



**CITY OF MARSHALL
Personnel Committee**

A g e n d a

**Tuesday, December 05, 2023 at 4:30 PM
344 W. Main St., City Hall**

APPROVAL OF AGENDA

APPROVAL OF MINUTES

1. Consider Approval of the Minutes

NEW BUSINESS

2. Amendments to the Personnel Policy manual relating to Sick Leave Policies
3. 2024 Wage Schedule for Temporary/Seasonal Employees
4. Consider Approval of an Amendment to the Employee Recognition Policy
5. Request for Amendment to the Holiday Policy

ADJOURN

Disclaimer: These agendas have been prepared to provide information regarding an upcoming meeting of the Common Council of the City of Marshall. This document does not claim to be complete and is subject to change.

CITY OF MARSHALL AGENDA ITEM REPORT

Presenter:	Chair
Meeting Date:	Tuesday, December 5, 2023
Category:	APPROVAL OF MINUTES
Type:	ACTION
Subject:	Consider Approval of the Minutes
Background Information:	Enclosed are the minutes from the previous meeting.
Fiscal Impact:	
Alternative/ Variations:	Staff encourages Members to provide any suggested corrections to the minutes in writing to City Clerk, Steven Anderson, prior to the meeting.
Recommendations:	That the minutes from the previous meeting be approved as filed with each member and that the reading of the same be waived.

-UNAPPROVED-

MINUTES
PERSONNEL COMMITTEE MEETING
September 12, 2023, at 4:00 p.m.

MEMBERS PRESENT: Steven Meister, Amanda Schroeder, and Craig Schafer (via Zoom)

MEMBERS ABSENT: None

STAFF PRESENT: Sheila Dubs, Human Resource Manager

The meeting was called to order at 4:03 PM.

MOTION BY Councilmember Schroeder, SECONDED BY Councilmember Schafer to approve the Minutes of the February 21, 2023 meeting. ALL VOTED IN FAVOR 3-0.

Chairperson Meister requested Human Resource Manager Dubs, introduce the agenda item under consideration, Consideration of Personnel Policy Amendments.

Dubs reviewed the three categories of amendments being proposed: amendments to comply with new Minnesota laws, amendments to clarify language or modify language to more closely align with the League of Minnesota Cities model policy, and many technical amendments. Dubs reviewed each proposed amendment with the Committee. The chapter on Drug Free Workplace was reviewed in detail, including prohibited conduct and parameters under which random or reasonable suspicion testing may occur. The Committee also reviewed the proposed reimbursement and per diem rates in Appendices A and B.

MOTION BY Councilmember Schafer, SECONDED BY Councilmember Schroeder to approve the Personnel Policy Amendments. ALL VOTED IN FAVOR 3-0.

MOTION BY Councilmember Schafer, SECONDED BY Councilmember Schroeder to adjourn the meeting. Meeting adjourned at 4:49 PM. ALL VOTED IN FAVOR 3-0.

Respectfully Submitted,

Sheila Dubs
Human Resource Manager

**CITY OF MARSHALL
PERSONNEL COMMITTEE
AGENDA ITEM REPORT**

Presenter:	Sheila Dubs
Meeting Date:	Tuesday, December 5, 2023
Category:	NEW BUSINESS
Type:	ACTION
Subject:	Request for amendment to the Personnel Policy manual relating to Sick Leave Policies
Background Information:	<p>Minnesota recently passed new legislation that provides earned sick and safe time leave to employees effective 01/01/2024. Our current policy on sick leave requires amendment to comply with this new law.</p> <p>Attached for your consideration is a revision of our current sick leave policy. Staff have requested review of these policies by our Labor Attorney, Susan Hansen. Approval of this policy will bring the City into compliance with the new law. This policy revision does <u>not</u> provide employees with additional sick leave accruals; full-time employees will continue to accrue at the same rates. Rather, the policy will cross-designate the first 48 hours of sick leave used per calendar year as earned sick and safe time leave. Only those first 48 hours of sick leave used per year will be subject to the requirements of the new law. The remaining sick leave accruals used by an employee will be subject to our existing requirements.</p> <p>Also attached for your consideration is a new sick leave policy that is applicable to our part-time, paid-on-call, temporary, and seasonal staff, that follows the minimum requirements established by MN statute. This policy has also been reviewed by our Labor Attorney, Susan Hansen. This constitutes a new benefit that is required by state law. Part-time, paid-on-call, temporary, and seasonal staff that work 80 hours in a calendar year will earn 1 hour of sick leave for every 30 hours worked, up to a maximum of 48 hours per year. Employees may carry-over a maximum of 80 hours of sick leave from one calendar year to the next. This policy will be administered in accordance with state law.</p>
Fiscal Impact:	
Alternative/Variations:	None recommended. The city is required to comply with the new earned sick and safe time leave law effective 01/01/2024.
Recommendations:	Staff recommends the Personnel Committee pass a motion to recommend to the City Council to approve the draft personnel policies with an effective date of 01/01/2024.

Chapter 7: LEAVE POLICIES

The following leave policies are intended to be general summaries and may have state or federal statute applicability. Each leave request will be evaluated on a case-by-case basis and administered in accordance with applicable federal and state laws. Depending upon an employee's situation, more than one form of leave may apply during the same period of time. An employee will need to meet the requirements of each form of leave separately.

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

All leave benefits will accrue during the probationary period. If paid leave is granted during the probationary period and employment is voluntarily or involuntarily terminated prior to completion of the probationary period, any pro-rated paid leave must be reimbursed to the City or withheld from the employee's last pay check.

¾-time employees are also entitled to 75% of vacation, sick, funeral, and personal leave benefits.

Employee leave benefits are pro-rated based on an employee's date of hire and again upon an employee's termination.

If any specific provisions of these leave policies conflict with any current union agreement, the union agreement will prevail for that respective bargaining unit.

7.1 SICK LEAVE

Sick leave is an authorized absence from work with pay, granted to eligible full-time and ¾-time employees. ~~Sick leave is a privilege, not a right.~~ Employees are to use this paid leave only when they are unable to work for medical reasons and/or under the conditions explained below. Employees are required to exhaust their sick leave balance prior to approval of an unpaid medical leave of absence except in the case of an absence due to a worker's compensation claim or a long-term disability (LTD) claim. Sick leave does not accrue during an unpaid leave of absence.

Full-time employees will earn sick leave at the rate of one (1) day or 8 hours for each month of service and can accumulate up to 120 days or 960 hours at this rate. Beyond 120 days or 960 hours, sick leave will continue to accumulate at a rate of 1/2 day or 4 hours for each month of service.

If at any time the accumulation drops below 120 days or 960 hours the employee will then accumulate one (1) day or 8 hours for each month of service up to 120 days or 960 hours and then continue accumulating 1/2 day or 4 hours for each month of service.

