

City of Ramsey
Agenda
City Council Work Session
Tuesday, March 12, 2024

5:30 pm
Lake Itasca Room, 7550 Sunwood Drive NW

Remote Attendance available at www.cityoframsey.com/meetings.
Those joining remotely and requesting to speak are asked to use a webcam when speaking.

1. **Call to Order**

2. **Topics for Discussion**
 1. Review Proposed Senior Project by Trident Development and Deal Framework and to Provide Feedback to Developer

 2. Continue Discussions Regarding Proposed Updates to the Personnel Policy

3. **Topics for Future Discussion**
 1. Review Future Topics/Calendar

4. **Mayor/Council/Staff Input**

5. **Adjournment***

***Note: the City Council may motion to recess this Work Session meeting and reconvene after the regular City Council meeting if items on the agenda are not completed.**

CC Work Session

Meeting Date: 03/12/2024

Primary Strategic Plan Initiative: Promote economic growth and development.

Information

Title:

Review Proposed Senior Project by Trident Development and Deal Framework and to Provide Feedback to Developer

Purpose/Background:

The purpose of this case is to review a proposed 74 unit senior project by Trident Development in the COR and to review the developer deal framework, city participation and request for TIF.

Project Description and Valuation

Trident Development is proposing to build a 2-story 60 unit Senior Assisted Living building and a 1-Story 14 unit Memory Care building on 3.67 acres of Outlot A, Ramsey Town Center 13th Addition (Part of Tax ID 28-32-25-41-0022). The property is owned by Deal Family Holdings LLC. City Staff provided the Anoka County Assessor project information and the Assessor has provided an estimated assessed valuation and tax information for the proposed project. The County Assessor project a Low (12.1M), Middle (13.7M) and High (15.8M) based on varying costs based on the quality of materials used to construct the structure and on the level of facade finish. For the purposes of this case, Staff is using the Middle 13.7M assessed valuation for the body of the case. A summary attachment with all valuation scenarios and potential TIF splits is attached.

Road Construction

Trident is requesting that Peridot Street NW be constructed to where it would eventually connect with an extension of Veterans' Drive. This would create a 635-foot temporary dead-end street with a cul-de-sac entirely on the City owned Parcel 50. The length of this cul-de-sac exceeds the 600 feet limit from city road construction standards, however likely go away if, and when Veterans's Drive NW is constructed. The estimated cost for this section of Peridot Street NW, based on the COR Infrastructure Study dated February 24, 2023 is approximately \$917,000. The Developer is proposing a 60% City (\$550,200) / 40% (\$366,800) adjacent property owner split in cost which has sometimes been used for major arterial roadways. Based on the fact that the City is the adjacent property owner to the east of the proposed Peridot Street NW the cost for the road would work out to be 80% City (\$733,600) and 20% Trident (\$183,400). The construction of Peridot St NW is not currently in the City CIP.

Taxes and TIF

The parcel is not currently in the TIF 14 district. Trident has requested the creation of a 25-year Housing Tax Increment District and to retain 90% of the available increment. The estimated annual property taxes for the completed project are 174K. Under the 13.7 assessed valuation scenario, this project would generate approximately 134K annually and 3.345M in TIF over the 25-year TIF Housing District. Under the 90% (developer) / 10% (City) scenario, this would equate to 120K (Trident) and 13K (City) annually and a 25-year total of 3M (Trident) and 333K (City). Staff has put together an attached summary document that provides an estimate of all valuations, taxes and TIF scenarios for discussion purposes.

Zoning

The proposed development property is currently zoned COR-3 (workplace sub-district), In order for the project to move forward on the proposed site it would need to be rezoned to COR-4c (neighborhood sub-district -15 units per acre or higher). The proposed memory care and assisted living use traditionally does not typically see a lot of mobility outside the building to adjacent businesses by its residents, although visitors will be coming and going to the site on a regular basis which could visit businesses in the COR.

Next Steps - Council Direction

In order for the developer to be comfortable moving forward with the project and working on a formal site plan submittal, they will need to know if the City Council is supportive of the following development terms:

- Creation of 25 TIF Housing District and the provision of approximately 3M in TIF (90%/10% Split)
- City funding 80% (Approximately \$733K) for the extension of Peridot St NW with a cul-de-sac and adding this project to 2025 CIP
- Allowing the project to move forward without construction of Veterans Drive NW to Peridot St NW (Cost of Veterans Drive estimated to be 860K 100% funded by City)
- Support of rezone from COR-3 to COR-4c for use in this area of the COR Development (shift from places to work to place to live)

Roger Fink from Trident Development will be present to answer questions and to add greater detail about his company and proposed project.

Timeframe:

15-20 Minutes

Funding Source:

To be determined. It could be a blend of TIF, bonding and general fund if portions of the project are added to the 2025 CIP.

Responsible Party(ies):

Economic Development Director Sullivan
Community Development Director Hanson

Outcome:

Communication to developer on the level of Council support for the proposed project and willingness to provide assistance, so the developer can make a decision to proceed. or not.

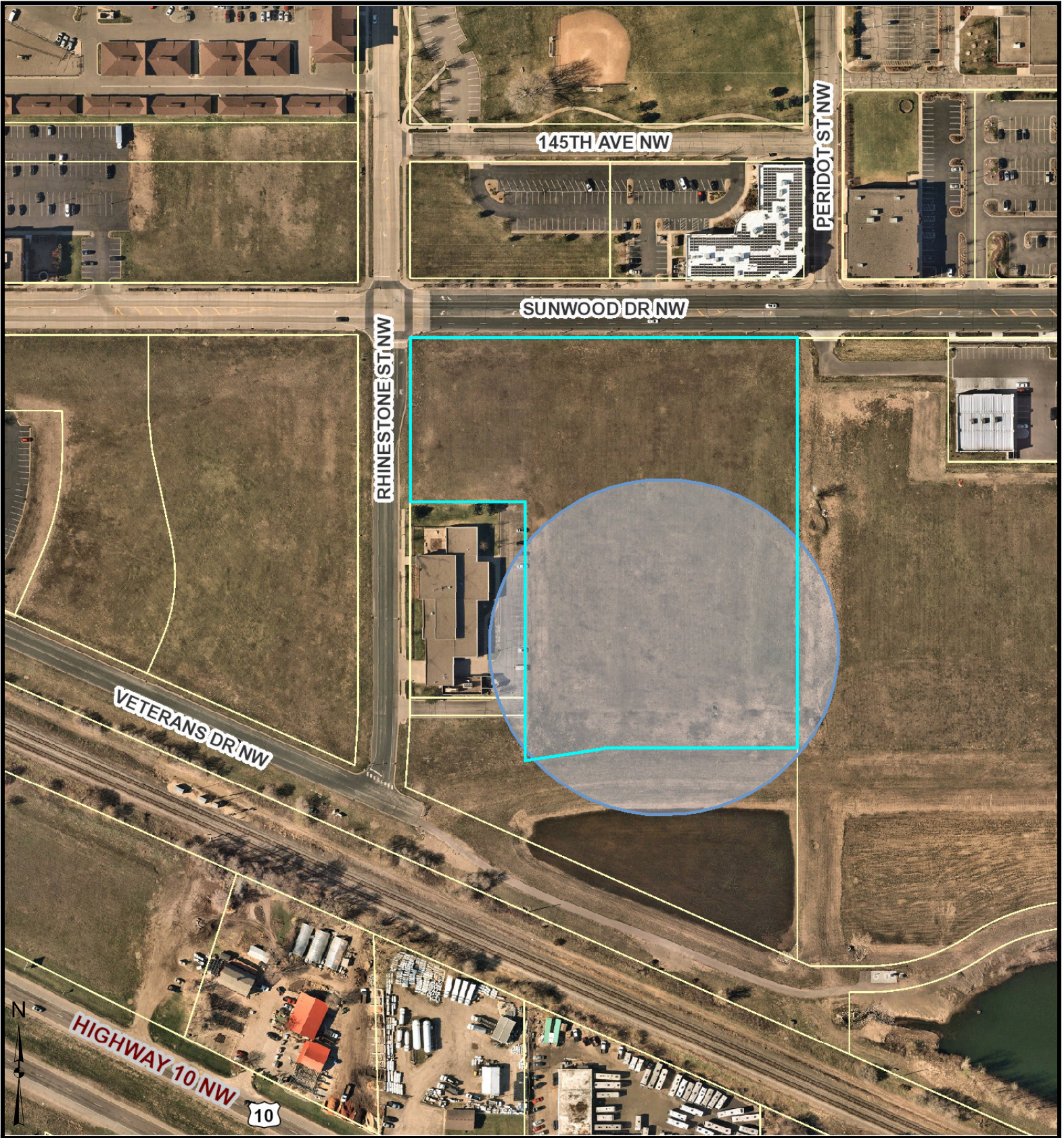
Attachments

- Sie Location Map
- Site Plan
- Valuation Tax and TIF Summary
- Site Plan Zoom

Form Review

Inbox	Reviewed By	Date
Brian Hagen	Brian Hagen	03/07/2024 08:55 AM
Form Started By: Sean Sullivan		Started On: 02/29/2024 02:09 PM
Final Approval Date: 03/07/2024		

Site Location Map - Trident Development



Parcel Information: Approx. Acres: 7.11661181
 28-32-25-41-0022 Commissioner: MATT LOOK

RAMSEY
 MN 55303
 Plat: RAMSEY TOWN CENTER 13TH ADDITION

Owner Information:
 DEAL FAMILY HOLDINGS LLC
 7533 SUNWOOD DR STE 315
 RAMSEY
 MN
 55303



