to obtain such coverage after having the premium for dependent coverage deducted from the employee's wages by signing a proper authorization card, which will be furnished to the employee by the City of Remer at the employee's request.

In addition to the above, the City of Remer will also contribute the amount following per month toward dependent coverage as may be selected by the employee. (One hundred and sixty-five dollars (\$165.00) per month.)

The Employer agrees to make such payments for employees on the payroll on the first day of any month in accordance with the following rules:

- (1) New employees hired shall have payment made on their behalf by the Employer commencing on the first day of the month following their date of employment.
- (2) Payment to the Fund on behalf of the employees who are terminated due to discharged or voluntary termination of employment shall not be required commencing with the first of the month following the date of their termination.

(3) Employees returning to work or reinstated following an absence from work where their seniority has not been interrupted shall have payments made on their behalf on the first of the month following their return to work.

In the event of absence of an employee from work because of injury, illness or sickness, the Employer shall continue to make the required contributions for a period of three (3) months from the date on which the employee leaves active employment due to injury, illness or sickness. In the event of leave of absence for military leave or in the event of employees who are laid off or are off because of illness, sickness or injury beyond the said three (3) month period, they shall be permitted to continue coverage as a member of the group by paying in advance the regular monthly premium as paid by their employers after the respective date that contributions by the employer cease pursuant to the provisions hereof, provided that such coverage may be continued only to the maximum period allowed under the rules established by the Trustees.

In no event shall the provisions relating to Health and Welfare set forth herein be subject to or suitable for grievance and arbitration under the terms of this Agreement.

The Employer agrees that applicable payroll records shall be made available for audit to employees of the Health and Welfare Fund as directed by action of the Board of Trustees of the Fund.

HOLIDAYS

The following legal holidays will be observed as paid holidays when and if they fall on a regular working day and are scheduled as a regular work day and are scheduled as a regular work day during other weeks. These dates are subject to revision of state and federal laws:

New Year's Day	January 1st
Martin Luther King, Jr. Day	3 rd Monday in January
President's Day	3 rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4th

Labor Day	1 st Monday in September
Columbus Day	2 nd Monday in October
Veteran's Day	November 11 th
Thanksgiving Day	4 th Thursday in November
Christmas Eve Day	December 24 th
	Hours when Store is Closed
Christmas Day	December 25 th
Good Friday	12:00 Noon to 3:00 p.m.

All employees regularly scheduled to work on any of the above days are to be paid as if they actually worked their regular shift even if the office or Liquor Store is closed. All employees required to be on duty on any of the above days shall be paid straight-time for the hours worked in addition to prescheduled pay for the holiday.

Only full-time employees shall be eligible for the paid holidays above. If a part-time employee should be required to work on one of the above holidays, they shall be paid double (2x) their normal hourly rate for all hours worked on that holiday.

PERSONAL HOLIDAY: All employees who are scheduled to work an average of twenty-four (24) hours or more per week and have completed their probation shall be entitled to one (1) personal holiday per year. Employees shall not be able to carry over the personal holiday.

MILITARY LEAVE

Military leave will be granted in accordance with [Minnesota Statutes Sections 192.26](#) or [192.261](#), as amended or reenacted, or [U.S.C.A. Title 38, Section 2021](#) .

Leave will be granted in accordance with Minnesota Statutes Section 181.947 for family members of mobilized military members.

Leave will be granted in accordance with Minnesota Statutes Section 181.948 for attendance at military ceremonies.

EDUCATIONAL LEAVE

Time spent attending Council required or approved training sessions and seminars will be counted as work time. Time spent traveling to and from such training will also be counted as work time in accordance with the City's existing work time policies.

LEAVES OF ABSENCE

In case of jury duty or of subpoena for witness in court, an employee shall receive an amount of compensation which equals the difference between the employee's regular pay and compensation paid for jury duty or witness fee. The part applying to witness fee shall not apply in any case where the employee is either a defendant or a plaintiff.

Upon request of an employee, leave of absence without pay may be granted by the City Council taking into consideration good conduct, length of service and efficiency of the employee and the general good of the municipal service. Such leave of absence shall not exceed a period of ninety (90) calendar days, provided that the same may be extended beyond such period if the leave of absence is for continued disability or other good and sufficient reasons. No vacation or sick leave benefits shall accrue during a leave of absence without pay.