When an employee reaches 120 days or 960 hours or more of accumulated sick leave and the employee utilizes sick leave time, it shall first be withdrawn from the 960 hour portion and not from total accumulated sick leave.

Non-union full-time employees hired after January 1, 2003 will be limited to a maximum accumulation of 1,200 hours of sick leave. Employees covered under collective bargaining agreements should reference their individual agreements for eligibility and maximum accruals.

For the purpose of accruing sick leave only, employees with a date of hire that is on or before the 5th of the month shall be considered to have started employment on the first day of that month. Employees with a date of hire between the 6th and the 21st of the month will receive 4 hours sick leave for that month. Employees with a date of hire on or after the 22nd of the month shall be considered to have started employment on the first of the month following the date of hire.

Employees may use accrued sick leave benefits for an absence due to illness or injury. Sick leave may be granted when the employee is unable to perform work duties due to illness, injury, or disability, the necessity for medical, dental, chiropractic, or psychological care, for child birth or pregnancy disability, maternity or paternity leave, or exposure to contagious disease where such exposure may endanger the health of others.

Accrued sick leave benefits may also be used for absences due to an illness or injury to the employee's child, adult child, sibling, spouse, parent, mother-in-law, father-in-law, stepparent, grandchild, and grandparent ~~in accordance with Minnesota law (Section 181.9413). For the purposes of this policy (7.1 Sick Leave) "child" means a stepchild, biological, adopted, or foster child, either under 18 years of age, or under 20 and still attending secondary school.~~

An employee may utilize accrued sick leave for "safety leave" for reasonable absences for themselves or the following relatives, the employee's: child/adult child, spouse, sibling, parent, stepparent, mother/father-in-law, grandchild, and grandparent. Safety leave is leave for the purpose of providing or receiving assistance because of sexual assault, domestic abuse, or stalking. ~~Safety leave will be granted in accordance with MN law.~~

An employee's use of accrued sick leave and/or safety leave benefits for an adult child, sibling, parent, stepparent, mother/father-in-law, grandchild, and grandparent are limited to 160 hours of combined time per calendar year (January to December).

Sick leave may also be used following the death of an employee's spouse/domestic partner, child, or step-child, up to a maximum of 40 hours. Sick leave for this purpose must be used consecutively with funeral leave, and must be pre-approved by the Supervisor.

When an employee finds it necessary to be absent from work for any reason, the employee must report the absence to the appropriate supervisor within one (1) hour after the employee's starting time, unless departmental policy requires prior notification. Sick leave may not be approved unless such report has been made.

After an absence, a physician's statement may be required on the employee's first day back to work, indicating the nature of the illness or medical condition and attesting to the employee's ability to return to work and safely perform the essential functions of the job with or without reasonable accommodation.

Any work restrictions must be stated clearly on a return-to-work form. Employees who have been asked to provide such a statement may not be allowed to return to work until they comply with this provision. Sick leave may be denied for any employee required to provide a doctor's statement until such a statement is provided.

The City has the right to obtain a second medical opinion to determine the validity of an employee's sick leave claim, or to obtain information related to restrictions or an employee's ability to work. The City will arrange and pay for an appropriate medical evaluation when it is required by the City.

~~Only the sick leave records kept by the Finance Department are considered official.~~ Each supervisor is responsible for accurately certifying the sick leave used and obtaining supporting documentation, as required. Supporting documentation will be maintained as a confidential record by Human Resources. Any employee who makes a false claim for sick leave will be subject to disciplinary action, up to and including termination.

Sick leave cannot be transferred from one employee to another.

Upon the death, retirement, resignation or disablement to the extent an employee can no longer work for the City, the employee or his/her estate shall be compensated for unused accumulated sick leave in accordance with the following schedule:

Length of Service	Percent Paid of Unused Accumulated Sick Leave
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< 5 years	0%
> 5 years up to 10 years	20%
> 10 years up to 15 years	30%
> 15 years up to 20 years	40%
> 20 years	50%

Employees that are terminated from the City due to disciplinary actions will not be compensated for any unused accumulated sick leave.

If more than one form of leave applies during the same period of time (e.g., Family and Medical Leave Act may apply during an employee's medical leave), the two leaves will run concurrently until eligibility for either leave expires.

Earned Sick and Safe Time (ESST) Leave Cross-Designation for Full-Time and ¾ Time Employees:
The first 48 hours of paid sick leave a full-time or ¾ time employee uses per calendar year will be cross-designated as earned safe and sick time (ESST) leave.

If you choose to use all of your available paid sick hours for reasons other than those outlined in this policy as ESST eligible hours, you will not be provided with additional ESST hours. While you may use any available sick hours you have for an ESST purpose until ESST has been exhausted, you will not be provided with additional ESST hours once your available ESST hours have been exhausted.

The following provisions apply to ESST-designated leave.

ESST Leave Use

ESST leave may be used as it is accrued. ESST leave may be used in increments of 15-minutes or greater for the following circumstances:

- 1) An employee's own:
 - a. mental or physical illness, injury, or other health condition.
 - b. need for medical diagnosis, care or treatment of a mental or physical illness injury, or health condition.
 - c. need for preventative medical or health care.
- 2) Care of a family member:
 - a. with a mental or physical illness, injury, or other health condition.
 - b. who needs medical diagnosis, care, or treatment of a mental or physical illness, injury or other health condition; or
 - c. who needs preventative medical or health care.
- 3) Absence due to domestic abuse, sexual assault, or stalking of the employee or employee's family member, provided the absence is to:
 - a. seek medical attention related to physical or psychological injury or disability caused by domestic abuse, sexual assault, or stalking.
 - b. obtain services from a victim services organization.
 - c. obtain psychological or other counseling.
 - d. seek relocation or take steps to secure an existing home due to domestic abuse, sexual assault, or stalking.
 - e. seek legal advice or take legal action, including preparing for or participating in any civil or criminal proceeding related to or resulting from domestic abuse, sexual assault, or stalking.
- 4) Closure of the employee's workplace due to weather or other public emergency or an employee's need to care for a family member whose school or place of care has been closed due to weather or other public emergency.
- 5) The employee's inability to work or telework because the employee is:
 - a. prohibited from working by the employer due to health concerns related to the potential transmission of a communicable illness related to a public emergency; or
 - b. seeking or awaiting the results of a diagnostic test for, or a medical diagnosis of, a communicable disease related to a public emergency and such employee has been exposed to a communicable disease or the employer has requested a test or diagnosis; and

- 6) When it has been determined by the health authorities having jurisdiction or by a health care professional that the presence of the employee or family member of the employee in the community would jeopardize the health of others because of the exposure of the employee or family member of the employee to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease.