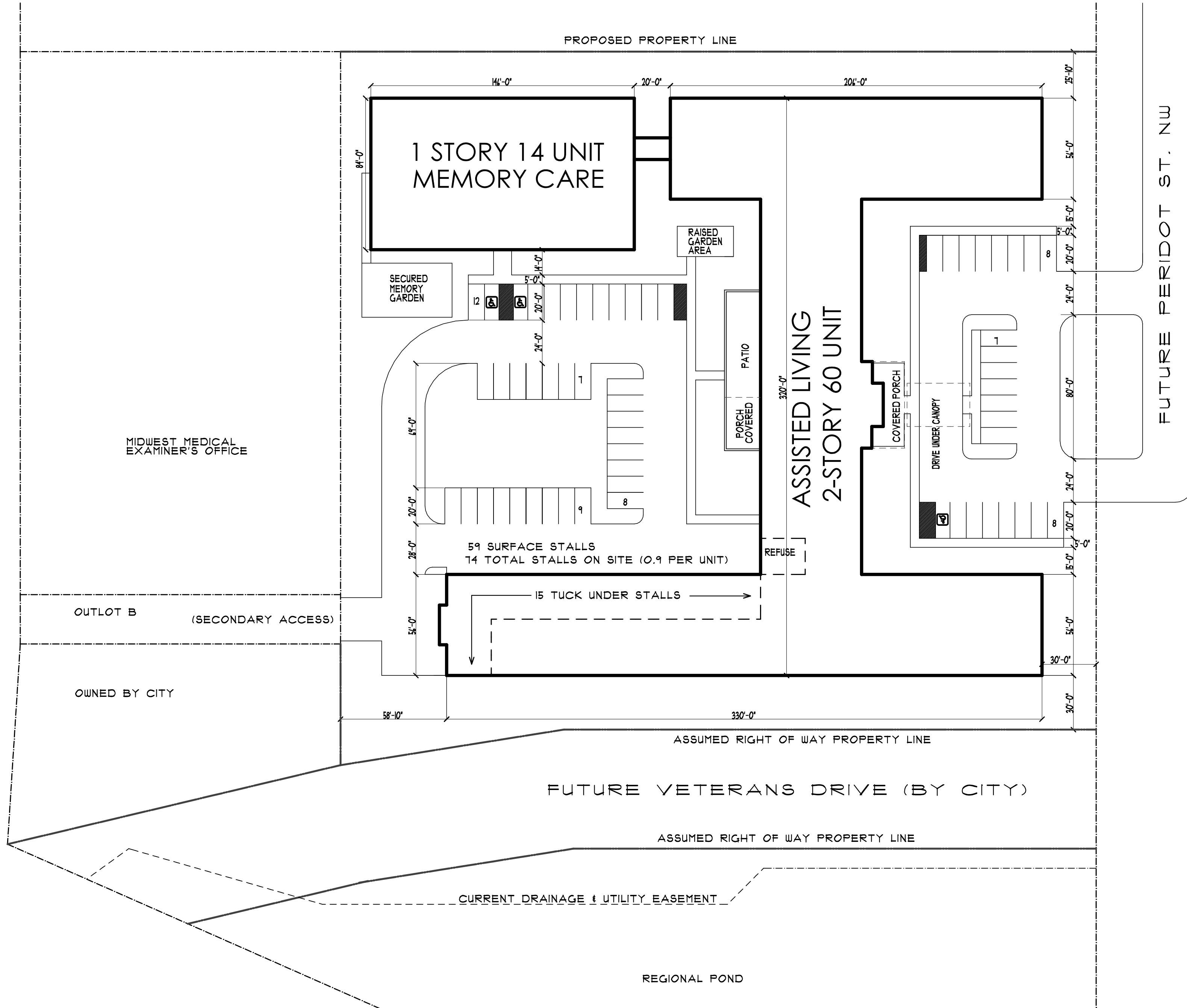
Sean Sullivan

1:2,400

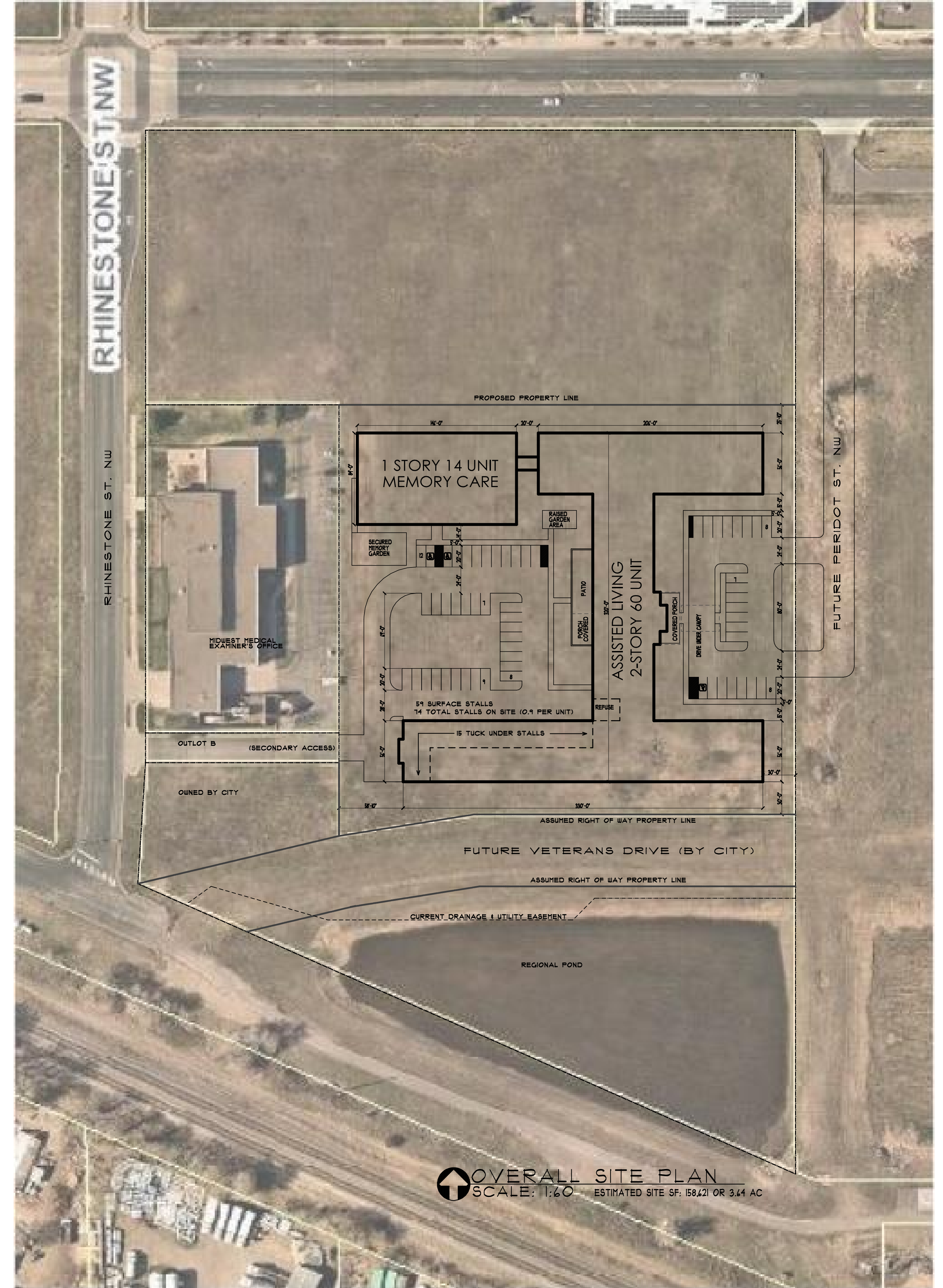
Date: 3/6/2024

Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.

RHINESTONE ST. NW



ENLARGED SITE PLAN
SCALE: 1:40



OVERALL SITE PLAN
SCALE: 1:60 ESTIMATED SITE SF: 158,421 OR 3.64 AC

PLOTTED: 1-17-24 FILE: 23043S COM: 5
 REVISIONS COMMENTS REVISIONS COMMENTS
 DEVELOPER: **TRIDENT DEVELOPMENT**
 PROPOSED: **ASSISTED LIVING FACILITY** RAMSEY, MN
 Project No. **23043**
 Issue Date: **1**
 Document Set: **Preliminary Plans**
 Not for Construction

COLE GROUP ARCHITECTS, LLC
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 (952) 484-4510
 www.colegrouparchitects.com

I, **DAVID J. MACHREZAK**, LICENSED ARCHITECT, hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly licensed Architect under the laws of the state of MINNESOTA.
 Name: **DAVID J. MACHREZAK**

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Project Description (Trident)

	Type	SF	Units
Building 1	Assisted Living	83,328	60
Building 2	Memory Care	12,264	14
		95,592	74

Development Scenario 1 - 12.1M

Land (3.67 Acres)	\$	1,102,546
Buildings (95,592 SF)	\$	10,997,454
Total Tax Assessed Value*	\$	12,100,000
Annual Tax Estimate - 4A Apt**	\$	153,691

TIF Calculation***

	Trident (annual)	City (annual)	Trident (25 yrs)	City (25 yrs)
Estimated TIF 90/10 Split (25 yrs)	\$ 104,871	\$ 11,652	\$ 2,621,775	\$ 291,300
Estimated TIF 80/20 Split (25 yrs)	\$ 93,218	\$ 23,305	\$ 2,330,450	\$ 582,625

Development Scenario 2 - 13.7M

Land	\$	1,102,546
Buildings	\$	12,597,454
Total Tax Assessed Value*	\$	13,700,000
Annual Tax Estimate - 4A Apt**	\$	174,014

TIF Calculation***

	Trident (annual)	City (annual)	Trident (25 yrs)	City (25 yrs)
Estimated TIF 90/10 Split	\$ 120,128	\$ 13,348	\$ 3,003,200	\$ 333,700
Estimated TIF 80/20 Split	\$ 106,781	\$ 26,695	\$ 2,669,525	\$ 667,375

Development Scenario 3 - 15.8M

Land	\$	1,102,546
Buildings	\$	14,697,454
Total Tax Assessed Value*	\$	15,800,000
Annual Tax Estimate - 4A Apt**	\$	200,688

TIF Calculation***

	Trident (annual)	City (annual)	Trident (25 yrs)	City (25 yrs)
Estimated TIF 90/10 Split	\$ 140,151	\$ 15,573	\$ 3,503,775	\$ 389,325
Estimated TIF 80/20 Split	\$ 124,581	\$ 31,145	\$ 3,114,525	\$ 778,625

* Values based on Assessors Estimate dated 2/14/24

** Tax Estimate provide by County Assessor dated 2/14/24

*** No Inflation, Locked Value

CC Work Session

Meeting Date: 03/12/2024

Primary Strategic Plan Initiative: Strive for high organizational morale and employee retention.

Information

Title:

Continue Discussions Regarding Proposed Updates to the Personnel Policy

Purpose/Background:

For the purpose of tonight's meeting, staff will review the last portion of section 5 through section 7 of the City's Personnel Policy. Staff will focus the discussion on changes where City Council feedback or direction is desired. However, the majority of the policy is open for discussion. Section 6 of the policy does include regulations required by statute, and therefore cannot be eliminated. These sections include Family and Medical Leave, Bone Marrow Donation, Military Leave, Pregnancy and Parenting Leave, School Conference and Activities Leave, and Jury / Witness Duty.

Sections one, two, three, four and most of section five were discussed previously. Prior to this policy being brought forward for adoption, the City Attorney will review the entire policy in order to ensure the content is consistent with federal and state law. Proposed changes are attached to this case.

Timeframe:

Approximately 60 minutes.

Funding Source:

Not Applicable.

Responsible Party(ies):

Colleen Lasher, Administrative Services Director
Brian Hagen, City Administrator

Outcome:

Based on discussion, to progress toward an updated Personnel Policy.

Attachments

Draft PP 5-8 through 7

Form Review

Inbox	Reviewed By	Date
Brian Hagen	Brian Hagen	03/07/2024 08:46 AM
Form Started By: Colleen Lasher		Started On: 02/27/2024 12:04 PM
Final Approval Date: 03/07/2024		

For the purposes of computing overtime compensation and compensatory time, overtime hours worked shall not be pyramided, compounded, or paid twice for the same hours worked.

5.8 Severance Pay

Severance pay based on eligible unused sick leave, is available to employees who have at least five (5) years of continuous service with the City and resign “in good standing”. If, the employee is terminated because of malfeasance in office, gross misconduct, conviction of a felony, or conviction for an illegal act involving personal gain to the employee, then employer shall have no obligation to pay the aforementioned severance pay. ~~Employees who are discharged are not “in good standing” and may not receive severance pay pursuant to this policy.~~ Eligible sick leave includes combined total of both traditional sick leave and earned sick and safe time, payable at the percentages shown below.