An employee on a personal leave of absence must use earned vacation before a leave of absence without pay is approved. An employee on a medical leave of absence must use earned sick leave and vacation leave before a leave of absence without pay is approved. (Vacation and sick leave benefits shall accrue during a leave of absence with pay.)

An employee returning from a leave of absence must notify the Employer two (2) calendar days prior to returning to work to be eligible for hours.

Funeral leave of up to three (3) days will be allowed for death of one of the immediate family. For clarification, Immediate Family shall

mean the employee's father, mother, spouse, **mother-in-law, father-in-law, children, step-children, brothers, sisters, (including step)** or any blood relative who resides in the same household as the employee. It shall be here noted that an employee may use accumulated vacation or may take leave without pay, at his option, to attend funerals of a claimed close friend and does not need permission of the management to do so, but must give as much notice of intent as reasonably possible.

PARENTAL LEAVE

All full-time employees may, upon the approval of the City Council, be eligible under the provisions of the policies on paid time off (PTO) for a two-week parental leave in connection with the birth or adoption of a child.

In addition, pursuant to [Minnesota Statutes Sections 181.940 and 181.941](#), where an employer has 20 or more employees and an employee works at least half of the employer's full-time equivalent per week, has worked for the City for the prior 12-month period, and is not on a probationary period, the employee may be entitled to an unpaid leave of up to six (6) weeks in connection with the birth or adoption of a child. This leave must begin not more than six (6) weeks after the birth or adoption of a child. Insurance coverage, if the employee is participating in the City's health insurance program, may continue during the parental leave if the current health policy so provides. Vacation and sick time will accrue during the parental leave.

SCHOOL CONFERENCES AND ACTIVITIES LEAVE

[Minnesota Statutes Section 181.9412](#) requires an employer to grant an employee unpaid leave of up to a total of sixteen (16) hours during any school year to attend school conferences or classroom activities related to the employee's child, provided the conference or classroom activities cannot be scheduled during nonworking hours. The employee and the City may agree to make up their missed hours, either before or after the leave.

EMERGENCY SERVICES LEAVE

City employees will be allowed to serve on local ambulance, fire, and/or other emergency service organization crews with the permission of the City Council. Employees receiving permission from the City Council will be allowed to be on-call for these services during work hours and will not be penalized or forced to make up time missed while responding to emergency calls; provided that if payment for such services is received by the employee from the emergency service organization, an appropriate adjustment in the employee's City wages or hours will be made.

While employees will be allowed to make themselves available for emergency calls during work hours, the employee's first responsibility is their job for the City of Remer. It will be up to the employee to determine whether a situation at work requires their attention more so than any emergency call that may arise.

Misuse of this privilege, or the use of poor judgment in determining the importance of answering an emergency call vs. performing City work functions may be grounds for discipline, up to and including termination.

DRESS CODE

The dress and appearance of City employees is a direct reflection of the professionalism of our services. Employees of the City shall always be neat, clean and appropriately clothed for the duties of their position. In no case shall an employee wear any clothing/accessories that are revealing or offensive in nature or that would pose a safety risk to themselves or others around them.

All Remer Municipal Liquor Store employees are required to dress appropriately for their shift.

All clothing must:

- Clean and neat
- Free from tears and holes

All shirts:

- Must have sleeves
- Must cover your stomach
- No tank tops or halters
- No inappropriate words or pictures

Shorts and skirts;

- Must be of decent length—2 inches below the bottom of your fingertips
- No short- shorts or mini skirts

Pants/slacks:

- Jeans are acceptable—must be clean & neat, and free from tears & holes

Shoes:

- Must be appropriate to the job

Undergarments:

- Are required
- Clothing must sufficiently cover them

UNLAWFUL ACTS

No person seeking employment with, or promotion in, the municipal service shall either directly or indirectly give, render, or pay any money, service or other valuable consideration to any person, on account of or in connection with such test, appointment or promotion or proposed appointment or promotion.

No person shall be employed, promoted, demoted or discharged by the City or in any way favored or discriminated against because of political opinions or affiliations, race, color, creed, national origin, religion, sex, sexual orientation, age, marital status, status with regard to public assistance, disability, or any other category protected by law, or because of the exercise of any rights under provisions of the [Public Employment Labor Relations Act](#).

PUBLIC RELATIONS

It is the duty of every employee to deal courteously with the public. Favorable impressions created by courteous public relations develop citizens' goodwill and support for you and the City.