For sick and safe leave purposes, the term “family member” means an employee’s:

- spouse or registered domestic partner
- child, foster child, adult child, legal ward, child for whom the employee is legal guardian, or child to whom the employee stands or stood in loco parentis (in the place of a parent)
- sibling, step sibling or foster sibling
- biological, adoptive or foster parent, stepparent or a person who stood in loco parentis (in the place of a parent) when the employee was a minor child
- grandchild, foster grandchild or step grandchild
- grandparent or step grandparent
- a child of a sibling of the employee
- a sibling of the parent of the employee or
- a child-in-law or sibling-in-law
- any of the above family members of a spouse or registered domestic partner
- any other individual related by blood or whose close association with the employee is the equivalent of a family relationship, and
- up to one individual annually (January 1-December 31) designated by the employee.

ESST leave is paid at the same hourly rate of pay for the shift for which the leave is being used.

ESST Leave--Advance Notice Requirements for Use

If the need for sick leave is foreseeable, the city requires seven (7) days’ advance notice. However, if the need is unforeseeable, employees must provide notice of the need for sick leave as soon as practicable. An employee must provide notice and keep the supervisor informed on a daily basis of the employee’s condition and expected return to work. An employee is expected to report the absence to the appropriate supervisor within one (1) hour after the employee’s starting time, unless departmental policy requires prior notification. If an employee is hospitalized and/or unable to communicate, a spouse or relative may call in on a daily basis and keep the supervisor advised of the employee’s status. Sick leave may not be approved unless such report has been made. An employee on an approved leave of absence (such as an approved FMLA leave) is not required to provide notice on a daily basis.

When an employee uses sick and safe leave for more than three (3) consecutive days, the city may require appropriate supporting documentation (such as medical documentation supporting medical leave, court records or related documentation to support safety leave). However, if the employee or employee’s family member did not receive services from a health care professional, or if documentation cannot be obtained from a health care professional in a reasonable time or without added expense, then reasonable documentation may include a written statement from the employee indicating that the employee is using, or used, sick leave for a qualifying purpose. The city will not require an employee to disclose details related to domestic abuse, sexual assault, or stalking or the details of the employee’s or the employee’s family member’s medical condition.

In accordance with state law, the city will not require an employee using sick and safe leave to find a replacement worker to cover the hours the employee will be absent.

ESST Leave--Benefits and Return to Work Protections

During an employee’s use of ESST leave, an employee will continue to receive the city’s employer insurance contribution as if they were working, and the employee will be responsible for any share of their insurance premiums.

An employee returning from time off using accrued ESST leave is entitled to return to their city employment at the same rate of pay received when their leave began, plus any automatic pay

adjustments that may have occurred during the employee's time off. Seniority during ESST leave absences will continue to accrue as if the employee has been continually employed.

When there is a separation from employment with the city and the employee is rehired again within 180 days of separation, previously accrued ESST leave that had not been used or paid out will be reinstated. An employee is entitled to use and accrue ESST leave at the commencement of reemployment.

ESST Leave--Retaliation Prohibited

The city prohibits retaliation against an employee who requests or uses ESST leave. The city will not discharge, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for exercising their rights or remedies protected by law. If an employee has a concern about the application of this policy, the employee should first raise the concern with the immediate supervisor and in accordance with the city's policy titled *Right of Appeal*. An employee has the right to file a complaint or bring civil action if ESST leave is denied by the city or the employee experiences retaliation for requesting or using ESST leave. Further, use of ESST leave will not be factored into any attendance point system the city may use. Additionally, it is unlawful to report or threaten to report a person or a family member's immigration status for exercising rights protected under state law.

Employees will be provided with the notice in the form that follows:



Earned Sick and Safe Time Leave Employee Notice

Employees in Minnesota are entitled to earned sick and safe time, a form of paid leave. Full-time employees will earn sick leave at the rate of 8 hours for each month of service and can accumulate up to 960 hours at this rate. Beyond 960 hours, sick leave will continue to accumulate at a rate of 4 hours for each month of service. ¾-time employees are entitled to 75% of the sick leave benefits provided to full-time employees. Full-time and ¾-time employees should reference the Sick Leave policy for maximum accrual limits.

A year for purposes of the employee's earned sick and safe time accrual is: the calendar year (January 1 – December 31).

The earned sick and safe time hours the employee has available, as well as those that have been used in the most recent pay period, must be indicated on the employee's earnings statement that they receive at the end of each pay period. Earned sick and safe time must be paid at the same hourly rate employees earn from employment. Employees are not required to seek or find a replacement for their shift to use earned sick and safe time. They may use earned sick and safe time for all or part of a shift, depending on their need.

Earned sick and safe time can be used for:

- an employee's mental or physical illness, treatment or preventive care;
- the mental or physical illness, treatment or preventive care of an employee's family member;
- absence due to domestic abuse, sexual assault or stalking of an employee or their family member;
- closure of an employee's workplace due to weather or public emergency or closure of their family member's school or care facility due to weather or public emergency; and
- when determined by a health authority or health care professional that an employee or their family member is at risk of infecting others with a communicable disease.

Notifying employer, documentation

An employer can require their employees to provide up to seven days of advance notice when possible (for example, when an employee has a medical appointment scheduled in advance) before using sick and safe time. An

[employer can also require their employees to provide certain documentation regarding the reason for their use of earned sick and safe time if they use it for more than three \(3\) consecutive days.](#)

[If an employee plans to use earned sick and safe time for an appointment, preventive care or another permissible reason they know of in advance, inform the supervisor by phone as far in advance as possible, but at least seven \(7\) days in advance. In situations where an employee cannot provide advance notice, the employee should contact the supervisor by phone as soon as they know they will be unable to work.](#)

Retaliation, right to file complaint

[It is against the law for an employer to retaliate, or to take negative action, against an employee for using or requesting earned sick and safe time or otherwise exercising their earned sick and safe time rights under the law. If an employee believes they have been retaliated against or improperly denied earned sick and safe time, they can file a complaint with the Minnesota Department of Labor and Industry. They can also file a civil action in court for earned sick and safe time violations.](#)

For more information

[Contact the Minnesota Department of Labor and Industry's Labor Standards Division at 651-284-5075 or dli.laborstandards@state.mn.us or visit the department's earned sick and safe time webpage at dli.mn.gov/sick-leave.](#)

[This document contains important information about your employment. Check the box at the left and submit to Human Resources to receive this information in this language.](#)