Qualifying employees who resign “in good standing” shall receive a lump sum payment upon termination of employment with the city of Ramsey based on thirty-three (33) percent of employee’s unused, accumulated sick leave after five (5) years of continuous employment. After fifteen (15) years of continuous employment, the employee will instead receive thirty-five (35) percent of said employee’s unused, accumulated sick leave. After twenty (20) years of continuous employment, the employee will instead receive thirty-seven (37) percent of unused accumulated sick leave. After twenty-five (25) years of continuous employment, the employee will instead receive forty (40) percent of said employee’s unused, accumulated sick leave. Eligible severance pay will be applied per the applicable PEHCSP agreement as- provided in Policy 4.8.

Receipt of severance pay terminates all seniority rights and ends all city of Ramsey liability with regard to other benefits, except as otherwise provided by law and any applicable collective bargaining agreement.

Commented [CL20]: This section to be discussed with the City Council.

SECTION 6 LEAVE

6.1 Vacation Leave

The city of Ramsey provides eligible employees vacation benefits to promote rest and relaxation away from work. Requests for scheduled vacation should be made to the Supervisor/Department Head by January 31 of each year. When considering whether to grant conflicting vacation requests submitted during January of each year, seniority by department will prevail; thereafter, vacation leave shall be initiated on forms submitted to the Department Head [or their designee](#) at least two weeks prior to requested vacation time off. Exceptions to this policy are granted on a very limited basis. To assure efficient functioning of the City, it is necessary to limit the number of employees on vacation at the same time.

An employee's banked vacation leave must be within two times the yearly accrual by December 31st, unless approved by the City Administrator. Once an employee has banked the maximum amount of vacation hours allowed, all additional hours accrued are forfeited. Employees are responsible for monitoring their own balances. -Additional pay in lieu of vacation is not permitted.

For the purposes of accumulating additional vacation leave, an employee using earned vacation leave, sick leave, compensatory time off, or paid holidays is considered to be working.

At the discretion of the Department Head [or their designee](#), an employee may use accrued vacation leave during the probationary period. [Vacation leave may be taken no sooner than the next pay period after earned. Vacation hours may not be used to extend an employee's actual termination date.](#)

An employee who separates from the City "in good standing," ~~as that term is defined in Section 4.11 of this policy~~, shall be compensated for [unused accrued](#) vacation ~~accrued and unused~~ through the last date of employment, per section 4.8 non-union post-employment healthcare savings plan.

New employees will begin employment with a vacation balance of ~~zero~~ [five days](#), followed by vacation accruals based on one of the following vacation accrual schedules. However, at the discretion of City Administrator, a one-time vacation credit may be negotiated and in order to:

- a. Mitigate recruiting obstacles.
- b. Hire a person with superior qualifications.
- c. Give credit for prior service.

The bi-weekly accrual rate will not be accelerated due to any upfront vacation credits.

Vacation Accrual Schedules

Commented [CL21]: To be discussed with the City Council.

Department Head Vacation Accrual Schedule		
Effective Date	Bi-weekly Accrual Rate	Vacation Days/Year
Start date	4.62 hours/pay period	15 days
6 th Anniversary	5.54 hours/pay period	18 days
7 th Anniversary	6.15 hours/pay period	20 days
12 th Anniversary	6.46 hours/pay period	21 days
16 th Anniversary	6.77 hours/pay period	22 days
17 th Anniversary	7.08 hours/pay period	23 days
18 th Anniversary	7.38 hours/pay period	24 days
19 th Anniversary	7.69 hours/pay period	25 days

Commented [CL22]: In the event that the City Council approves an advance of X number of days, the first year accruals would need to be adjusted to total the same number of days in the year.
Applicable to all schedules.

Full-Time, Exempt/Management Vacation Accrual Schedule		
Effective Date	Bi-weekly Accrual Rate	Vacation Days/Year
Start date	4.62 hours/pay period	15 days
6 th Anniversary	5.54 hours/pay period	18 days
8 th Anniversary	5.85 hours/pay period	19 days
10 th Anniversary	6.15 hours/pay period	20 days
12 th Anniversary	6.46 hours/pay period	21 days
16 th Anniversary	6.77 hours/pay period	22 days
17 th Anniversary	7.08 hours/pay period	23 days
18 th Anniversary	7.38 hours/pay period	24 days
19 th Anniversary	7.69 hours/pay period	25 days

Commented [CL23]: LMC member suggested: FYI: Other cities start at 12-14 days/yr for new employees (Big Lake, Buffalo, Eden Prairie) and go up after 5 yrs completed.

Commented [CL24]: LMC member suggested: It might make some sense to have accruals start after 3 or 5 years rather than 6. This would be a better benefit and might help with recruitment. Same holds for each employee type below. Maybe something like 3, 5, 7, 10, 12 16, 17, 18, 19

Full-Time, Non-Union Vacation Accrual Schedule		
Effective Date	Bi-weekly Accrual Rate	Vacation Days/Year
Start date	3.08 hours/pay period	10 days
6 th Anniversary	4.62 hours/pay period	15 days
12 th Anniversary	6.15 hours/pay period	20 days
16 th Anniversary	6.46 hours/pay period	21 days
17 th Anniversary	6.77 hours/pay period	22 days
18 th Anniversary	7.08 hours/pay period	23 days
19 th Anniversary	7.38 hours/pay period	24 days
20 th Anniversary	7.69 hours/pay period	25 days

Regular part-time employees are eligible to earn vacation leave in proportion to that earned by regular full-time employees based on the number of hours worked. Vacation leave will count toward total budgeted work hours for the year.

6.2 Traditional Sick Leave and Earned Sick and Safe Time (ESST)

Traditional sick leave shall include and may be authorized when the employee is unable to perform work duties due to illness, disability, the necessity for medical, dental, or chiropractic care, childbirth, or exposure to contagious disease where such exposure may endanger the health of others with whom the employee would come in contact in the course of performing work duties. Traditional sick leave may also be authorized, when the employee's presence is necessary, for actual illness, injury, legal quarantine, or medical treatment for serious illness in the employee's immediate family. Immediate family, for the purposes of this policy, shall be defined as spouse, parent, step-parent, children, step-children, brother, sister, grandparents, grandchildren or a like member of employee's spouse's family. Traditional sick may be used as listed above and does not include the expanded ESST uses and expanded ESST family members as it may differ from ESST. It may benefit employees to first draw upon the traditional sick leave accrual so long as the reason for using sick leave meets the traditional sick leave criteria and save their ESST time for situations that require the expanded uses allowed under ESST.

To be eligible for traditional sick leave with pay, an employee shall:

- (1) report as soon as possible to the EMPLOYEE'S department head the need for sick leave and whether the sick leave is for the employee, employee's child, adult child, spouse, sibling, parent, grandparent or stepparent;
- (2) keep the employee's department head informed of the need for continued sick leave if the absence is of more than three (3) days duration;
- (3) submit a medical certificate for any absence if required by the City Administrator;
- (4) provide the employer with sufficient information needed in order to comply with the Family and Medical Leave Act.

Earned sick and safe time (ESST) eligible uses shall include: 1. the employees mental or physical illness, treatment or preventive care; 2. a family member's mental or physical illness, treatment or preventive care; 3. absence due to domestic abuse, sexual assault or stalking of the employee or a family member; 4. 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 5. when determined by a health authority or health care professional that the employee or a family member is at risk of infecting others with a communicable disease.

Earned sick and safe time eligible family members shall include: 1. Employee's 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 (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.

To be eligible for earned sick and safe time, an employee shall provide notice of ESST use and documentation as follows:

- 1) If the need for use of ESST is foreseeable, the employer requires employees to provide seven (7) days' notice.
- 2) If the need for use of ESST is not foreseeable, employees must provide notice as soon as practicable.

Employees shall provide notice of the intent to use ESST to their supervisors via the supervisor's stated expectations, such as, notifying a supervisor via email, telephone, or text message.

If an employee uses ESST for more than three (3) consecutive days, the employer may require employees to provide reasonable documentation demonstrating the ESST use is covered by one of the qualifying reasons, such as:

- 1) a signed statement by a health care professional
- 2) a court record
- 3) a signed document from a victim services organization
- 4) a written statement from the employee indicating the employee is using or used ESST for a qualifying purpose
- 5) The Employer 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.

ESST shall be administered per Minnesota Law, §§181.9445–181.9448 by means of the Accrual and Carryover method.

Using or claiming traditional sick leave or ESST for a purpose not authorized by this policy may be cause for disciplinary action.

Sick Leave Accrual, Conversion and Carryover

Every probationary and regular employee is entitled to accrue a combined total of traditional sick leave and earned sick and safe time (ESST) with pay at a rate of eight (8) hours for each calendar month of full-time service or major fraction thereof. The employer may compute sick leave on an hourly basis equivalent to 96 hours per 2080 hours of compensated time, exclusive of overtime.

Combined unused sick leave and unused ESST in excess of 960 hours at the end of a calendar year (January 1st) shall be converted to vacation at a rate of one-hour vacation for each two-hours of sick leave in excess of 960. Employees subject to the non-union post-employment healthcare savings plan under section 4.8 of this policy shall contribute all unused sick leave hours in excess of 960 hours, at a rate of one hour for every two hours of sick leave to the post-employment healthcare savings plan.

ESST shall be a subset of traditional sick time. It shall be accrued at a rate of one hour of paid leave for every 30 hours worked to a maximum of 48 hours per year. The remaining accrual, shall be applied to the traditional sick leave bank.

Employees are eligible for carry over of accrued unused ESST into the following year, but the total of ESST carry over hours shall not exceed 80 hours.

For the purpose of accumulating additional traditional sick leave and ESST, an employee using earned vacation leave, paid holidays, compensatory time or sick leave is considered to be working.

Regular part-time employees shall be entitled to combined traditional sick leave and earned sick and safe time computed by converting their part-time employment to equivalent adjusted full-time service.

~~*Sick Leave for Wellness (Non-union and AFSCME Employees Only)*~~

Commented [CL25]: To be discussed with the City Council.