City employees are responsible for assisting and serving the citizens for whom they work. In accepting City employment, employees have become a representative of the City and in large measure, what people think of the City of Remer and the City government will depend on the kind of job done by City employees and their willingness to assist people.

The City employee's primary responsibility is to serve the residents of Remer. Always remember: the citizens of this community are never an interruption of your work. They are the reason for it.

ETHICS OF PUBLIC EMPLOYMENT

The proper operation of democratic government requires that the actions of public officials and employees be impartial; that government decisions and policy be made in the proper channels of government structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, the City has established a Code of Ethics as follows for all employees appointed and employed by the City.

Employees shall not use their official position for personal gain, nor shall they engage in any business transaction or have a financial interest, direct or indirect, which is in conflict with the proper performance of their official duties. No employee shall have a financial interest or personal interest in any legislation before the City Council and participate in discussion or give an official opinion to the City Council unless the employee discloses on the record to the Council the nature and extent of such interest.

Employees shall not, without proper legal authority, disclose to others, or use to further their personal interest, confidential or private

information, as defined by the Minnesota Data Privacy Act, acquired in the course of their official duties.

Employees may not engage in outside employment which would conflict with their job or might in any way hinder their objective and impartial performance of their public duties, or impair their efficiency on this job.

Employees shall not engage in any outside activity, which involves the performance of an act in other than his or her capacity as a City employee that may later be subject, directly or indirectly, to the control, inspection, review, audit or enforcement by such officer or employee or the department by which he or she is employed; except that the City may not deny an employee a license or permit to engage in an activity allowed to all members of the public, when the employee discloses his/her conflict in writing; or when an employee is allowed by statute to engage in an activity or gain a benefit upon compliance with conditions, terms or regulations set forth in the statute.

Employees shall not grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.

Employees shall not take part in political activity, directly or indirectly, during his or her hours of employment by soliciting or receiving funds or at any time using his or her authority or official influence to compel any employee to apply for membership or become a member of, pay or promise to pay any assessment, subscription, or contribution or take part in any political activity. Employees are free to engage in any political activity of their choice provided it does not conflict with the preceding provision.

MAINTENANCE OF STANDARDS

The employees, Union and the City have agreed that the highest level of work will continue and that cooperation between the public, City Council, employee and the Union shall be a continuous goal.

The City and the Union recognize the importance of safe working conditions and agrees to continue to make adequate provisions, as

required by State and Federal law, for the safety and health of its employees during the hours of their employment.

Employees shall follow all safety standards, rules and regulations; shall wear and use all prescribed protective equipment while at work; and shall report any injuries and unsafe or hazardous working conditions to their supervisor.

HARASSMENT

The City is committed to providing a working environment that is free of harassment and discrimination. In keeping with this commitment, the City shall maintain a strict policy prohibiting unlawful harassment including sexual harassment. This policy prohibits harassment in any form, including verbal and physical harassment.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature when:

1. Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment;
2. Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment, or;
3. That conduct or communication has the unlawful purpose or effect of substantially interfering with an individual's employment or creating an intimidating, hostile or offensive environment.

Any sexual harassment, as defined when perpetrated on any employee, will be treated as harassment under this policy. Sexual harassment may include but is not limited to:

1. unwelcome demands for sexual favors and/or;
2. verbal abuse including humiliating, degrading remarks;
3. the use of sexual objects to harass; and

4. the display in the workplace of sexually explicit objects or pictures.

Any employee who believes they have been the victim of harassment by an employee of the City or any third person with knowledge or belief of conduct which may constitute harassment should report the alleged acts immediately to their supervisor and/or a Personnel Committee member. The supervisor shall immediately report any incidents of harassment to the Personnel Committee who shall then report the incidents to the City Council. The City Council will act to investigate all complaints, either formal or informal verbal or written, of harassment and to discipline any employee who harasses an employee of the City.

The City Council will take such action as appropriate based on the results of the investigation. The employee who filed the complaint will be informed of the findings and conclusion. The City will not unlawfully retaliate against anyone for reporting sexual or other forms of harassment.

The full cooperation of all employees is expected and required to assure a working environment free of harassment.

USE OF CITY EQUIPMENT

No employee shall be charged for any loss of City property through unintentional breakage and damage, except in cases of uncalled for recklessness.