Spanish/Español	Este documento contiene información importante sobre su empleo. Marque la casilla a la izquierda para recibir esta información en este idioma.
Hmong/Hmoob	Daim ntawv no muaj cov xov tseem ceeb hais txog thaum koj ua hauj lwj. Khij lub npauv ntawm sab laug yog koj xav tau cov xov tseem ceeb no txhais ua lus Hmoob.
Vietnamese/Việt ngữ	Tài liệu này chứa thông tin quan trọng về việc làm của quý vị. Đánh dấu vào ô bên trái để nhận thông tin này bằng Việt ngữ.
Simp. Chinese/简体中文	本文件包含与您的雇用相关的重要信息。勾选左边的方框将接收以这种语言提供的信息。
Russian/русский	Данный документ содержит важную информацию о вашем трудоустройстве. Отметьте галочкой квадрат слева для получения этой информации на данном языке.
Somali/Soomaali	Dokumentigan waxaa ku qoran macluumaad muhiim ah oo ku saabsan shaqadaada. Calaamadi sanduuqan haddii aad rabto inaad macluumaadkan ku hesho luqaddan.
Laotian/ລາວ	ເອກະສານນີ້ມີຂໍ້ມູນທີ່ສໍາຄັນກ່ຽວກັບການຈ້າງງານຂອງທ່ານ. ກວດເບິ່ງກ່ອງທີ່ຢູ່ເບື້ອງຊ້າຍເພື່ອຮັບຂໍ້ມູນນີ້ໃນພາສາລາວ.
Korean/한국어	이 문서에는 귀하의 고용 형태에 관련된 중요한 정보가 담겨있습니다. 이 언어로 이 정보를 받기를 원하시면 왼쪽 상자에 체크하여 주세요.
Tagalog/Tagalog	Ang dokumentong ito ay nagtataglay ng mahalagang impormasyon tungkol sa iyong pagtatrabaho. Lagyan ng tsek ang kahon sa kaliwa upang matanggap ang impormasyong ito sa wikang ito.
Oromo/Oromoo	Waraqaan kun waayee hojii keetii odeeffannoo barbaachisoo ta'an qabatee jira. Saaxinnii karaa bitaatti argamu kana irratti mallattoo godhi yoo afaan Kanaan barreeffama argachuu barbaadde.
Amharic/አማርኛ	ይህ ደብዳቤ ስለሰራተኛው በሚመለከት አስፈላጊ መረጃ የያዘ ነው። ይህንን ደብዳቤ በስተግራ በኩል ባለው ቋንቋ ተተርጉሞ ለንዲሰጡት ከፈለጉ በዛው በስተግራ በኩል ባለው ሳጥን ውስጥ ምልክት ያድርጉ።
Karen / ကညီကရိုင်	လံာ်တၢ်လံာ်စီတခါအံၤဟံၤသ့ၣ်တၢ်ဂ့ၢ်တၢ်ကရိုင်အကါဒိၣ်လၢအဘၣ်သးဒီးတၢ်ဖဲးတၢ်မၤန့ၣ်လီၤ. တၢ်နီၣ်တၢ်ဒၤလၢအဘၣ်တကၤလၢတၢ်ကဒီးန့ၢ်တၢ်ဂ့ၢ်တၢ်ကရိုင်လၢကရိုင်တခါအံၤအဂီၢ်တက့ၢ်.
Arabic/العربية	يحتوي هذا المستند على معلومات مهمة حول عملك. ضع علامة في المربع على اليمين للحصول على هذه المعلومات في هذه اللغة.

7.2 SICK AND SAFE TIME LEAVE FOR PART-TIME, PAID-ON-CALL, TEMPORARY, AND SEASONAL EMPLOYEES (effective 01/01/2024)

Sick and safe time leave under this policy is paid time off that may be used to care for your own illness, to care for a sick family member, or to seek assistance if you or your family member has experienced domestic abuse.

This policy will be administered in accordance with the Minnesota Earned Sick and Safe Time law.

A. Eligibility and Accrual of Earned Sick and Safe Time Leave

All part-time, paid-on-call, temporary, and seasonal employees are eligible for earned sick and safe time (ESST) leave when at least 80 hours of work are performed in a calendar year (January 1 – December 31). An employee who works at least 80 hours in a calendar year will earn one hour of ESST leave for every 30 hours worked, up to a maximum accrual of 48 hours per calendar year. Employees begin accruing ESST on their first day of employment. Employees may roll over unused ESST to the next year up to a maximum accrual of 80 ESST hours. For the purposes of this policy, ESST leave used by an employee does not count towards hours worked.

B. Use of Earned Sick and Safe Time Leave

ESST leave may be used as it is accrued in 15-minute or greater increments.

ESST leave may be used for the following circumstances:

- 1) An employee's:
 - a. mental or physical illness, injury, or other health condition.
 - b. need for medical diagnosis, care or treatment, of your own mental or physical illness.
 - c. need for preventative medical or health care.
- 2) Care of a family member when:
 - a. with a mental or physical illness, injury or other health condition.
 - b. who needs medical diagnosis, care, or treatment of a mental or physical illness, injury or other health condition.
 - c. who needs preventative medical or health care.
- 3) Absence due to domestic abuse, sexual assault, or stalking of the employee or employee's family member, provided the absence is to:
 - a. seek medical attention related to physical or psychological injury or disability caused by domestic abuse, sexual assault, or stalking.
 - b. obtain services from a victim services organization.
 - c. obtain psychological or other counseling.
 - d. seek relocation or take steps to secure an existing home due to domestic abuse, sexual assault, or stalking.
- 4) Closure of the employee's workplace due to weather or other public emergency or an employee's need to care for a family member whose school or place of care has been closed due to weather or other public emergency.
- 5) The employee's inability to work or telework because the employee is:
 - a. prohibited from working by the employer due to health concerns related to the potential transmission of a communicable illness related to a public emergency.
 - b. seeking or awaiting the results of a diagnostic test for, or a medical diagnosis of, a communicable disease related to a public emergency and such employee has been exposed to a communicable disease or the employer has requested a test or diagnosis.
 - c. when it has been determined by the health authorities have jurisdiction or by a health care professional that the presence of the employee or family member of the employee in the community would jeopardize the health of others because of the exposure of the employee or family member of the employee to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease.

C. For Earned Sick and Safe Time Leave purposes, "family member" means an employee's:

- child, foster child, adult child, legal ward, child for whom the employee is legal guardian, or child to whom the employee stands or stood in loco parentis (in the place of a parent).
- spouse or registered domestic partner.
- sibling, stepsibling, or foster sibling.
- biological, adoptive, or foster parent, stepparent, or a person who stood in loco parentis (in the place of a parent) when the employee was a minor child.
- grandchild, foster grandchild, or step-grandchild.
- grandparent or step-grandparent.
- a child of a sibling of the employee.
- a sibling of the parents of the employee.
- a child-in-law or sibling-in-law.
- any of the family members listed in 1 through 9 above of a spouse or registered domestic partner.
- any other individual related by blood or whose close association with the employee is the equivalent of a family relationship; and
- up to one individual annually designed by the employee.