~~Use of Sick Leave for Wellness Activities: Employees who have been employed with the city of Ramsey for at least five (5) years and who have accrued a minimum sick leave balance of 300 hours will be allowed to use up to 24 hours of sick leave annually for cash payment for approved wellness activities, described below.~~

~~Sick leave used for wellness activities will be paid according to the City's sick leave severance schedule based on the employee's years of service and wage at the time the request for payment is made. The City's severance schedule at the time of this writing is as follows: 33% after five years of service; 35% after 15 years of service; 37% after 20 years of service; and 40% after 25 years of service. Once the benefit is received it is non-reversible and the employee's sick leave accrual will be reduced by the number of hours claimed and/or approved.~~

~~*Income Taxes and Effect to Sick Leave Accruals*~~

~~Payments other than to deferred compensation will be taxable income to the employee and subject to all applicable taxation requirements.~~

~~*Required Documentation*~~

~~Requests for using sick leave for wellness activities will be accepted twice annually, from June 1-15 and December 1-15. Such requests will be processed in July and December, respectively, unless otherwise indicated. An activity for which payment is requested must have occurred in the same calendar year in which the request for payment is made. All claims shall be submitted to Human Resources via a Sick Leave for Wellness Request Form accompanied by proper documentation for each activity.~~

~~*Approved Medical and Dental Expenses*~~

~~Sick leave may be used to pay employees for the employee's medical and dental expenses not covered by the City's insurance plans. Accumulated sick leave used for this purpose will be paid according to the City's sick leave severance schedule based on the employee's years of service and wage at the time the request for payment is made. To receive the payment, the employee will fill out a Sick Leave for Wellness Request Form and submit proof of the expense to Human Resources.~~

~~*Approved Wellness-Related Activities*~~

- a. Individual employee memberships in approved health clubs and/or a sum equal to an individual membership for those employees holding family memberships which include the employee. An approved health club would be one that provides facilities for aerobic and strength training activities.
- b. Programs designed to improve health such as classes on weight loss, smoking cessation or stress management are also allowed. This includes jazzercise, exercise classes, learning to eat, and weight watchers.
- c. Regular (meaning at least once a week) fitness activities resulting in a moderate to high aerobic benefit and their fees and memberships will also be eligible for payment. This includes activities such as singles tennis, racquetball, handball, court fees associated with these sports, basketball, exercise classes, hockey, soccer, martial arts training, skating, cross-country skiing and gymnastics.
- d. Fitness/exercise equipment (e.g., stationary bikes, treadmill, stair stepper, rowing machine, ice/inline skates, skis)

The following activities are not eligible for payment:

- a. Activities and equipment with a relatively low aerobic benefit, such as bowling, golf, dancing, horseback riding, archery, and baseball/softball. Also excluded are whirlpools, saunas, and massage therapy.
- b. Any clothing costs, competitive registration fees or costs for food will not qualify for payment.
- c. Membership fees for clubs that are primarily social in nature (i.e., country clubs, golf/tennis clubs).
- d. Accessory items (e.g., book holders, water bottles/holders, bike racks), assembly charges, shipping fees and maintenance contracts.

Employees are advised to have a physical examination by their physician if they are beginning a new program of physical activity. Employee may not participate in any Sick Leave for Wellness eligible program on City time. Sports, activities and equipment not listed will be evaluated on a case by case basis by Human Resources.

Approved Deferred Compensation Contributions

Eligible employees will be allowed to convert accumulated sick leave to deferred compensation deposits. Deposits in combination with all other payments to the deferred compensation accounts are subject to maximum deferral regulations. Accumulated sick leave used for deferred compensation contributions will be paid according to the City's sick leave severance schedule based on the employee's years of service and wage at the time that the contribution to deferred compensation is requested. Requests for contributions under this section must be submitted to Human Resources by December 15. Contributions will be made to deferred compensation plans via payroll deduction in December pre-tax. Requests for contributions under this section must be submitted to Human Resources by December 31. Contributions will be made to deferred compensation plans via payroll deduction in January of the following year and will not be taxable.

Employees who are in the process of terminating employment are not eligible for payments under this program. All requests for payment under this program must be approved by Human Resources.

6.3 Holidays

The city of Ramsey recognizes thirteen (13) holidays for non-union employees. Regular employees are eligible for holiday pay provided they work the day preceding, and the day following, the holiday, (unless the day(s) off were previously approved by the supervisor). Regular employees who are scheduled to work the holiday will be given another day off with pay. Paid holidays include:

1.	New Year's Day	January 1 st
2.	Martin L King Day	3 rd Monday in January
3.	President's Day	3 rd Monday in February
4.	Memorial Day	Last Monday in May
5.	Juneteenth	June 19 th
6.	Independence Day	July 4 th
7.	Labor Day	1 st Monday in September
8.	Veteran's Day	November 11 th
9.	Thanksgiving Day	4 th Thursday in November
10.	Friday after Thanksgiving Day	(Non-union, AFSCME and LELS Captains only)
11.	Christmas Eve	December 24 th
12.	Christmas Day	December 25 th
13.	*Eight Hour Floating Holiday	To be used Jan. 1 to Dec. 31

All employees in full-time regular positions are entitled to time off with full pay on holidays. The City shall be closed for business on each such holiday, but employees may be required to work on paid holidays when the nature of their duties or other conditions requires them to do so.

Regular part-time employees are eligible to earn paid holidays in proportion to that earned by regular full-time employees based on the number of hours worked during any given pay period in which the holiday is paid. ~~based on work hours budgeted on January 1.~~ Paid holidays will count toward total budgeted work hours for the year.

If an approved holiday falls on a day a part-time employee is not scheduled to work, the employee must take the paid holiday leave during the same pay period in which the holiday occurred.

Employees may be required to work on paid holidays when the nature of their duties or other conditions require them to do so. A non-exempt, non-union employee required to work on a holiday shall receive their full pay for the holiday, as well as a minimum of 2-hours pay at a rate of 1-1/2 times the employee's base hourly pay rate for the time worked on such holiday. All holidays specified will be paid in dollars or as earned compensatory time off.

When New Year's Day, Independence Day, Veteran's Day, or Christmas Day falls on Sunday, the following Monday is considered the paid holiday and if any such day falls on Saturday, the preceding Friday is considered the paid holiday. When Christmas Eve falls on Sunday, the preceding Friday is considered the paid holiday. Each holiday commences at the beginning of the first shift on the day on which the holiday occurs and continues for 24 hours thereafter. Eligible

employees shall receive pay for official holidays at their normal rate of pay if they are at work or on a leave of absence with pay the last regular shift to which they would have been assigned prior to the holiday and the first regular shift to which they would have been assigned following the holiday.

New employees hired after December 1st are not eligible for the floating holiday during the calendar year in which they were hired. Floating holidays may not be carried over.

Upon separation from the City, if an employee has not used their Floating Holiday, it will be forfeited.

6.4 Family and Medical Leave

ELIGIBILITY

To qualify to take FMLA leave under this policy, an employee must meet all the following conditions:

- Have worked for the City for 12 months (or 52 weeks) prior to the date the leave is to commence. The 12 months or 52 weeks need not have been consecutive; however, the City will not consider any service 7 years prior to the employee's most recent hire date, unless the break was due to National Guard or Reserves military service obligation.
- Have worked at least 1,250 hours during the 12-month period prior to the date when the leave is requested to commence. The principles established under the Fair Labor Standards Act ("FLSA") determine the number of hours worked by an employee.

TYPES OF LEAVE COVERED BY FMLA

Leave will be granted to all eligible employees for any of the following reasons:

- The birth of a child, including prenatal care, or placement of a child with the employee for adoption or foster care;
- To care for a spouse, child, or parent who has a serious health condition;
- Due to a serious health condition that makes the employee unable to perform the essential functions of the position;
- A covered military member's active duty or call to duty or to care for a covered military member (Military Caregiver and Qualified Exigency Leave) (described below).

DEFINITIONS

- "Spouse" does not include domestic partners or common-law spouses.
- "Caring for" a covered family member includes psychological as well as physical care. It also includes acquiring care and sharing care duties. An eligible "child," with some exceptions, is under 18 years of age.
- An eligible "parent" includes a biological parent or a person who stood in the place of a parent.
- "Serious Health Condition" means an illness, injury, impairment, or physical or mental condition that involves one of the following:
 - Hospital Care: Any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility;

- Pregnancy: Any period of incapacity due to pregnancy, prenatal medical care or childbirth;
- Absence Plus Treatment: A period of incapacity of more than three consecutive calendar days that also involves continuing treatment by or under the supervision of a health care provider.
- Chronic Conditions Requiring Treatments: An incapacity from a chronic condition which requires periodic visits for treatment by a health care provider, continues over an extended period of time, and may cause episodic rather than a continuing period of incapacity;
- Permanent/Long-Term Conditions Requiring Supervision
- Multiple Treatments: Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider.

LENGTH AND AMOUNT OF LEAVE

The length of FMLA leave is not to exceed twelve (12) weeks in any twelve (12) month period. The leave year is calculated based on a rolling backward basis.

HOW LEAVE MAY BE TAKEN

FMLA leave may be taken for 12 (or less) consecutive weeks, may be used intermittently (a day periodically when needed), or may be used to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks. Intermittent leave may be taken when medically necessary for the employee's serious health condition or to care for a seriously ill family member. Intermittent leave must be documented in the medical certification form as medically necessary.

If an employee is taking intermittent leave or leave on a reduced schedule for planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as to not disrupt the City's business.

In instances when intermittent or reduced schedule leave for the employee or employee's family member is foreseeable or is for planned medical treatment, including recovery from a serious health condition, the City may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule.

Intermittent/reduced scheduled leave may be taken to care for a newborn or newly placed adopted or foster care child only with the City's approval.

PROCEDURE FOR REQUESTING LEAVE AND NOTICE

All employees requesting FMLA leave must provide written or verbal notice of the need for the leave to Human Resources.

When the need for the leave is foreseeable, the employee must give verbal or written notice to his/her supervisor at least thirty (30) days prior to the date on which leave is to begin.

If thirty (30) days' notice cannot be given, the employee is required to give as much notice as practicable, including following required call-in procedures.

The City requires an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

CERTIFICATION AND DOCUMENTATION REQUIREMENTS

For leave due to an employee's serious health condition or that of an employee's family member, the City may require the completion of a Medical Certification form by the attending physician or practitioner. The form must be submitted by the employee to Human Resources within fifteen (15) calendar days after leave is requested. If the form is not submitted in a timely fashion, the employee must provide a reasonable explanation for the delay. Failure to provide medical certification may result in a denial or delay of the leave.

When leave is due to an employee's own serious health condition, a fitness for duty certification (FFD) may be required before an employee can return to work. Failure to timely provide such certification may eliminate or delay an employee's right to reinstatement under the FMLA.

If an employee is using intermittent leave and reasonable safety concerns exist regarding the employee's ability to perform his or her duties, a FFD certificate may be required as frequently as every 30 days during periods when the employee has used intermittent leave.

Recertification of leave may be required if the employee requests an extension of the original length approved by the City or if the circumstances regarding the leave have changed. Recertification may also be required if there is a question as to the validity of the certification or if the employee is unable to return to work due to the serious health condition.

REINSTATEMENT

Employees returning from Family and Medical Leave will be reinstated in the same position or a position equivalent in pay, benefits, and other terms and conditions of employment.

GROUP HEALTH INSURANCE AND OTHER BENEFITS, CONCURRENT LEAVE AND SUBSTITUTION OF PAID LEAVE

An employee granted leave under this policy will continue to be covered under the City's group health and dental insurance plan under the same conditions and at the same level of City contribution as would have been provided had the employee been continuously employed during the leave period. The employee will be required to continue payment of the employee portion of group insurance coverage while on leave. Arrangements for payment of the employee's portion of premiums must be made by the employee with the City.

If there are changes in the City's contribution levels while the employee is on leave, those changes will take place as if the employee were still on the job.