City equipment, materials or tools shall not be used for unauthorized personal convenience, for personal profit, for private use or as part of secondary employment. No employee shall be instructed to or allowed to perform work at any time during working hours for private individuals except in those instances where such work is part of an agreement entered into by the City Council. No City property shall be removed from any City department, land or building for any private use, purpose, or enjoyment without prior City Council approval.

Employees may use the telephones provided by the City to make occasional calls of a personal nature. However, excessive use of the telephone for personal use will not be tolerated. Any usage charges incurred for personal calls shall be reimbursed to the City.

USE OF CITY VEHICLES

Seat belt use is mandatory in all City vehicles. This applies to both the driver and any passengers. Under no circumstances shall passengers be allowed to ride in locations not equipped with seat belts.

The use of cell phones while driving is strongly discouraged.

City vehicles shall only be used for the purpose of performing City job related duties. No City vehicle shall be used for personal use unless in an emergency.

Logbooks shall be maintained by all applicable City employees for monitoring maintenance of City vehicles and equipment. Log books should also reflect mileage, destination, tasks performed and area worked in and will be reviewed by the Personnel Committee on a regular basis.

Under normal circumstances, only City employees shall be allowed to drive City vehicles and equipment. City vehicles and equipment may be operated by volunteers with permission from the Department Head. In the event of an emergency, City officials shall be authorized to operate City vehicles and equipment provided that their operation of the same is necessary and vital to the response to the emergency.

Anyone using a City vehicle shall obey all laws and regulations established by the State of Minnesota and the City of LaPrairie for operation of a motor vehicle.

USE OF CITY CELL PHONES

The City of Remer will provide cellular telephones for certain employees. City-provided cell phones are intended to be used to

conduct City business only. Employees shall not use city-provided cell phones for personal use except in an emergency situation. If an employee personal use results in overage, roaming, or other charges, the employee must reimburse the City for the expenses incurred. The City may revoke the use of employee issued cell phones at any time for any reason. Any employee failing to return a phone at the request of the City shall be subject to disciplinary action and monetary penalties including but not limited to, the original purchase price of the phone and continued billing expenses from the date of notice until return.

As noted above, the use of cell phone while driving is strongly discouraged.

Any employee failing to observe policy or return a phone upon request may be subject to discipline.

DRIVING RECORDS

The purpose of this section is to establish requirements and responsibilities for operating a City vehicle. This section applies to all employees of the City.

The City desires to retain good, qualified employees and at the same time reduce or limit liability for the City by expecting all employees to maintain a good driving record.

In the event of a traffic related incident, the employee must appear before the Personnel Committee to determine possible discipline, work accommodations, etc. Under no circumstances shall a City employee whose license has been cancelled, revoked, suspended, or expired, operate a City vehicle.

An employee who drives in an illegal, careless or unsafe manner **while on duty** will be subject to sanctions including the possibility of discipline, loss of work accommodation and/or payment of any fines assessed for the violation. As it is an expectation that all employees maintain a good driving record, employees may be disciplined for not maintaining one. Any discipline imposed due to

violations of this section will be imposed in accordance with the discipline section of this policy or any applicable labor agreement.

DRUG FREE WORKPLACE

The City recognizes that alcoholism and other drug dependencies are a significant social problem with a potential for causing severe effects to the City's workforce. The City recognizes that it has a responsibility to maintain a drug-free workplace. It also recognizes that drug dependency may be an illness. Consistent with this understanding, however, the City has an obligation to ensure that its employees perform their jobs efficiently, safely and in a professional business-like manner. Therefore, the purpose of this policy is to set forth the rules regarding alcohol and other drug uses, including unlawful drug use or abuse, in the workplace.

This policy is applicable to all employees of the City and shall be enforced by each Department Head and/or City Council.

No employee shall be permitted to work or to continue to work under the influence of alcohol, marijuana, controlled substances, or other drugs which affect their alertness, coordination, reaction, response, judgment, decision-making or safety.

No employee shall operate, use or drive any equipment, machinery or vehicle of the City while under the influence of alcohol, marijuana, controlled substances or other mood-altering drugs. Such employee is under an affirmative duty to immediately notify their Department Head that they are not in appropriate mental or physical condition to operate, use or drive City equipment.