D. Advance Notice for Use of Earned Sick and Safe Time Leave

If the need for ESST is foreseeable, the city requires seven (7) days' advance notice. However, if the need is unforeseeable, employees must provide notice of the need for ESST leave as soon as practicable. When an employee uses ESST leave for more than three consecutive days, the city may require appropriate supporting documentation (such as medical documentation supporting medical leave, court records, or related documentation to support safety leave). However, if the employee or employee's family member did not receive services from a health care professional, or if documentation cannot be obtained from a health care professional in a reasonable time or without added expense, then reasonable documentation may include a written statement from the employee indicating that the employee is using, or used, ESST leave for a qualifying purpose. The city will not require an employee to disclose details related to domestic abuse, sexual assault, or stalking, or the details of the employee's or the employee's family member's medical condition.

In accordance with state law, the city will not require an employee using ESST leave time to find a replacement worker to cover the hours the employee will be absent.

E. Carry-over of Earned Sick and Safe Time Leave

Employees are eligible for carry-over of accrued, unused ESST into the following calendar year. The total amount of accrued, unused ESST for an employee shall not exceed 80 hours at any time.

F. Return to Work Protections

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

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

G. Retaliation Prohibited

The city prohibits retaliation against an employee who requests or uses ESST leave. The city will not discharge, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for exercising their rights or remedies protected by law. If an employee has a concern about the application of this policy, the employee should first raise the concern with the immediate supervisor and in accordance with the city's policy titled *Right of Appeal*. An employee has the right to file a complaint or bring civil action if ESST leave is denied by the city or the employee experiences retaliation for requesting or using ESST leave. Further, use of ESST leave will not be factored into any attendance point system the city may use. Additionally, it is unlawful to report or threaten to report a person or a family member's immigration status for exercising rights protected under state law.

Employees will be provided with the notice in the form that follows:

Earned Sick and Safe Time Leave Employee Notice

Employees in Minnesota are entitled to earned sick and safe time, a form of paid leave. All part-time, paid-on-call, temporary, and seasonal employees who work at least 80 hours in a calendar year will earn one hour of earned sick and safe time leave for every 30 hours worked, up to a maximum accrual of 48 hours per calendar year.

A year for purposes of the employee's earned sick and safe time accrual is: the calendar year (January 1 – December 31).

The earned sick and safe time hours the employee has available, as well as those that have been used in the most recent pay period, must be indicated on the employee's earnings statement that they receive at the end of each pay period. Earned sick and safe time must be paid at the same hourly rate employees earn from employment. Employees are not required to seek or find a replacement for their shift to use earned sick and safe time. They may use earned sick and safe time for all or part of a shift, depending on their need.

Earned sick and safe time can be used for:

- an employee's mental or physical illness, treatment or preventive care;
- the mental or physical illness, treatment or preventive care of an employee's family member;
- absence due to domestic abuse, sexual assault or stalking of an employee or their family member;
- closure of an employee's workplace due to weather or public emergency or closure of their family member's school or care facility due to weather or public emergency; and
- when determined by a health authority or health care professional that an employee or their family member is at risk of infecting others with a communicable disease.

Notifying employer, documentation

An employer can require their employees to provide up to seven days of advance notice when possible (for example, when an employee has a medical appointment scheduled in advance) before using sick and safe time. An employer can also require their employees to provide certain documentation regarding the reason for their use of earned sick and safe time if they use it for more than three (3) consecutive days.

If an employee plans to use earned sick and safe time for an appointment, preventive care or another permissible reason they know of in advance, inform the supervisor by phone as far in advance as possible, but at least seven (7) days in advance. In situations where an employee cannot provide advance notice, the employee should contact the supervisor by phone as soon as they know they will be unable to work.

Retaliation, right to file complaint

It is against the law for an employer to retaliate, or to take negative action, against an employee for using or requesting earned sick and safe time or otherwise exercising their earned sick and safe time rights under the law. If an employee believes they have been retaliated against or improperly denied earned sick and safe time, they can file a complaint with the Minnesota Department of Labor and Industry. They can also file a civil action in court for earned sick and safe time violations.

For more information

Contact the Minnesota Department of Labor and Industry's Labor Standards Division at 651-284-5075 or dli.laborstandards@state.mn.us or visit the department's earned sick and safe time webpage at dli.mn.gov/sick-leave.

This document contains important information about your employment. Check the box at the left and submit to Human Resources to receive this information in this language.

Spanish/Español	Este documento contiene información importante sobre su empleo. Marque la casilla a la izquierda para recibir esta información en este idioma.
Hmong/Hmoob	Daim ntawv no muaj cov xov tseem ceeb hais txog thaum koj ua hauj lwj. Khij lub npauv ntawm sab laug yog koj xav tau cov xov tseem ceeb no txhais ua lus Hmoob.
Vietnamese/Việt ngữ	Tài liệu này chứa thông tin quan trọng về việc làm của quý vị. Đánh dấu vào ô bên trái để nhận thông tin này bằng Việt ngữ.
Simp. Chinese/简体中文	本文件包含与您的雇用相关的重要信息。勾选左边的方框将接收以这种语言提供的信息。
Russian/русский	Данный документ содержит важную информацию о вашем трудоустройстве. Отметьте галочкой квадрат слева для получения этой информации на данном языке.
Somali/Soomaali	Dokumentigan waxaa ku qoran macluumaad muhiim ah oo ku saabsan shaqadaada. Calaamadi sanduuban haddii aad rabto inaad macluumaadkan ku hesho luqaddan.
Laotian/ລາວ	ເອກະສານນີ້ມີຂໍ້ມູນທີ່ສໍາຄັນກ່ຽວກັບການຈ້າງງານຂອງທ່ານ. ກວດເບິ່ງກ່ອງທີ່ຢູ່ເບື້ອງຊ້າຍເພື່ອຮັບຂໍ້ມູນນີ້ໃນພາສາລາວ.
Korean/한국어	이 문서에는 귀하의 고용 형태에 관련된 중요한 정보가 담겨있습니다. 이 언어로 이 정보를 받기를 원하시면 왼쪽 상자에 체크하여 주세요.
Tagalog/Tagalog	Ang dokumentong ito ay nagtataglay ng mahalagang impormasyon tungkol sa iyong pagtatrabaho. Lagyan ng tsek ang kahon sa kaliwa upang matanggap ang impormasyong ito sa wikang ito.
Oromo/Oromoo	Waraqaan kun waayee hojii keetii odeeffannoo barbaachisoo ta'an qabatee jira. Saaxinnii karaa bitaatti argamu kana irratti mallattoo godhi yoo afaan Kanaan barreeffama argachuu barbaadde.
Amharic/አማርኛ	ይህ ደብዳቤ ለአጠቃላይ በሚመለከት አስፈላጊ መረጃ የያዘ ነው። ይህንን ደብዳቤ በስተግራ በኩል ባለው ቋንቋ ተተርጉሞ ለአዲስጠን ከፈለጉ በዛው በስተግራ በኩል ባለው ሳጥን ውስጥ ምልክት ያድርጉ።
Karen / ကညီကျိာ်	လၢ်တီလၢ်စိတခါအါပၢ်သ့တၢ်ဂ့ၢ်တၢ်ကျိၢ်အကါဒိၣ်လၢအဘၣ်သးဒီးန့ၣ်တၢ်ဖဲတၢ်မၤန့ၣ်လၢ်. တၢ်နီၣ်တၢ်ခါလၢအဘၣ်တၢ်ပၤလၢတၢ်ကဒီးန့ၣ်တၢ်ဂ့ၢ်တၢ်ကျိၢ်လၢကျိၢ်တခါအါအကါတၢ်ဂ့ၢ်.
Arabic/العربية	يحتوي هذا المستند على معلومات مهمة حول عملك. ضع علامة في المربع على اليمين للحصول على هذه المعلومات في هذه اللغة.