Rights to additional continued benefits will depend on whether leave is paid or unpaid. Any paid disability leave benefits (Short Term Disability or Long Term Disability), sick leave, or compensatory time off available to employees for a covered reason (an employee's serious health

condition or a covered family member's serious health condition, including worker's compensation leave and Minnesota State Parenting Leave) will run concurrently with FMLA.

Minnesota Parenting Leave and all forms of paid time off (sick leave, disability leave, workers' comp leave, vacation, and compensatory time off) run concurrently with FMLA.

Minnesota Parental leave will run concurrently with any other applicable leave, such as FMLA, STD, paid parental leave, sick leave, or accrued vacation and that paid leave cannot be utilized to extend FMLA or parental leave beyond twelve weeks.

FAILURE TO RETURN TO WORK AFTER FMLA

Under certain circumstances, if the employee does not return to work at the end of the FMLA leave for at least 30 calendar days, the City may require the employee to repay the portion of the monthly cost paid by the City for group health plan benefits. The City may also require the employee to repay any amounts the City paid on the employee's behalf to maintain benefits other than group health plan benefits.

ACTIVITIES PROHIBITED DURING FMLA-

While on leave, an employee may not engage in activities (including employment) which have the same or similar requirements and essential functions of an employee's current position.

While on leave, an employee may not engage in any activity that conflicts with the best interests of the City. Such conduct will result in disciplinary action up to and including termination of employment.

SENIORITY

Unless required by a contract provision, seniority does not accrue during any period of unpaid FMLA except as allowed when the leave is covered by worker's compensation. However, seniority accrued prior to commencement of FMLA leave will not be lost.

FMLA – QUALIFIED EXIGENCY AND MILITARY CAREGIVER LEAVE

Qualified Exigency

Eligible employees (described above) whose spouse, son, daughter, or parent either has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service.

The qualifying exigency must be one of the following: (1) short-notice deployment; (2) military events and activities; (3) childcare and school activities; (3) financial and legal arrangements; (5) counseling; (6) rest and recuperation; (7) post-deployment activities; (8) parental care; or (9) additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

Military Caregiver Leave

An employee eligible for FMLA leave (described above) who is the spouse, son, daughter, parent, or next of kin of a covered servicemember may take up to 26 weeks in a single 12-month period to care for that servicemember.

The family member must be a current member of the Armed Forces (including a member of the National Guard or Reserves), who has a serious injury or illness incurred in the line of duty on active duty for which he or she is undergoing medical treatment, recuperation, or therapy, or otherwise is on outpatient status or on the temporary disability retired list. Eligible employees may not take leave under this provision to care for former members of the Armed Forces, former members of the National Guard and Reserves, or members on the permanent disability retired list.

DEFINITIONS

- A “**son or daughter of a covered servicemember**” means the covered servicemember’s biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered servicemember stood in loco parentis, and who is of any age.
- A “**parent of a covered servicemember**” means a covered servicemember’s biological, adoptive, step, or foster father or mother, or any other individual who stood in loco parentis to the covered servicemember. This term does not include parents “in law.”
- The “**next of kin of a covered servicemember**” is the nearest blood relative, other than the covered servicemember’s spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember’s next of kin and may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember’s only next of kin.
- “**Covered active duty**” means:
 - “Covered active duty” for members of a regular component of the Armed Forces means duty during deployment of the member with the Armed Forces to a foreign country.
 - “Covered active duty” for members of the reserve components of the Armed Forces (members of the U.S. National Guard and Reserves) means duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in a contingency operation as defined in section 101(a)(13)(B) of Title 10 of the United States Code.
- “**Covered servicemember**” means:
 - An Armed Forces member (including the National Guard or Reserves) undergoing medical treatment, recuperation, or therapy or otherwise in outpatient status or on the temporary disability retired list, for a serious injury or illness”; or
 - A veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.
- “**Serious injury or illness**” means:
 - In the case of a member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of

- the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and
- o In the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period when the person was a covered servicemember, means a qualifying (as defined by the Secretary of Labor) injury or illness incurred by a covered servicemember in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of his or her office, grade, rank or rating.

AMOUNT OF LEAVE – QUALIFIED EXIGENCY

An eligible employee can take up to 12 weeks of leave for a qualified exigency.

AMOUNT OF LEAVE – MILITARY CAREGIVER

An eligible employee taking military caregiver leave is entitled to 26 workweeks of leave during a "single 12-month period." The "single 12-month period" begins on the first day the eligible employee takes FMLA leave to care for a covered servicemember and ends 12 months after that date.

Leave taken for any FMLA reason counts towards the 26-week entitlement. If an employee does not take all 26 workweeks of leave to care for a covered servicemember during this "single 12-month period," the remaining part of the 26 workweeks of leave entitlement to care for the covered servicemember is forfeited. 29 C.F.R. § 825.127(e)(1) (2017).

CERTIFICATION OF QUALIFYING EXIGENCY FOR MILITARY FAMILY LEAVE

The City will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification of Qualifying Exigency for Military Family Leave.

CERTIFICATION FOR SERIOUS INJURY OR ILLNESS OF COVERED SERVICEMEMBER FOR MILITARY FAMILY LEAVE

The City will require certification for the serious injury or illness of the covered servicemember. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification for Serious Injury or Illness of Covered Servicemember.

All other provisions of the FMLA policy, including Use of Paid Leave, Employee Status and Benefits During Leave, Procedure for Requesting Leave, and Benefits During Leave and Reinstatement, are outlined above in the FMLA policy.

Questions should be directed to Human Resources.

Eligible employees may be entitled to take unpaid leave pursuant to the Family and Medical Leave Act ("FMLA") for the purposes described in 29 U.S.C. § 2612 (as amended). All such leave, including the responsibilities of the City and its employees related to such leave, is subject to the conditions prescribed in the FMLA and the Department of Labor's regulations implementing the FMLA.

~~For additional information regarding FMLA leave, including the circumstances in which such leave may be taken, employees should consult the posted notices. In addition, as permitted by the FMLA, the City places the following restrictions on eligible employees' use of FMLA leave:~~

~~The City has designated a "rolling" 12-month period for purposes of determining employees' entitlement to FMLA leave. The "rolling" 12-month period begins on the date the employee uses "any" FMLA leave.~~

~~An eligible husband and wife couple employed by the City are permitted to take a combined total of 12 work weeks of FMLA leave in a single 12-month period if the FMLA leave is: (1) due to the birth of a son or daughter of the employees, (2) due the placement of a son or daughter with the employees for adoption or foster care, or (3) in order to care for a parent of the eligible employee.~~

~~Employees may request leave under this policy based on: (1) the birth of a son or daughter of the employee; (2) the placement of a son or daughter with the employee for adoption or foster care; (3) their own serious health condition; (4) to care for a parent, spouse, or child's serious health condition; (5) military caregiver leave; (6) a qualifying military exigency as defined in the FMLA or, (7) or any another eligible circumstances contingent upon the FMLA. Employees are required to submit a completed medical certification that complies with the requirements of the FMLA. Medical certification forms are available from Human Resources. Employees who request leave under this policy are required to submit medical certificate outlining the dates on which treatment is expected and the expected duration. The City reserves the right to request a second opinion, at the expense of the City, to the extent permitted by the FMLA. If the results of the employee's certification differs from the results of the City's certification, the City may obtain a third opinion at the City's expense. The City also reserves the right to require periodic recertification, to the extent allowed by the FMLA and to contact the certifying medical provider to authenticate or clarify the medical certification in lieu of seeking a second opinion.~~

~~Separate certification may also be required regarding the nature of the family member's military service and/or the existence of a qualifying exigency, if leave is requested for that purpose.~~

~~Except in emergency situations, the employee is required to provide written notice of the need to take leave to the employee's supervisor not less than 30 days before the date the leave is to begin. If the leave is to begin in less than 30 days, the employee shall provide such written notice as soon as practicable.~~

~~Employees are required to use all accrued sick leave, vacation leave, and any other accrued paid leave, except a combined total of forty hours of accrued paid leave and/or compensatory time off, concurrently with leave provided under the FMLA. The combined paid and unpaid leave cannot exceed the applicable 12-week or 26-week maximum FMLA leave time. FMLA leave may run concurrently with a worker's compensation absence if the on-the-job injury or illness also qualifies as a serious health condition under the FMLA.~~

~~Subject to the terms, conditions, and limitations of applicable plans, eligible employees are entitled under the FMLA to the same health insurance benefits provided by the City while on FMLA leave to the same extent as if the employee were not on FMLA leave. Employees who contribute toward their health care coverage must continue to make that contribution while on leave, either through~~

payroll deduction (if using paid leave) or by personal check (if using unpaid leave). If the employee fails to return to work after taking family or medical leave, the City may recover the premiums paid by the City for group health and life insurance unless the serious health condition of the spouse, child, parent or employee continues or for other circumstances beyond the control of the employee.

Vacation, sick, and holiday leave will not be earned during a period of unpaid FMLA leave. FMLA leave—whether paid or unpaid—will not constitute a break in service for purposes of computing years of service.

To the extent provided in the FMLA, employees generally have the right to return to an equivalent position with equivalent benefits, pay and other terms and conditions of employment upon returning to work after a period of FMLA leave. However, employees who fail to return to work following, or require additional time away from work after exhausting, their FMLA leave in the designated "12 month period" no longer have FMLA protections of leave or job restoration. In addition, an employee who fails to return to work at the end of FMLA leave, in most cases, will be considered to have voluntarily resigned his/her position with the City. Employees who do not return to work at the end of their FMLA leave may be terminated.

The City requires a medical certificate attesting to the employee's fitness for duty prior to the employee being allowed to return to work. The fitness for duty report must be based on the particular health condition(s) for which the leave was approved and must address whether the employee can perform the essential functions of the job. The Human Resources Manager may consult with a physician or other expert to determine reasonable accommodations for any employee who is a "qualified disabled" employee under the Americans with Disabilities Act. If a fitness for duty certification is required, the City may deny reinstatement until it is provided.

Records on family and medical leave will be kept along with normal personnel records except that any medical record will be maintained separately in accordance with applicable laws.

The FMLA is a complex area of law with detailed federal regulation that is impacted by other related issues. Questions should be directed to Human Resources.

6.5 Extended Medical Leave

When medically necessary, and upon receipt of a medical certificate from an employee's treating physician, the City Administrator may, at his or her sole discretion, approve a request for an unpaid medical leave extension of up to three months due to the employee's serious medical condition or to care for a spouse, parent or child who has suffered a serious medical condition.

Before using unpaid leave under this section, the employee must ~~use exhaust~~ all paid leave, ~~except~~ a combined total of forty hours of accrued vacation leave, sick leave, holiday pay, and/or compensatory time off.

~~While on an extended medical leave, City benefits will administered through COBRA and will be offered at employees' cost. Health and life insurance benefits will continue to be paid by the City for an employee who is on extended medical leave at the same level as if the employee were working. Employees who contribute toward their health care coverage must continue to make that~~

~~contribution while on leave, either through payroll deduction (if using paid leave) or by personal check (if using unpaid leave). If the employee fails to return to work after taking extended medical leave, the City may recover the premiums paid by the City for group health and life insurance unless the serious health condition of the spouse, child, parent or employee continues or for other circumstances beyond the control of the employee.~~

Vacation, sick, and paid holiday leave will not be earned during a period of unpaid extended medical leave. Use of approved extended medical leave will ~~not~~ constitute a break in service for purposes of computing years of service. The city of Ramsey does not guarantee job restoration after a period of extended medical leave.