No employee shall unlawfully manufacture, distribute, dispense, possess, transfer, or use a controlled substance in the workplace or wherever the City's work is being performed. The City shall notify the appropriate law enforcement agency when they have reasonable suspicion to believe that an employee may have illegal drugs in their possession at work or on City premises. Where appropriate, agencies shall also notify licensing boards.

Every employee engaged in the performance of work on federal grants or contracts is required to notify the City of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction as required by the [Drug-Free Workplace Act of 1988](#).

Drug and Alcohol Testing: Any alcohol and/or other drug testing undertaken by the City shall be in accordance with [Minnesota Statutes Sections 181.950-957 \(1987\)](#), the [Minnesota Drug and Alcohol Testing in the Workplace Act](#). Any employee or job applicant requested or required by the City to undergo any type of drug testing will be required to sign a waiver form provided by the City. The employee or job applicant has the right to refuse such testing. Refusal of drug testing will be means for withdrawal of job offer for job applicants or discipline of current employees in accordance with this policy.

The City will not request or require an employee or job applicant to undergo drug and alcohol testing, except as set forth below:

1. Job applicant testing.

The City may request or require a job applicant to undergo drug and alcohol testing provided a job offer has been made to the applicant and the same test is requested or required of all job applicants conditionally offered employment for that position. If the job offer is withdrawn, as provided in Minnesota Statutes Section [181.953, subdivision 11](#), the City shall inform the job applicant of the reason for its action.

2. Routine physical examination testing.

The City may request or require an employee to undergo drug and alcohol testing as part of a routine physical examination provided the drug or alcohol test is requested or required no more than once annually and the employee has been given at least two (2) weeks' written notice that a drug or alcohol test may be requested or required as part of the physical examination.

3. Random testing.

The City may request or require employees to undergo drug and alcohol testing on a random selection basis only if (1) they are employed in safety-sensitive positions.

4. Reasonable suspicion testing.

The City may request or require an employee to undergo drug and alcohol testing if the employer has a reasonable suspicion that the employee:

(1) is under the influence of drugs or alcohol;

(2) has violated the employer's written work rules prohibiting the use, possession, sale, or transfer of drugs or alcohol while the employee is working or while the employee is on the employer's premises or operating the employer's vehicle, machinery, or equipment, provided the work rules are in writing and contained in the employer's written drug and alcohol testing policy;

(3) has sustained a personal injury, as that term is defined in Minnesota Statutes Section [176.011, subdivision 16](#), or has caused another employee to sustain a personal injury; or

(4) has caused a work-related accident or was operating or helping to operate machinery, equipment, or vehicles involved in a work-related accident.

5. Treatment program testing.

The City may request or require an employee to undergo drug and alcohol testing if the employee has been referred by the City for chemical dependency treatment or evaluation or is participating in a chemical dependency treatment program under an employee benefit plan, in which case the employee may be requested or required to undergo drug or alcohol testing without prior notice during the evaluation or treatment period and for a period of up to two (2) years following completion of any prescribed chemical dependency treatment program.

In the event of a positive test result: An employee or job applicant may request a confirmatory retest of the original sample at the employee's or job applicant's own expense after notice of a positive test result on a confirmatory test. Within five (5) working days after notice of the confirmatory test result, the employee or job applicant shall notify the City in writing of the employee's or job applicant's intention to obtain a confirmatory retest. Within three (3) working days after receipt of the notice, the City shall notify the original testing laboratory that the employee or job applicant has requested the laboratory to conduct the confirmatory retest or transfer the

sample to another laboratory licensed under state law to conduct the confirmatory retest. The original testing laboratory shall ensure that the chain-of-custody procedures specified under state law are followed during transfer of the sample to the other laboratory. The confirmatory retest must use the same drug or alcohol threshold detection levels as used in the original confirmatory test. If the confirmatory retest does not confirm the original positive test result, no adverse personnel action based on the original confirmatory test may be taken against the employee or job applicant.

Disciplinary Action for Policy Violations. Any employee violating the provisions of this policy shall be subject to disciplinary action, up to and including discharge, as set forth in this policy. The following limitations on disciplinary action shall apply.

The City will not discharge, discipline, discriminate against, or request or require rehabilitation of an employee on the basis of a positive test result from an initial screening test that has not been verified by a confirmatory test. Moreover, the City will not discharge, discipline, discriminate against, or request or require rehabilitation of an employee on the basis of medical history information revealed to the City pursuant to state law unless the employee was under an affirmative duty to provide the information before, upon, or after hire.