Earned sick and safe time as of Jan. 1, 2024

WHAT IS SICK AND SAFE TIME?

Sick and safe time is paid leave employers must provide to employees in Minnesota that can be used for certain reasons, including when an employee is sick, to care for a sick family member or to seek assistance if an employee or their family member has experienced domestic abuse.



WHO IS ELIGIBLE?

An employee is eligible for sick and safe time if they:

- work at least 80 hours in a year for an employer in Minnesota; and
- are not an independent contractor.

Temporary and part-time employees are eligible for sick and safe time. Sick and safe time requirements will not apply to building and construction industry employees who are represented by a building and construction trades labor organization if a valid waiver of these requirements is provided in a collective bargaining agreement.

HOW MUCH LEAVE CAN EMPLOYEES EARN?

An employee earns one hour of sick and safe time for every 30 hours worked and can earn a maximum of 48 hours each year unless the employer agrees to a higher amount.

AT WHAT RATE MUST THE LEAVE BE PAID?

Sick and safe time must be paid at the same hourly rate an employee earns when they are working.

WHAT CAN THE LEAVE BE USED FOR?

Employees can use their earned sick and safe time for reasons such as:

- the employee's mental or physical illness, treatment or preventive care;
- a family member's mental or physical illness, treatment or preventive care;
- absence due to domestic abuse, sexual assault or stalking of the employee or a family member;
- closure of the employee's workplace due to weather or public emergency or closure of a family member's school or care facility due to weather or public emergency; and
- when determined by a health authority or health care professional that the employee or family member is at risk of infecting others with a communicable disease.

WHICH FAMILY MEMBERS ARE INCLUDED?

Employees may use earned sick and safe time for their following family members:

1. their child, including foster child, adult child, legal ward, child for whom the employee is legal guardian or child to whom the employee stands or stood in loco parentis (in place of a parent);
2. their spouse or registered domestic partner;
3. their sibling, stepsibling or foster sibling;
4. their biological, adoptive or foster parent, stepparent or a person who stood in loco parentis (in place of a parent) when the employee was a minor child;
5. their grandchild, foster grandchild or step-grandchild;
6. their grandparent or step-grandparent;
7. a child of a sibling of the employee;
8. a sibling of the parents of the employee;
9. a child-in-law or sibling-in-law;
10. any of the family members listed in 1 through 9 above of an employee's spouse or registered domestic partner;
11. any other individual related by blood or whose close association with the employee is the equivalent of a family relationship; and
12. up to one individual annually designated by the employee.

Earned sick and safe time as of Jan. 1, 2024

WHAT ADDITIONAL SICK AND SAFE TIME RESPONSIBILITIES DO EMPLOYERS HAVE?

In addition to providing their employees with one hour of paid leave for every 30 hours worked, up to at least 48 hours each year, employers are required to:

- include the total number of earned sick and safe time hours accrued and available for use, as well as the total number of earned sick and safe time hours used, on earnings statements provided to employees at the end of each pay period;
- provide employees with a notice by Jan. 1, 2024 — or at the start of employment, whichever is later — in English and in an employee's primary language if that is not English, informing them about earned sick and safe time; and
- include a sick and safe time notice in the employee handbook, if the employer has an employee handbook.

The Minnesota Department of Labor and Industry will prepare a uniform employee notice that employers can use and will make it available in the five most common languages spoken in Minnesota.

CURRENT SICK AND SAFE TIME LOCAL ORDINANCES

Earned sick and safe time local ordinances already exist in the cities of Bloomington, Duluth, Minneapolis and St. Paul, Minnesota. When Minnesota's statewide earned sick and safe time law goes into effect Jan. 1, 2024, employers must follow the most protective law that applies to their employees.



Sick time

For physical or mental health conditions, illness or injury



Safe time

To address domestic abuse, sexual assault or stalking



Labor Standards • 443 Lafayette Road N. • St. Paul, MN 55155
651-284-5075 • 800-342-5354 • dli.mn.gov • dli.laborstandards@state.mn.us

**CITY OF MARSHALL
PERSONNEL COMMITTEE
AGENDA ITEM REPORT**

Presenter:	Sheila Dubs
Meeting Date:	Tuesday, December 5, 2023
Category:	NEW BUSINESS
Type:	ACTION
Subject:	2024 Wage Schedule for Temporary/Seasonal Employees
Background Information:	<p>On an annual basis, the Council reviews the wage schedule for temporary/seasonal employees.</p> <p>Attached is a redlined wage schedule for your consideration. Amendments are proposed for the following titles:</p> <ul style="list-style-type: none"> Building Custodian Building Inspector Cable Access Worker (<i>title change only</i>) Engineering Aid Maintenance Worker (CDL required) Office Assistant Public Ways Worker <p>Staff will be available to review the recommended changes in greater detail at the meeting. Supporting memos from hiring managers are included that explain the rationale for the recommendations. All changes would be effective 01/01/2024.</p>
Fiscal Impact:	All positions are temporary positions---department supervisors will manage employee hours to stay within budget parameters.
Alternative/Variations:	
Recommendations:	Staff recommends the Personnel Committee pass a motion to recommend to the City Council to approve the amended 2024 Wage Schedule for Temporary/Seasonal Employees.

CITY OF MARSHALL 2024 WAGE SCHEDULE--Temporary/Seasonal Employees

Item 3.