The City requires a medical certificate attesting to the employee's fitness for duty prior to the employee being allowed to return to work. The fitness for duty report must be based on the particular health condition(s) for which the leave was approved and must address whether the employee can perform the essential functions of the job. The ~~Human Resources Manager~~ [Administrative Services Director](#) may consult with a physician or other expert to determine reasonable accommodations for any employee who is a "qualified disabled" employee under the Americans with Disabilities Act. If a fitness for duty certification is required, the City may deny reinstatement until it is provided.

6.6 Bone Marrow Donation Leave

State law provides for paid leaves of absence to an employee who works an average of at least 20 hours per week and seeks to undergo a medical procedure to donate bone marrow. The length of the leave shall not exceed 40 work hours, unless agreed to by the City. Bone Marrow Leave is not chargeable against accrued vacation or sick leave or compensatory time off. The City may require certification from the treating physician regarding the purpose and length of the leave requested by the employee.

6.7 Temporary Light Duty

Consistent with public service needs, the City may assign light duty to employees who are temporarily unable to fully perform all work duties. The City reserves the sole right to determine, on a case-by-case basis, whether light duty will be assigned and, if assigned, what duties the employee will be expected to perform and the duration of the assignment, which cannot exceed four weeks ~~without the City Administrator's approval~~. The City does not guarantee that any light duty will be available, and is under no obligation to create a new position to accommodate any employee's inability to perform the essential functions of their job. Police Department and Fire Department employees are not eligible for light duty assignments, unless approved by the Department Head and the ~~Human Resources Manager~~ [Administrative Services Director](#).

The procedure for applying for a light duty assignment will be as follows:

- A. When an employee is unable to provide full performance of all assigned work duties, the employee may request light duty by submitting a written request to the ~~Human Resources Manager~~ [Administrative Services Director](#). The request shall be accompanied by the treating physician's medical certification indicating diagnosis, current treatment, and the

extent and duration of any work restrictions.

- B. The City may require an independent evaluation conducted by a physician selected by the City to verify the diagnosis, current treatment, work restrictions and expected length of disability.
- C. Determinations regarding light duty will be made on a department-by-department, case-by-case basis. The ~~Human Resources Manager~~ Administrative Services Director, in consultation with the Department Head, will consider such factors as public service needs and budgetary consideration, the need for work which may be assigned as light duty, the employee's capability of performing the work, the number of employees not available for work due to injury or illness, and other relevant factors, as determined by the ~~Human Resources Manager~~ employee's Department Head and the Administrative Services Director's sole discretion. The City does not guarantee that any light duty will be available, and is under no obligation to create a new position to accommodate any employee's inability to perform the essential functions of their job.
- D. The City will determine what job duties the employee will perform. These duties may include those currently assigned to the employee's job classification or any other duties the City considers to be appropriate. Duration of light duty will be determined at the sole discretion of the City, but shall not exceed four weeks without the City Administrator's approval.
- ~~E.~~ If the treating physician requires a continuation of light duty beyond ~~the initial two weeks~~ four weeks, the employee must submit the treating physician's documentation for the ~~Human Resources Manager~~ Administrative Services Director's review, followed by the City Administrator's approval or denial to ~~in order to determine if the City can grant additional light duty or not.~~ The City, at its sole discretion, reserves the right to terminate a light duty assignment at any time based upon, but not limited to, the factors set forth in sub-item C above.

6.8 Military Leave

State and federal laws provide for and regulate military leave for employees who are called to military service, whether in the Reserves or full-time service. Leave from employment to participate in military duty is addressed in federal law in the Uniformed Services Employment & Re-employment Rights Act (USERRA). Public employees in Minnesota engaged in military service have additional benefits under Minnesota Statutes. Every city of Ramsey employee, whether in the Reserves or full-time service, will be afforded the benefits entitled to them under federal and state law. Employees should contact Human Resources for additional details.

6.9 ~~Parenting Leave~~ Pregnancy and Parenting Leave

All employees are entitled to take an unpaid leave of absence under the Pregnancy and Parenting Leave Act of Minnesota. Female employees for prenatal care, or incapacity due to pregnancy, childbirth, or related health conditions as well as a biological or adoptive parent in conjunction with after the birth or adoption of a child as eligible for up to 12 weeks of unpaid leave and must

begin within twelve months of the birth or adoption of the child. In the case where the child must remain in the hospital longer than the mother, the leave must begin within 12 months after the child leaves the hospital. Employee should provide reasonable notice, which is at least 30 days. If the leave must be taken in less than three days, the employee should give as much notice as practicable.

Employees are required to use accrued leave (i.e., sick leave, vacation leave, etc.) during Parenting Leave. If the employee has any FMLA eligibility remaining at the time this leave commences, this leave will also count as FMLA leave. The two leaves will run concurrently. The employee is entitled to return to work in the same position and at the same rate of pay the employee was receiving prior to commencement of the leave.

Group insurance coverage will remain available while the employee is on leave pursuant to the Pregnancy and Parenting Leave Act, but the employee will be responsible for the entire premium unless otherwise provided in this policy (i.e., where leave is also FMLA qualifying). For employees on an FMLA absence as well, the employer contributions toward insurance benefits will continue during the FMLA leave absence.

~~Parenting Leave, as provided for in Minnesota Statutes, grants qualifying employees unpaid leave of up to twelve (12) weeks for: (1) a biological or adoptive parent in conjunction with the birth or adoption of a child; or (2) a female employee for prenatal care, or incapacity due to pregnancy, childbirth, or a related health condition. Parental Leave is considered to be taken simultaneously with FMLA leave. If leave is taken due to the birth or adoption of a child, the leave must begin within twelve (12) months of the birth or adoption, unless the child remains in the hospital after the mother has been discharged, in which case the leave must begin within twelve (12) months after the child leaves the hospital.~~

6.10 School Conference and Activities Leave

Any employee may take unpaid leave for up to a total of sixteen hours during any 12-month period to attend school conferences or classroom activities related to the employee's child (under 18 or under 20 and still attending secondary school), provided the conference or classroom activities cannot be scheduled during non-work hours. When the leave cannot be scheduled during non-work hours and the need for the leave is foreseeable, the employee must provide reasonable prior notice of the leave and make a reasonable effort to schedule the leave so as not to disrupt unduly the operations of the city. Employees may choose to use vacation leave hours for this absence but are not required to do so.

~~Any qualifying employee may take leave of up to 16 hours during any rolling 12-month period to attend school-related activities related to the employee's child attending school, provided the school-related activities cannot be scheduled during non-work hours.~~

~~When the leave cannot be scheduled during non-work hours and the need for the leave is foreseeable, the employee must provide reasonable prior notice of the leave and make a reasonable effort to schedule the leave so as not to unduly disrupt the operations of the employer. Employees may use~~

~~accrued vacation leave or compensatory time off concurrently with leave granted pursuant to this section.~~

6.11 Jury Duty or Witness Duty

Any employee who is required to serve as a juror or who is under subpoena as a witness in court for job related purposes, shall be granted a leave of absence with pay while serving in such capacity. An employee cannot receive more than the employee's normal take-home pay as a result of any employer pay supplemented to Jury Duty pay. Jury duty pay excluding transportation reimbursement, must be remitted to the City within 30 days after receipt of payment from judicial agency. When employees are excused from jury duty or serving as a witness during their regular working hours, they are expected to return to work if practicable.

6.12 Funeral Leave

Employees are allowed funeral leave up to 24 hours twice annually per occurrence (a maximum of 48 hours during any calendar year) for a death in the immediate family. Funeral leave is not chargeable against any accrued vacation leave, sick leave, or compensatory time off. All funeral leave for a particular occurrence must be taken within five (5) calendar days from start to finish. Additional funeral leave may be taken with prior approval from the employee's supervisor. Such additional leave will be deducted from the employee's sick leave (up to three (3) consecutive days), vacation leave or compensatory time off as the employee may choose and have available.

Immediate family, for the purposes of this section, shall be defined as spouse, parent, stepparent, children, step-children, brother, sister, grandparents, grandchildren, individuals where employee is a legal guardian or a like member of employee's spouse's family.

Commented [CL26]: Comment from LMC member: Consider adding the term Ward to this section as the Guardian will be legally responsible for handling all those affairs similar to a child or spouse passing. Same for any instances of sick as well as the Guardian is legally required to provide for the care and well being of the ward.

Commented [CL27]: To be discussed with the City Council.

SECTION 7 CONDUCT

7.1 Code of Conduct

Policy Statement

It is the policy of the city of Ramsey to maintain a respectful work environment free from violence, discrimination, and offensive or degrading remarks or conduct. Preserving a respectful environment in which to work is the shared responsibility of both management and employees. Inappropriate conduct or communication can interfere with an individual's employment or use of public services, or create an intimidating, hostile or offensive work environment. Any employee found to have acted in violation of this policy shall be subject to appropriate disciplinary action, which may include dismissal from employment.

Scope

This policy governs the conduct of all City personnel, including: elected officials; union, non-union, supervisory, non-supervisory, managerial, full-time, part-time and temporary employees; and members of City boards and commissions.

Definitions of Prohibited Behaviors

Violent behavior includes the use or threat of physical force or intimidation to cause pain, fear or hurt.

Discriminatory behavior includes inappropriate remarks about or conduct related to an employee's race, color, creed, religion, national origin, disability, sex, marital status, familial status, age, sexual orientation, membership or activity in a local human rights commission, status with regard to public assistance, or other characteristic protected by State or federal anti-discrimination law.

Offensive behavior may include, but is not limited to, such work-related actions as rudeness, exclusionary behavior, creating or displaying graphics depicting co-workers or customers inappropriately, angry outbursts, inappropriate joking, vulgar obscenities, name calling, disrespectful language, or the intentional filing of an unfounded complaint under this policy.

Policies

1) Expected Conduct of City Employees in General

Employees of the City shall conduct themselves at all times while on duty or on the employer's premises, in such a manner as to reflect most favorably on the City. Conduct unbecoming a City employee shall include violent behavior, discriminatory behavior, offensive behavior, harassment, and any conduct that tends to bring the City into disrepute or reflects negatively on the City, or that which has an adverse impact on the functioning of one or more City employees or departments, or the City as a whole.

2) Conduct in Dealing with the Public

While representing the City, employees shall be courteous to all members of the public. They shall be tactful in the performance of their duties, control their tempers and exercise patience and professional judgment. They shall not engage in argumentative discussions or behavior prohibited by this policy, even if provoked. They shall not use coarse, violent, profane or disrespectful language or gestures, and shall not express any prejudice concerning race, color, creed, religion, national origin, disability, sex, marital status, familial status, age, sexual orientation, membership or activity in a local human rights commission, status with regard to public assistance, other characteristic protected by State or federal anti-discrimination law, lifestyle, or other personal characteristics. Employees shall not engage in violent behavior, discriminatory behavior, or offensive behavior when interacting with any member of the public.