Interim Disciplinary Action: The City reserves the right to transfer an employee with a positive test to another position at the same rate of pay or to temporarily suspend the employee pending the outcome of the confirmatory test (and, if requested, the confirmatory retest) if the City believes that it is reasonably necessary to do so to protect the health and safety of the employee, co-workers or the public. An employee who is suspended without pay will be reinstated with back pay if the confirmatory test or retest is negative. In the case of job applicants, a positive initial test result must be verified by a confirmatory test before a conditional offer of employment will be withdrawn.

First Failed Test – Discharge: The City will not discharge an employee if the employee tests positive on a confirmatory test and the positive confirmatory test was the first of such result. The City may,

however, discharge an employee for whom a positive confirmatory test is the first such result where:

(1) the City has first given the employee an opportunity to participate in, at the employee's own expense or pursuant to coverage under an employee benefit plan, either a drug or alcohol counseling or rehabilitation program, whichever is more appropriate, as determined by the City after consultation with a certified chemical use counselor or a physician trained in the diagnosis and treatment of chemical dependency; and

(2) the employee has either refused to participate in the counseling or rehabilitation program or has failed to successfully complete the program, as evidenced by withdrawal from the program before its completion or by a positive test result on a confirmatory test after completion of the program.

First Failed Test – Discipline: The City may take any other disciplinary action, short of discharge, which it deems warranted in the event of an employee's first positive confirmatory test result.

Second Failed Test: The City may discharge an employee who tests positive on a confirmatory test and who has previously had a positive confirmatory test result. This action may be taken without first referring the employee to a chemical dependency counseling or rehabilitation program.

Privacy of Test Results: Test results and any other information acquired as a result of the testing program are private and confidential information and will not be disclosed by the City or the laboratory to another employee or to third party individuals, government agencies, or private organizations, without written consent of the employee or applicant being treated.

Evidence of a positive test result on a confirmatory test, however, may be used in an arbitration proceeding, an administrative hearing, or a judicial proceeding, provided the information is relevant to the hearing or proceeding. Such evidence may also be disclosed to any federal agency or other unit of the United States government as required under federal law, regulation, or order. Evidence of a

positive test result on a confirmatory test may also be disclosed to a substance abuse treatment facility for the purpose of evaluation or treatment.

The City will give an employee access to information in the employee's personnel file relating to positive test result reports and other information acquired in the drug and alcohol testing process and conclusions drawn from and actions taken based on the reports or other acquired information.

The City recognizes that there are available drug counseling, rehabilitation and employee assistance programs. Employees who may have an alcohol or other drug abuse problems are encouraged to seek assistance through these programs.

CITY AND STATE REGULATIONS REGARDING INTOXICATING LIQUOR

No employee shall serve intoxicating liquors after the legal hours prescribed by State and City regulations. No employee shall be under the influence of intoxicating liquors, drugs, or other mental or physical distorting materials while on duty. No employee shall consume any intoxicant while on duty except that tobacco shall not be so classified and may be used. Employees violating this policy shall be subject to expulsion by the Local Union and be subject to disciplinary action by the management. All Union employees shall be entitled to a ten percent (10%) discount on all off-sale purchases.

POLICY REGULATING SMOKING IN MUNICIPAL BUILDINGS AND VEHICLES

The City of Remer is dedicated to providing a healthy, comfortable, productive and equitable work environment.

In accordance with Minnesota state law, smoking is prohibited in municipal buildings and regulated in city vehicles.

“NO SMOKING” signs are posted at all building entrances to maintain positive perception and consideration of non-smokers.

All breaks shall be at the discretion of the employee’s supervisor. City employees may smoke in those areas designated as an employee smoking area.

City employees are never permitted to leave the building of a city business unlocked and unattended during business hours.

The success of this policy will depend upon the thoughtfulness, consideration and cooperation of all employees, who share in the responsibility of adhering to and enforcing this policy. Any problems should be brought to the attention of the appropriate supervisor and handled through the normal chain of command. Employees who violate this policy will be subject to disciplinary action.

EMPLOYEE COMPLAINTS/GRIEVANCES

Employees of the City of Remer are encouraged to report occurrences/situations that they feel warrant objection. The labor agreement provides Union employees with a formal grievance procedure in the event of a dispute arising with reference to the interpretation or violation of the labor agreement. Complaints shall be filed with the Personnel Committee on forms provided by the City. After being filed, the complaint will be forwarded to the appropriate department head or to the City Council for consideration and action.

