

SECTION 1 INTRODUCTION

1.1 How to use this Personnel Policy Purpose

~~This~~ The purpose of this personnel policy is provided as a reference and as a summary of the city of Ramsey's personnel policies, work rules, and benefits. – It replaces, revokes, and supersedes any previous personnel policies, interpretations, or practices, and is only valid until amended or replaced by the City Council. Accordingly, you will find it to your advantage to read the entire personnel policy promptly so that you will have a complete understanding of the material covered.

The purpose of this personnel policy is to provide for a safe, orderly, and disciplined employment environment. This policy will promote knowledge of what is expected of personnel generally, which should result in a greater degree of self-assurance in all positions. In relationships between positions it should be each City employee's individual aim to build mutual respect and confidence which is essential to local government service.

Any local, state, or federal laws that impose stricter requirements or regulations shall be used in lieu of policies or procedures outlined in this personnel policy, whenever they apply.

Additional information or clarification as to each section of this personnel policy may be obtained from your supervisor, Department Head or the Human Resources Manager Administrative Services Director. The text of this policy, however takes precedence over and controls any inconsistent communication from any City employee or elected official.

This personnel policy summarizes the various policies and benefits currently provided by the city of Ramsey. Nothing contained in this personnel policy or in any other City document, and nothing said or done by a City employee, may be construed as an employment contract between the City and an employee, -a guarantee of continued employment, or terms and conditions of employment. The City and the employee both have the right to terminate the employment relationship at any time. Except as modified by an individual contract or a collective bargaining agreement, all employment with the City is "at-will" employment.

The City reserves the right to modify, revoke, suspend, or change this personnel policy, in whole or in part, at any time, with or without notice, at the City Council's sole discretion.

1.2 *Scope of Policy*

Section 1.02 Scope

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

1. Elected officials
2. City attorney
3. Members of city boards, commissions, and committees
4. Consultants and contractors
5. Volunteers, except as specifically noted for paid-on-call firefighters.

If any specific provisions of the personnel policies conflict with any current union agreement or civil service rules, the union agreement or civil service rules will prevail. Union employees are encouraged to consult their collective bargaining agreement first for information about their employment conditions. Nothing in these policies is intended to modify or supersede any applicable provision of state or federal law.

These policies serve as an information guide to help employees become better informed and to make their experience with the city more rewarding. Departments may have special work rules deemed necessary by the supervisor and approved by the city administrator for the achievement of objectives of that department. Each employee will be given a copy of such work rules by the department upon hiring and those rules will be further explained, and enforcement discussed with the employee by the immediate supervisor.

This personnel policy generally applies to all City employees, including probationary employees, and elected officials.

Certain provisions of this policy may be inapplicable to the following individuals:

- 1) Elected officials;
- 2) Appointed personnel; i.e. City Attorney;
- 3) Members of City boards, commissions, and committees;
- 3)4) Consultants and Contractors
- 4)5) Volunteers, except as specifically noted for pPaid-on-call Firefighters and volunteer personnel;
- 5)6) Emergency employees who are employed for emergency work caused by natural disaster;
- 6)7) Temporary full-time and temporary part-time employees and those working less than 14 hours per week.

~~Any employee included in a collective bargaining agreement entered into in accordance with the Public Employment Labor Relations Act shall be exempt from any provision of this policy that is inconsistent with such agreement. Any employee within the jurisdiction of a personnel board or civil service commission established under Minnesota state law is exempt from any provision of this policy that is inconsistent with such statute or rules and regulations adopted hereunder. Nothing in this Section is intended to modify or supersede any provision of the Minnesota Veterans' Preference Act.~~

1.3 Employee Responsibility

It is the individual employee's responsibility to know and understand thoroughly the policies and subjects covered in this personnel policy. Updated material may be added periodically. Each employee is responsible for going over any new material added. Any questions about the material covered in this policy can be answered by the employee's Supervisor, Department Head or Human Resources.

1.4 Data Practices Advisory:

Employee records are maintained in a location designated by the city administrator. Personnel data is retained in personnel files, finance files, and benefit/medical files. Information is used to administer employee salary and benefit programs, process payroll, complete state and federal reports, document employee performance, etc.

Employees have the right to know what data is retained, where it is kept, and how it is used. All employee data will be received, retained, and disseminated according to the Minnesota Government Data Practices Act.