In the event a member of the public becomes abusive, employees should refrain from escalating the situation and if possible, employ tactics to defuse the situation. While each employee is expected to use his or her best professional judgment to determine the most appropriate and effective way to interact with members of the public, some potential tactics include, lower the voice or ask the person to sit down. If the situation doesn't improve, the employee can refer the person to a supervisor or request that a police officer be called to the scene, if necessary. Employees are not required to continue conversations that include profanity or threats. In those situations, the employee should refer the individual to a supervisor or inform a caller, as courteously as possible, that the employee is hanging up and will talk with the caller after the caller has calmed down.

3) Conduct between Employees

Employees shall cooperate with and be courteous to co-workers at all levels. Employees shall control their tempers and refrain from engaging in violent behavior, discriminatory behavior, or offensive behaviors. Employees shall act professionally and courteously when interacting with their coworkers. Inappropriate behavior prohibited by this policy includes, but is not limited to: slamming doors, pounding tables, kicking furniture, unwanted and/or unwarranted physical contact of any nature, including "roughhousing" such as punching in the arm, pinching, arm twisting, etc., and other, similar unwanted conduct, making threats, berating or belittling others, speaking in raised voices, using coarse, violent or profane language or gestures, refusing to speak or respond when spoken to, and refusing to provide assistance when requested.

Employees shall treat each other with respect. They shall refrain from making remarks about or using nicknames for other employees that are disparaging or based on a personal characteristic; producing cartoons or other graphics displaying other employees in an unfavorable light; communicating threatening or disparaging remarks via any medium (voice, e-mail, notes, etc.); engaging in unwanted horseplay or practical jokes; failing to relay written, verbal or telephone messages.

4) Reporting Inappropriate Workplace Behaviors

Any employee who believes that another City employee or elected official has engaged in behavior prohibited by this policy is encouraged to address the situation as described in paragraphs (a), (b), and (c) below. However, if the alleged conduct involves violent behavior, discriminatory behavior, or harassment prohibited by City policy, the employee is

responsible for reporting the situation to the appropriate supervisor in accordance with the City's anti-harassment policy and paragraph (c) of this policy.

- a) If possible, politely but firmly tell the person who is behaving inappropriately that you are uncomfortable with or offended by the behavior and ask them to stop.
- b) Write a memorandum for personal reference that describes the inappropriate behavior, the date the inappropriate behavior occurred, how it made you feel, what you did, how the offending party responded, and the names and titles of any witnesses.
- c) Report the conduct to your supervisor or department head or the employee's supervisor or department head. If the individual allegedly engaging in behavior is an elected official, report the conduct to the City's [Human Resources Manager](#)~~Administrative Services Director~~, City Administrator, the Mayor, or a member of the City Council, as appropriate.
- d) The complaining party should be prepared to provide the following information:
 1. The complainant's name, department and position title.
 2. The name, department, and position title of the offending party, if known.
 3. The specific facts of the alleged inappropriate behavior, how long it has allegedly gone on, and any alleged employment action (demotion, failure to promote, dismissal, refusal to hire, transfer, etc.) that was supposedly taken against the employee who is filing the complaint.
 4. Names of witnesses, if any, to the alleged harassment.
 5. Whether the complainant has previously reported the alleged misconduct and, if so, to whom.

5) Investigation of Complaints of Inappropriate Conduct

All supervisors and Department Heads receiving complaints of behavior prohibited by this policy shall report them to the [Human Resources Manager](#)~~Administrative Services Director~~. If the complaint involves alleged conduct by the [Human Resources Manager](#)~~Administrative Services Director~~, the supervisor or Department Head shall instead report the complaint to the City Administrator.

The [Human Resources Manager](#)~~Administrative Services Director~~, the City Administrator, or a designee of the City Administrator, shall investigate complaints of inappropriate workplace conduct prohibited by this policy.

6) Consequences of Engaging in Inappropriate Workplace Conduct

Employees who are found to have engaged in conduct prohibited by this policy or to have intentionally filed a false claim of such conduct may be subject to disciplinary action, up to and including immediate termination, subject to the provisions of the Personnel Policy, applicable policies of the Police and Fire Departments, applicable collective bargaining agreements or other contracts, and applicable law.

Supervisors are required to deal swiftly and appropriately with employees who treat others disrespectfully. Any supervisor who condones or allows subordinates to engage in conduct

prohibited by this policy or fails or refuses to respond appropriately to complaints of inappropriate workplace conduct prohibited by this policy, may be subject to disciplinary action as described in the preceding paragraph, whether or not the supervisor actually engaged in inappropriate workplace conduct.

7) Retaliation for Complaints of Inappropriate Workplace Conduct

All employees are prohibited from retaliating or threatening to retaliate against anyone who complains of inappropriate workplace conduct or participates in the investigation or response to such conduct. Any employee found to engage in retaliatory actions is subject to discipline, up to and including immediate termination, subject only to the provisions of this personnel policy, applicable policies of the Police and Fire Departments, applicable collective bargaining agreements or other contracts, and applicable law.

8) Relationship of Code of Conduct to Harassment Policy

This policy supplements and does not replace the City's policies prohibiting discrimination, harassment in the workplace, and workplace violence.

7.2 Harassment Policy

This policy applies to all City employees, personnel, and volunteers without exception including elected officials, temporary employees, employees working under contract for the City and members of the paid-on-call fire department.

It is the policy of the City that all employees should be able to enjoy a respectful workplace and a work atmosphere free from all forms of unlawful harassment, including implied or expressed forms of sexual harassment. Harassment infringes on an employee's right to a comfortable, respectful work environment, against City policy, and will not be tolerated. All employees are expected to treat their coworkers, subordinates, supervisors, and public contacts with respect at all times. The City does not tolerate any form of sexual harassment in the workplace, including acts of non-employees.

Any form of sexual harassment or other protected class harassment, as defined in this policy, is prohibited and may result in disciplinary action, up to and including immediate termination.

Sexual Harassment and Other Protected Class Harassment

For purposes of this policy, the term "sexual harassment" includes unwelcome physical or verbal conduct relating to an individual's sex or gender or directed at an individual because of sex or gender, unwelcome sexual advances, requests for sexual favors, and other verbal and physical conduct of a sexual or gender-related nature, when:

1. Submission to such conduct is made either implicitly or explicitly as a term or condition of an individual's employment;

2. Submission to or rejection of such conduct by an individual is used as a basis for an employment decision affecting the individual's employment;
3. Such conduct has the purpose or effect of substantially interfering in an individual's employment or in creating an intimidating, hostile, or offensive working environment.

Violation of this Policy by an employee may subject that employee to disciplinary action, up to and including immediate discharge.

Examples of sexually harassing conduct under this policy may include, but are not limited to, the following:

1. Use of offensive or demeaning terms, which have a sexual connotation or a negative gender connotation;
2. Objectionable physical proximity or physical contact;
3. Any unwelcome, sexually motivated touching;
4. Repeated, unwelcome suggestions regarding, or invitations to, social engagements or work-related social events;
5. Any indication, express or implied, that an employee's job security, job assignment, opportunities for advancement, or other terms or conditions of employment may depend on the granting of sexual favors to any other employee or, supervisor;
6. Any action relating to an employee's job status, which is taken as a direct result of the granting or refusal of social or sexual favors;
7. The deliberate or careless creation of an atmosphere of sexual harassment or intimidation;
8. The deliberate or careless expression of jokes or remarks of a sexual nature to, or in the presence of, employees who may find such jokes or remarks offensive;
9. The deliberate or careless dissemination or display of materials such as cartoons, articles, pictures, other graphics of a sexual nature, etc., which have a sexual content and which are not necessary for work;
10. The use of suggestive facial expressions or gestures of a sexual nature.

Other protected class harassment is offensive conduct or communication based on an individual's 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 when:

1. Submission to such conduct is made either implicitly or explicitly as a term or condition of an individual's employment;

2. Submission to or rejection of such conduct by an individual is used as a basis for an employment decision affecting the individual's employment;
3. Such conduct has the purpose or effect of substantially interfering in an individual's employment or in creating an intimidating, hostile, or offensive working environment.

All employees should keep in mind that the absence of intent to harass an individual is not a defense to a complaint of harassment. It is the impact and nature of the conduct, not the intent, which determines whether the conduct is harassing.

Any employee who believes he or she is being subjected to sexual harassment or other protected class harassment in any form, or any employee with knowledge or belief of conduct on the part of another employee or other individual which may constitute a violation of this policy, is required to report the alleged conduct immediately to a supervisor or the [Human Resources Manager/Administrative Services Director](#). If the [Human Resources Manager/Administrative Services Director](#) is the person alleged to have engaged in conduct prohibited by this policy, complaints should instead be made to the City Administrator. While the City encourages written reports of the alleged conduct, verbal reports will be accepted. The individual receiving the report should be prepared to supply the following information:

1. Date, time and location of incident
2. Identification of the offender(s)
3. A detailed description of the incident
4. Any materials in the complaining employee's possession related to the incident (e.g. cartoons, articles, pictures)
5. Identification of any potential witnesses to the incident

Additionally, at the time of the incident, if you are the employee being subjected to the inappropriate behavior and feel comfortable in so doing, you may, but are not required to, courteously, but firmly, tell the individual(s) engaging in the inappropriate behavior to stop the behavior because the behavior makes you feel intimidated, offended or uncomfortable. Include a summary of this discussion in your report to the supervisor, [Human Resources Manager/Administrative Services Director](#), or City Administrator.

Supervisors are responsible for maintaining a work environment that is respectful and free from discrimination in any form. These responsibilities include proactively maintaining the compliance of all employees with this policy.

Any supervisor who receives a formal or informal, oral or written report of harassment, or have personal knowledge or reason to believe that such harassment has occurred shall inform the [Human Resources Manager/Administrative Services Director](#) immediately without screening or investigating the report, unless the [Human Resources Manager/Administrative Services Director](#) is involved or have a conflict of interest, in which case the report shall be made to the City Administrator pursuant to the reporting procedures. Failure of any supervisory employee to forward such a report to the appropriate party may be grounds for discipline. If appropriate, the

~~Human Resources Manager~~Administrative Services Director shall inform the Department Head of the report of harassment.

Upon receipt of a report or complaint of sexual harassment or other protected class harassment, the ~~Human Resources Manager~~Administrative Services Director or City Administrator shall undertake or authorize an investigation. The investigation may be conducted by City officials or by a third party designated by the City. The City may take immediate steps, at its discretion, to protect the complainant and other employees or members of the public pending completion of the investigation.

The investigation methodology will be determined by the investigator depending on the specifics of each complaint. Investigations typically include, at a minimum, interviews with the reporting employee, the complaining employee (if different from the reporting employee) and alleged offender(s). The investigation methodology may additionally include additional interviews, document review, and other methods deemed pertinent by the investigator.

Every effort will be made to respect the privacy and identity of all parties to a complaint brought under this policy, subject to any applicable law, including the Minnesota Government Data Practices Act (“MGDPA”). In addition, the City has an obligation to investigate, to take necessary action to address allegations, and to comply with relevant state and federal regulations, and retains the right to disclose the identities of parties to a complaint, including witnesses, and the substance of complaints or witness statements as permitted or required by applicable law, including the MGDPA.