EMPLOYEE RESPONSIBILITY

Each employee shall accept directions from the management and perform all duties so directed in a cooperative spirit, providing such directions or orders do not serve to reduce the normal pay scale of said employee. Refusal or strenuous objection to the performance of any reasonable task or duties by any employee shall constitute cause and reason for disciplinary action by the management, if and with approval of the City Council.

DISCIPLINE

The Employer reserves the right to discipline employees. In most cases discipline will be progressive; however, discipline at a higher level may be imposed. The Employer may immediately discharge any employee for just cause. Discipline will be in one or more of the following forms: oral reprimand, written reprimand, suspension with or without pay, demotion or discharge.

At any investigatory interview by the Employer where the information gained from the interview could lead to the discipline of the Employee, the Employee upon his/her request shall be given the opportunity to have a third party present at the interview to act as a witness for the Employee. It is the responsibility of the Employee to make representation available so that the Employer can continue to timely investigate the matter.

All documentation of discipline is to become part of an Employee's personnel file. It shall be read and acknowledged by signature of the Employee, who shall then receive a copy. Employees may examine their individual personnel files at reasonable times as provided by law under the supervision of the Employer.

The following items may constitute cause for disciplinary action. This list does not cover every reason that an employee might be disciplined but is intended to provide some examples and guidance:

1. Incompetence or inefficiency in the performance of duties;
2. Conviction of an offense involving moral turpitude;
3. Violation of any work rule, regulation or City ordinance;
4. Possession or use of liquor, drugs or controlled substances while on duty; reporting for work and/or working while under the influence of alcohol, drugs or other controlled substances;
5. Use of offensive conduct or language toward the public, municipal officers or other employees;
6. Carelessness and/or negligence in the handling or control of municipal property or property entrusted to the employee by the City, including allowing unauthorized persons to ride in the City vehicles;

7. Inducing or attempting to induce an officer or employee of the municipality to commit an unlawful act or to act in the violation of any official regulation or order;
8. Dishonesty in the performance of duties;
9. Failure to report to work, repeated tardiness, refusal to work as assigned and directed, or other insubordination or misconduct;
10. City employees, elected City officials and appointed City officials may not receive a gift from any "interested person." An "interested person" is a person, or representative of a person or an association, who has a direct financial interest in decision that a local official is authorized to make. (Minnesota Statutes Section 471.895);
11. Unapproved use of paid work time and/or equipment in outside employment or for personal benefit;
12. Gambling while on duty;
13. Failure to obey any lawful directive made and given by a supervisor; acts of insubordination;
14. Violations of the provision of City policy;
15. Making false statements or misstatements of fact in an application of employment;
16. Unauthorized removal or theft of, or deliberate damage to, City property or that of another employee;
17. Violations of safety rules;
18. Harassment of fellow employees;
19. Conduct in private life which brings discredit upon the City or the employee's municipal service;
20. Other incidents which constitute cause.

LAYOFFS

The City Council may layoff any employee whenever such action is necessary by reason of lack of work, shortness of funds, the abolition of the position, or changes in organization. At least two (2) weeks notice will be given to the affected employees.

RESIGNATION

Any employee leaving the municipal service in good standing shall file with the City Council at least a one (1) week before leaving, a written

resignation stating the effective date of the resignation and the reason for leaving. Unauthorized absence from work for a period of three (3) working days may be considered by the City Council as a resignation.

RETIREMENT

The City of Remer is a member of the Public Employees Retirement Association (PERA). Employees may retire at their normal retirement age as defined by PERA laws. Early retirement is possible for employees qualified for such in accordance with PERA regulations.

It is important for retiring employees to contact the PERA office at least four (4) months prior to retirement.

Public Employees Retirement Association
60 Empire Drive
St. Paul, MN 55102
(800) 652-9026

Any person terminating employment with the City without drawing a PERA pension is entitled to a refund of the PERA contributions deducted from the employee's paycheck. This amount may also be left in the retirement fund and collected later as a pension. All terminating employees should check with the City Clerk concerning application for a refund of PERA contributions. Refunds will take approximately 120 days.

I hereby certify that I have received, read and familiarized myself with a copy of the City of Remer Personnel Policy as it was enacted on _____ and effective on July 1, 2013.

Employee Signature

Date