~~In accordance with the Minnesota Government Data Practices Act, the City is required to inform employees of their rights as they pertain to any private information that the City collects from them. During the course of City employment, an employee will likely be asked to provide information which is classified by state law as either private or confidential. Private data is information which generally cannot be given to the public but can be given to the subject of the data. Confidential data is information which generally cannot be given to either the public or the subject of the data. Much of the data the City has about individual employees, however, is classified as public according to Minnesota Statutes, section 13.43, subdivisions 2 and 3. All public data is available for inspection and copying by members of the public, with or without the employee's consent.~~

~~Information about employees requested by the City may be used for the following purposes: (1) process payroll, including accounting for wages and fringe benefits and to justify any reimbursed expenses; (2) enroll in benefit programs and pension plans (3) evaluate the employee's job performance, eligibility and abilities; (4) distinguish the employee from other applicants and employees and identify the employee in the correct personnel file; (5) determine the employee's eligibility for employment or promotion, and make employment decisions about the employee's performance; (6) contact the employee or other significant persons in case of an emergency; (7) compile equal opportunity and affirmative action reports; (8) make decisions regarding the employee's eligibility for sick leave, family and medical leave, parenting leave, and other available leave; (9) make decisions regarding the employee's eligibility for workplace accommodations, including accommodations for disabilities; (10) comply with workers compensation requirements in the event of an injury; and (11) provide information during workplace investigations. Such information may also be used and disclosed for other purposes consistent with applicable law. The information provided by the employee may be used in performance evaluations, determinations regarding merit pay, applications for different employment positions, and other matters which involve a review of the employee's personnel file and past performance.~~

~~Unless the employee is told otherwise, the employee is required to provide this information. If the employee refuses to supply the information, the employee may face disciplinary action. Any information which the employee is required to provide cannot be used against the employee in a criminal proceeding. Even if the employee is not required to provide information, it is generally to the employee's best interest to provide it. Without the requested information, the City may not be able to determine the employee's eligibility for employment opportunities, compute wages, or grant the employee other benefits. The employee's refusal to provide information during an employment investigation may also necessitate that the investigation be completed without his or her input.~~

Federal law permits government agencies to require individuals to provide their social security number for the administration of any tax. Please be aware that when an employee is asked to give his or her social security number on revenue forms, this collection is mandated by law. This information will be shared with the Minnesota Department of Revenue, the Internal Revenue Services, and security tax programs. In most other cases, the disclosure of an employee's social security number is voluntary.

Any information an employee is asked to provide may be shared with individuals within the City whose job duties reasonably require access, as well as individuals outside of the city whose duties require access, such as insurance vendors, consultants, attorneys, and retirement plan employees. Information may also be shared with other agencies authorized by law to receive specific data.

If litigation arises, the information may be provided in documents filed with the court which are available to any member of the public. If it is reasonably necessary to discuss the information at a City Council meeting, it will be available to members of the public. To the extent that some or all of the information is part of the basis for a final decision on disciplinary action, that information is available to any member of the public.

1.5 Equal Employment Opportunity Statement

The city of Ramsey is committed to providing equal opportunity in all areas of employment, including but not limited to recruitment, hiring, demotion, promotion, transfer, selection, lay-off, disciplinary action, termination, compensation and selection for training. The city of _____ will not discriminate against any employee or job applicant on the basis of race (including traits associated with race, including, but not limited to, hair texture and hair styles such as braids, locs and twists) color, creed, religion, national origin, ancestry, sex, sexual orientation, gender identity, or gender expression, disability, age, marital status, genetic information, status with regard to public assistance, veteran status, familial status, or membership on a local human rights commission or lawful participation in the Minnesota Medical Cannabis Patient Registry.