ASSIFICATION	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7
7th/8th Grade Baseball/Softball Coach	1,000.00	1,200.00	1,400.00	1,600.00	1,800.00		
7th/8th Grade Tackle Football Coach	1,000.00	1,200.00	1,400.00	1,600.00	1,800.00		
After School Program Instructor	14.00	15.00	16.00	17.00	18.00	19.00	20.00
After School Program Helper	11.00	11.50	12.00	12.50	13.00	13.50	14.00
Appraiser	20.13	21.47	22.81	24.16	25.50	26.84	
Audio/Video Support Technician	11.00	11.25	11.50	11.75	12.00	12.25	12.50
Band Director (paid per season)	900.00	1,000.00	1,100.00	1,200.00	1,300.00	1,400.00	1,500.00
Bike Patrol	12.00	13.00	14.00	15.00	16.00	17.00	18.00
Building Custodian	41.29	42.04	42.79	43.55	44.30	45.05	
Building Custodian	15.00	16.00	17.00	18.00	19.00	20.00	21.00
Building Inspector	22.00	23.50	25.00	26.50	28.00	29.50	31.00
Building Inspector	23.00	24.50	26.00	27.50	29.00	30.50	32.00
Cable Access Worker	11.50	12.50	13.50	14.50	15.50	16.50	17.50
Media Production Assistant (title change)	11.50	12.50	13.50	14.50	15.50	16.50	17.50
Community Education Helper	11.00	11.50	12.00	12.50	13.00	13.50	14.00
Community Education Instructor**			% based on participant fees				
Concessions Manager	14.00	15.00	16.00	17.00	18.00	19.00	20.00
Concessions Worker	11.00	11.50	12.00	12.50	13.00	13.50	14.00
Election Judge			15.00				
Head Election Judge			17.00				
Engineering Aid	42.50	43.00	43.50	44.00	44.50	45.00	45.50
Engineering Aid	13.00	13.50	14.00	14.50	15.00	15.50	16.00
MAC Assistant Manager	14.00	15.00	16.00	17.00	18.00	19.00	20.00
MAC Attendant	11.50	11.75	12.00	12.25	12.50	12.75	13.00
MAC Lifeguard	12.50	12.75	13.00	13.25	13.50	13.75	14.00
MAC Lifeguard w/WSI	13.25	13.50	13.75	14.00	14.25	14.50	14.75
MAC Manager	15.00	16.00	17.00	18.00	19.00	20.00	21.00
Maintenance Worker (with CDL)	47.50	48.00	49.00	50.00	51.00	52.00	53.00
Maintenance Worker (with CDL)	18.50	19.00	20.00	21.00	22.00	23.00	24.00
Event Staff	12.00	13.00	14.00	15.00	16.00	17.00	18.00
Office Assistant	42.50	43.00	44.00	45.00	46.00	47.00	48.00
Office Assistant	14.00	14.50	15.50	16.50	17.50	18.50	19.50
Official--Basketball (paid per game)	30.00	31.00	32.00	33.00	34.00	35.00	36.00
Official--Intramural (paid per game)	15.00	16.00	17.00	18.00	19.00	20.00	21.00
Official--MSHSL Baseball (paid per game)			60.00				
Official--MSHSL Football (paid per game)			60.00				
Official--MSHSL Softball (paid per game)			60.00				
Official--Softball (MSF Certified)	25.00	26.00	27.00	28.00	29.00	30.00	31.00
Official--Volleyball (paid per game)	15.00	16.00	17.00	18.00	19.00	20.00	21.00
Open Gym/Skate Supervisor	12.00	12.25	12.50	12.75	13.00	13.25	13.50
Public Ways Worker	43.00	43.50	44.00	44.50	45.00	45.50	46.00
Public Ways Worker	14.00	14.50	15.00	15.50	16.00	16.50	17.00
Parks Maintenance Worker	12.00	12.50	13.00	13.50	14.00	14.50	15.00
Recreation Program Assistant	12.00	13.00	14.00	15.00	16.00	17.00	18.00
Recreation Program Coordinator**	12.00	13.00	14.00	15.00	16.00	17.00	18.00
Recreation Program Helper	11.00	11.50	12.00	12.50	13.00	13.50	14.00
Recreation Program Helper	11.00	11.25	11.50	11.75	12.00	12.25	12.50
Recreation Program Helper	12.00	13.00	14.00	15.00	16.00	17.00	18.00
Recreation Program Helper	12.00	13.00	14.00	15.00	16.00	17.00	18.00

Approved: XXXXXXXX
Implementation date: 01/01/2024

Note:
Effective 01/01/2023 minimum wage is \$10.50/hr
Effective 01/01/2024 minimum wage is \$10.85/hr

Abbreviations Key:
FT: full-time hours
MAC: Marshall Aquatic Center
WSI: Water Safety Instructor
LTS: Learn-to-swim

MSHSL: MN State High School League Certified Official
MSF: MN Sports Federation

*Community Education Instructor: 75% of net class proceeds is customary, % may increase for new / establishing programs as approved by the Director of Community Services.

**Recreation Program Coordinator: may be compensated at 75% of net class proceeds or greater, when designated and approved by the Director of Community Services



TO: Sheila Dubs, HR Manager
FROM: Alex Peterson, Media Communications Specialist
CC:
DATE: October 2, 2023
SUBJECT: TEMPORARY WAGE SCHEDULE AMENDMENT

Staff recommend a change to the job title of “Cable Access Worker” to “Media Production Assistant” to clarify confusion about the job duties. Some potential applicants thought the job included installing cable TV in homes/businesses. The new job title clarifies the duties to include the production of media related content.

There is no wage adjustment proposed for this update.

TO: Sheila Dubs, Human Resource Manager

FROM: Jason R. Anderson, P.E., Director of Public Works/City Engineer

DATE: September 19, 2023

SUBJECT: Temporary/Seasonal Employee Wage Schedule Changes

The Public Works Division and Community Planning Division would like to increase the pay scale for the Building Custodian, Building Inspector, Engineering Aid, Maintenance Worker (with CDL), Office Assistant, and Public Ways Worker.

The Building Custodian should be increased to reflect a Step 1 wage of \$15.00/hour with a \$1.00/hour increase for each step thereafter. The full-time wage schedule ranges from \$17.51/hour to \$23.29/hour. The pay scale was last updated in 2021.

The Building Inspector should be increased to reflect a Step 1 wage of \$23.00/hour with a \$0.50/hour increase for each step thereafter. The full-time wage schedule ranges from \$25.67/hour to \$34.13/hour. The pay scale was last updated in 2023.

The Engineering Aid should be increased to reflect a Step 1 wage of \$13.00/hour with a \$0.50/hour increase for each step thereafter. The pay scale was last updated in 2022.

The Maintenance Worker (with CDL) should be increased to reflect a Step 1 wage of \$18.50/hour with a \$0.50/hour increase to Step 2 and \$1.00/hour increase each step thereafter. The full-time wage schedule ranges from \$23.84/hour to \$31.71/hour. The pay scale was last updated in 2023.

The Office Assistant should be increased to reflect a Step 1 wage of \$14.00/hour with a \$0.50/hour increase to Step 2 and \$1.00/hour increase for each step thereafter. The full-time wage schedule ranges from \$20.16/hour to \$26.81/hour. The pay scale was last updated in 2023.

The Public Ways Worker should be increased to reflect a Step 1 wage of \$14.00/hour with a \$0.50/hour increase for each step thereafter. The pay scale was last updated in 2023.

This adjusted pay scale will offer staff the flexibility to pay a more competitive rate if the work experience is commensurate.