~~This is to affirm the city of Ramsey's policy of providing Equal Opportunity to all employees and applicants for employment and complying with all applicable Equal Employment Opportunity/Affirmative Action laws, directives and regulations of Federal, State and Local governing bodies or agencies thereof. This policy extends to all applicants and employees and to all aspects of the employment relationship, including, but not limited to, recruiting, hiring, promotion, transfer, discipline, and compensation.~~

~~The city of Ramsey is an Equal Opportunity Employer. The City provides equal employment and advancement opportunity on the basis of merit within the context of its unique business environment and without regard to race, color, creed, religion, national origin, sex, sexual orientation, disability, age, marital status, familial status, status with regard to public assistance, or any other characteristic protected by state or federal law.~~

~~The city of Ramsey will take affirmative action to ensure that all employment practices are free of discrimination. Such employment practices include, but are not limited to the following; hiring,~~

~~upgrading, demotion, transfer, recruitment or recruitment advertising, selection, layoff, disciplinary action, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.~~

Personal Communications and Use of Social Media

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

- Do not share any private or confidential information you have access to as a result of your city position.
- Any personal communications made on a matter of public concern must not disrupt the efficiency of the city's operation, including by negatively affecting morale. Put another way, such public comments must not undermine any city department's ability to effectively serve the public. Disruptive personal communications can include liking or republishing (sharing/retweeting) a social media post of another individual or entity. The City can act on the personal communication that violates this policy without waiting for the actual disruption.
- Remember what you write or post cannot easily be undone. It may also be spread to a larger audience than you intended. Use common sense when using email or social media sites. It is a good idea to refrain from sending or posting information or photos you would not want your boss or other employees to read, or you would be embarrassed to see in the newspaper. Keep in mind harassment, bullying, threats of violence, discrimination, or retaliation concerning a co-worker or between co-workers that would not be permissible in the workplace is not permissible online, even if it is done after hours, from home and on home computers.
- The city expects its employees to be fair, courteous, and respectful to supervisors, co-workers, citizens, customers, and other persons associated with the city. Avoid using statements, photographs, video or audio that reasonably may be viewed as malicious, obscene, threatening or intimidating, disparaging, or might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of sex, race (including traits associated with race, including, but not limited to, hair texture and hairstyles such as braids, locs and twists) national origin, age, color, creed, religion, disability, marital status, familial status, veteran status, sexual orientation, gender identity, or gender expression, status with regard to public assistance or membership or activity in a local human rights commission.
- If you publish something related to city business and there is liable to be confusion whether you are speaking on behalf of the city, it would be best to identify yourself and use a disclaimer such as, "These are my own opinions and do not represent those of the city of Ramsey.

- Individuals must not use City-owned or operated equipment to post to personal sites, including social networking sites, except during break times or before/after work.
- City resources, working time, or official city positions cannot be used for personal profit or business interests, or to participate in personal political activity. Some examples: a building inspector could not use the city's logo, email, or working time to promote his/her side business as a plumber; a parks employee should not access a park after hours even though they may have a key; a clerk, while working at City Hall, should not campaign for a friend who is running for City Council.
- Personal social media account name or email names should not be tied to the city (e.g., (city name) Cop).

Section Media Requests

All city employees have a responsibility to help communicate accurate and timely information to the public in a professional manner. Requests for private data or information outside of the scope of an individual's job duties should be routed to the appropriate department or to the data practices authority.

Any employee who identifies a mistake in reporting should bring the error to the city administrator or other appropriate staff. Regardless of whether the communication is in the employee's official city role or in a personal capacity, employees must comply with all laws related to trademark, copyright, software use, etc.

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

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

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

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

- Identify themselves as representing the city. Account names on social media sites must be clearly connected to the city and approved by the city administrator.

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

1.6 Unlawful Acts

No person shall knowingly make any false statement, certificate, mark, rating, or report in regard to any test, certificate, or appointment held or made under the City personnel system or in any manner commit or attempt to commit any fraud preventing the impartial execution of the provisions of this policy.

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

No person shall be employed, promoted, demoted, or terminated by the City or in any way favored or discriminated against because of, race, creed, color, national origin, religion, sex, sexual orientation, marital status, familial status, age, status with regard to public assistance or disability, other characteristics protected by state or federal law, or because of actions taken with regards to the rights under provisions of the Public Employment Labor Relations Act. No person who is over 18 years of age shall be discriminated against with reference to City employment in any way forbidden by federal and state law.

1.7 Exceptions

No exception to any provision of this personnel policy may be made except by the City Administrator, the City Administrator’s designee as noted in specific sections of this policy, or the City Council as required under the City’s Charter. Such exceptions shall be made only on a case by case basis and only after the City Administrator or the City Council has adopted sufficient findings of fact showing the justification for the exception.