We are having an increasingly difficult time hiring our seasonal employees and we believe low-rate of pay is part of the issue. In recent years the Public Ways Worker positions have been particularly difficult to get filled. It is very important that we remain competitive to attract needed help.

Thank you for your time and consideration with this request.

JRA:lrk

**CITY OF MARSHALL
PERSONNEL COMMITTEE
AGENDA ITEM REPORT**

Presenter:	Sheila Dubs
Meeting Date:	Tuesday, December 5, 2023
Category:	NEW BUSINESS
Type:	ACTION
Subject:	Request for amendment to the Employee Recognition Policy
Background Information:	<p>Our current Service Award Program provides for employee recognition and awards for service milestones in 5 year increments, starting with 5 years of service and ending at 40 years of service. Staff are requesting to extend this recognition program to include employees who reach both 45 and 50 years of service. The requested policy amendment is shown in redlining below. The proposed service award schedule is attached.</p> <p>Service Awards Program</p> <p>The purpose of this program is to recognize and reward the service of employees at milestones in their careers through a uniform and consistent recognition program. Employees will be recognized at an annual employee recognition event, the year following their anniversary date. The “Years of Service” award will recognize employees who have achieved the following levels of continuous service: five (5) years, ten (10) years, fifteen (15) years, twenty (20) years, twenty-five (25) years, thirty (30) years, thirty-five (35) years, and forty (40) years, <u>forty-five (45) years, and fifty (50) years</u>. Each employee will receive an award established through administrative approval, which corresponds to his/her level of continuous service achievement. Employees that achieve the thirty (30) years of service level will also have his/her name inscribed to the Service Plaque in City Hall.</p> <p>For the purpose of this event, service awards shall apply to individuals currently employed with the City, classified as a full-time or ¾-time employee; or a part-time employee, with at least 5 years of service (reference <i>Years of Service</i> definition in Chapter 2).</p> <p>Recognition of service for paid-on-call employees of the Fire Department and Chemical Assessment Team will be acknowledged by their respective departments.</p> <p>An employee may decline the recognition and/or service award; however, no substitutions will be made if an award is declined.</p>
Fiscal Impact:	
Alternative/ Variations:	
Recommendations:	Staff recommends the Personnel Committee pass a motion to recommend to the City Council to approve the amended personnel policy and service award schedule.

Service Award Schedule

Proposed Schedule	
Yrs of Service	Service Award (gift value)
5	\$35.00
10	\$50.00
15	\$75.00
20	\$100.00
25	\$150.00
30	\$200.00
35	\$250.00
40	\$375.00
45	\$400.00
50	\$425.00

**CITY OF MARSHALL
PERSONNEL COMMITTEE
AGENDA ITEM REPORT**

Presenter:	Sheila Dubs												
Meeting Date:	Tuesday, December 5, 2023												
Category:	NEW BUSINESS												
Type:	ACTION												
Subject:	Request for amendment to the Holiday Policy												
Background Information:	<p>Tall Grass Liquors is open for business 362 days a year; the three dates the store is closed are Thanksgiving Day, Christmas Day, and Easter. Scheduling employees to work for many of the other state and federal holidays has become a challenge. Staff are proposing to incentivize our part-time staff to accept holiday hours by paying a holiday premium pay. Staff are also proposing to allow full-time staff to “substitute” an alternative date as a holiday when he/she is required to work on the observed holiday in lieu of being paid the holiday pay and surrendering the day off. The requested policy amendment is shown in bolded type below (see last paragraph of policy).</p> <p>6.3 HOLIDAYS The following legal holidays are observed as paid holidays for all eligible employees:</p> <table border="1"> <tr> <td>New Year’s Day</td><td>Labor Day</td></tr> <tr> <td>Martin Luther King, Jr. Day</td><td>Veteran’s Day</td></tr> <tr> <td>President’s Day</td><td>Thanksgiving Day</td></tr> <tr> <td>Memorial Day</td><td>Day after Thanksgiving Day</td></tr> <tr> <td>Juneteenth</td><td>Christmas Day</td></tr> <tr> <td>Independence Day</td><td></td></tr> </table> <p>In addition to the above specified legal holidays, eligible employees are provided one (1) paid floating holidays (8 hours). Floating holidays must be approved by the appropriate supervisor, and should be requested by the employee at least one (1) week in advance of the day requested off. Floating holidays may not be carried into the next fiscal year. Floating holidays are earned on a pro-rated basis over the following 12 months; therefore, if an employee leaves City employment prior to the time the floating holiday has been earned, the final pay check will be adjusted accordingly.</p> <p>Official holidays commence at the beginning of the first shift of the day on which the holiday is observed and continue for twenty-four (24) hours thereafter. For purposes of calculating the specified holidays and floating holiday, each holiday is calculated in terms of eight (8) hours for a total of 80 hours of legal holidays and 8 hours of floating holidays.</p> <p>When a specified holiday falls on a Sunday, the following Monday will be the “observed” holiday and when a holiday falls on a Saturday, the preceding Friday will be the “observed” holiday for City operations/facilities that are closed on holidays.</p> <p>Full-time employees will receive payment for the holiday regardless of whether the holiday is worked. The holiday hours may not be taken/accrued as compensatory time off. For employees on shift schedules, when a holiday falls on an employee’s regularly scheduled day off, the employee will be entitled to eight (8) hours of holiday pay at the employee’s regular hourly rate of pay. When an employee’s services are required for</p>	New Year’s Day	Labor Day	Martin Luther King, Jr. Day	Veteran’s Day	President’s Day	Thanksgiving Day	Memorial Day	Day after Thanksgiving Day	Juneteenth	Christmas Day	Independence Day	
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	<p>an emergency or an essential public service on a holiday, the employee will be entitled to pay at 1.5 times the regular rate for each hour worked, plus eight (8) hours regular rate holiday pay.</p> <p>An employee on an unpaid leave of absence is not eligible for holiday pay.</p> <p>Non-essential City operations will close at 12:00PM (noon) on Christmas Eve day. Employees have the option to continue working or utilize paid leave accruals (except sick leave unless utilized in accordance with the policy) for the approved leave time.</p> <p>Tall Grass Liquor employees: Part-time employees who are scheduled to work on an observed holiday (reference schedule above) will be compensated at 1.5 times the regular rate of pay for all hours worked on the holiday. Non-exempt full-time employees who are scheduled to work on an observed holiday will have the option of: 1) compensation at 1.5 times the regular rate for each hour worked, plus eight (8) hours regular rate holiday pay; or 2) compensation at 1.5 times the regular rate of pay for all hours worked on the holiday, and be entitled to designate an alternative 8-hour day as a holiday. The alternative holiday designation must be taken within 30 days and approved by a supervisor.</p>
Fiscal Impact:	
Alternative/ Variations:	
Recommendations:	Staff recommends the Personnel Committee pass a motion to recommend to the City Council to approve the amended personnel policy.