The investigator will forward a summary of the investigation, including the investigator’s findings and conclusions, to the Human Resources Director or City Administrator, as appropriate. The City will take all appropriate action, including, but not limited to, disciplinary action, to address any confirmed violation of this policy.

The City will not tolerate acts of retaliation against employees who have made a good faith report of suspected violations of this policy or any person who assists or participates in an investigation or assists or participates in a proceeding related to such investigation. The City will discipline or take other appropriate action against any employee, personnel, elected official, or volunteer who engages in acts of retaliation towards such individuals. For purposes of this policy, retaliation includes but is not limited to: any form of intimidation, reprisal or harassment.

7.3 Workplace Violence Policy

Purpose and Definitions

The city of Ramsey is committed to maintaining a safe environment for its employees and customers, free from violence, threats of violence, harassment, intimidation, and other disruptive behavior. Accordingly, the City will not tolerate any acts of violence toward employees or customers of the City, or to property. Any employee who commits or threatens an act of workplace violence may be subject to investigation and discipline, up to and including immediate termination. It is the goal of the City to provide a workplace that is free of intimidation, threats, and violence. This policy will also seek to provide guidance to employees when they encounter a situation that they believe could result in violence.

For purposes of this policy, the following definitions will be used:

Workplace Violence - The term “workplace violence” encompasses a wide range of behaviors that include, but is not limited to, any act of physical, verbal, or written aggression against an employee or customer of the City, or threats to inflict physical harm, or damages to property, family members of an employee, or any purposeful or knowing behavior which would cause a reasonable person to feel threatened by an employee or non-employee in the workplace. Workplace violence does not include reasonable force in the defense of oneself or others. Workplace violence also does not include the appropriate use of force or weapons by law enforcement officers or others acting lawfully to protect and defend life and property, effectuate an arrest or detainment, or other purposes for which law enforcement officers are authorized to use force.

Threat - an expression by word or conduct of intent to commit violence that places the listener or reader in fear of imminent bodily harm or is of such character that another individual could be placed in fear of imminent bodily harm. The overall context of statement, including non-verbal communications will be taken into account to determine if such an expression is a threat covered by this rule.

Employee Responsibilities

Employees are expected to treat co-workers, citizens, and property with respect. No employee is permitted to commit or threaten violence against another employee or customer of the City. Examples of prohibited conduct include, but are not limited to, physical abuse, verbal threats to inflict physical harm, vandalism, arson, and use of weapons.

Employees are not permitted to bring a weapon into the City workplace or onto City property unless the weapon is required to fulfill the employee’s job duties, such as those of a police officer.

City employees should not ignore violent, threatening, harassing, intimidating, or other disruptive behavior. If anyone on the City premises displays such behavior, regardless of whether he/she is a City employee, such behavior should be reported immediately to the employee’s supervisor. Employees are responsible for making the report regardless of the relationship between the individual who initiated the threat or threatening behavior and the person(s) who was threatened or who was the focus of the threatening behavior.

Employees shall be alerted to and immediately report suspicious or threatening behavior and incidents of workplace violence to their supervisor and should contact 911 in the case of an immediate serious threat or crime. In the event of imminent danger to persons or property, employees shall always take action to safeguard persons or property before making a formal report. Except as noted above, reports shall be made as soon as possible after a threat or act of workplace violence – preferably within 4-6 hours, or sooner if reasonably able to do so.

Even without an actual threat, employees shall report any behavior they have witnessed which they regard as threatening or violent.

Employees who have identified City work locations as being protected for purposes of restraining or protective orders shall immediately notify their supervisor. The City understands the sensitivity of the information and will endeavor to handle the matter respectfully while also providing necessary notification and advance warning to fellow employees.

Supervisory Responsibilities

Supervisors are expected to appropriately and safely intervene when they see an employee on the receiving end of abuse, whether from another employee or a member of the public. Supervisors and Department Heads who witness workplace violence or receive a complaint of workplace violence must notify the [Human Resources Manager/Administrative Services Director](#) of the situation as soon as possible. The responding supervisor shall assess whether there is a current significant risk of violence that could result in physical harm to people and/or property and establish command and determine the appropriate level of emergency response. The supervisor or Department Head's efforts may include the following actions:

- Assuring that 911 has been called.
- Alerting other employees in the immediate area about the situation.
- Attempting to move individuals at risk to a safer location.
- Implementing the appropriate evacuation proceeding if rapid evacuation of the building seems warranted.
- Controlling staff involved so that they do not interfere with or hinder the efforts of law enforcement or other emergency personnel who may respond to the incident.
- Assuring that necessary medical attention and/or emotional support is provided to the employees affected by the incident.
- Contacting the [Human Resources Manager/Administrative Services Director](#) to arrange for relief from duty of the employee(s) who committed the workplace violence, coordinate an investigation and to handle disciplinary/return to work issues.
- The [Human Resources Manager/Administrative Services Director](#) may, in addressing the situation, consider the following:
 - Assessing the needs of victims and other employees impacted by the incident.
 - Any additional security measures that need to be put into place, taking into consideration:
 - the likelihood of violence
 - the costs and benefits of security measures
 - the impact of security measures on the employee(s) involved and the rest of the workforce
 - the impact of security measures on the City's ability to meet the needs of its customers
- When a supervisor or Department Head is notified of an employee having identified City work locations as being protected areas for purposes of restraining or protective orders, OR of a domestic violence situation, the [Human Resources Manager/Administrative Services Director](#) is to be consulted immediately to determine what actions may be appropriate.
- The [Human Resources Manager/Administrative Services Director](#) may consult with the Police Department to determine what appropriate security measures need to be taken with regard to any reported or potential workplace violence incident.

Due to the need to allow public access to City facilities and services, the City cannot guarantee that violence will not occur on its premises.

The City subscribes to the concept of a safe work environment and supports the prevention of workplace violence. Prevention efforts include, but are not limited to, informing employees of

this policy, instructing employees regarding the dangers of workplace violence, communicating the consequences for violating this rule, and providing a hierarchy within which to report incidents of violence without fear of reprisal.

Any City employee who violates this policy may be subject to disciplinary action, up to and including immediate termination.

Any customer of the City who violates this policy may be denied access to City business locations. Anyone who engages in violence may be subject to criminal sanctions.

7.4 Domestic Violence

At the request of the employee, the City will attempt to make reasonable accommodations for a period of time to shield or protect an employee from abuse while at work through the screening of telephone calls and visitors, or other temporary measures. In accordance with Minnesota law, employees may also use sick leave for “safety” leave related to domestic violence situations.

7.5 Appearance and Dress Policy

The appearance and dress of City employees has a direct reflection on the professionalism of our services. A neat, well-groomed employee presents a positive image of the City and demonstrates the pride of City employees. Appearance and attire have an impact on the way community members perceive City staff and the confidence customers have in the City’s ability to provide quality services. The standard office attire for employees Monday through Friday will be Business Casual or Formal Business, with some exceptions on Friday’s as noted below.

Appropriate Business Casual or Business Attire

The following information should guide employees on proper dress in the work place. Although it is difficult to develop a policy that will cover all individual variations in dress and style for each work situation or circumstance. The following appearance and dress guidelines have been established based on public perception and job safety, as follows:

- Suits, ~~Pant Suits~~, Sport Coats.
- Dress slacks, pants, khakis-
- Dress shirt with or without a tie.
- Dresses, ~~and~~ skirts or capris (no more than 3 inches above the knee).
- Blouses, shirts, or sweaters.
- Any type of business shoes, dress sandals, clean earth tone or white athletic shoes. (~~Crocks, flip flops, thongs and barefoot sandal are not allowed.~~)

Appropriate attire for Casual Fridays:

- Casual sweaters, ~~or~~ shirts or polos, ~~(no t-shirts)~~ (slogans or advertising may not exceed 2 inches, other than city logos).
- Casual slacks, pants, and denim jeans (as long as they are in good condition) with no tears or holes.
- ~~Capris within 3 inches of the knee.~~

Commented [CL28]: To be discussed. Aside from jeans, most of this list would be appropriate for M-R.

- ~~• Clean athletic shoes in good condition.~~

Employees who take Friday off may not substitute another day for “casual Friday.”

Inappropriate Attire / Inappropriate Appearance

Except as specifically allowed on casual Fridays, the following items are not appropriate for the office environment.

- Extreme hair color such as, but not limited to violet, indigo, blue, green, yellow, orange and red
- Tattoos that are deemed to be offensive. Examples of offensive tattoos include, but are not limited to, those that depict racial, sexual, discriminatory, or gang-related images or obscene language, or that undermine city’s values. Tattoos deemed offensive must be covered by a flesh colored sleeve while working
- Tattoos on the head, face, neck and hands are prohibited
- Piercings that are loose or dangle, other than earrings
- Piercings that interfere with speaking clear
- Septum piercings
- Eye lid piercings
- Eye brow piercings
- T-shirts, halter tops, tank tops, tube tops, muscle shirts and -shirts or dresses with spaghetti straps
- Garments revealing the midriff or off-the-shoulder
- ~~• Flip flop shoes~~
- Athletic wear (sweatpants, sweat suits, yoga pants and workout clothes), ~~tennis shoes),~~ except as specifically approved during special sporting events on a Friday
- ~~• Denim jeans.~~
- Shorts; mini-skirts.
- ~~• Body hugging clothes.~~
- Garments revealing the midriff or off the shoulder.
- Dirty, ripped, wrinkled or stained clothing.
- Transparent or overly tight garments.
- Clothing with advertisements or logos larger than 2” (other than City logos).
- ~~• Any Clothing that is~~ overly revealing or outlandish so as to cause distraction
- ~~• Any clothing or visible tattoos~~ with images or wording that are offensive or derogatory.
- ~~• Visible body piercings, other than earrings, all other visable body piercings must be removed during work hours.~~
- Flip flops, thongs, bare foot sandals- and bare bottom shoes

Commented [CL29]: Should hands be excluded?

Exceptions to the above policy will be made only on a case-by-case basis, with a doctor’s note stating the reason for the exception.

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Employees Who Work Outdoors

Employees who work outside must follow the dress code established by their Department Head. Clothing must always be neat, clean, and not overly worn, faded, or in disrepair. Work shirts may

not be sleeveless and employees may not go shirtless while on duty. Solid color shorts and jeans are acceptable when appropriate and with prior approval from the Department Head.

Uniformed Personnel

Uniforms, which are provided to some city employees, are expected to be neat, fresh and clean when reporting for duty. Each department is responsible for seeing to it that employees follow regulations regarding uniforms, related accessories and equipment. Uniforms bearing city identification may not be worn during off-duty hours.

Under certain circumstances, as a condition of employment, employees may be required to wear clothing identifying them as a city of Ramsey employee. If applicable, a payroll stipend may be benefited and applicable taxes will be withheld according to the Internal Revenue Service.

Religious Considerations

Nothing in the policy is intended to infringe upon an individual's desire to observe and exercise religious practices. The City will make reasonable effort to accommodate religious practices regarding dress to the extent that is able to do so without affecting employee or customer health and safety.

Enforcement

Department Heads or their designee have the responsibility and the authority to enforce this policy. If counseling is ineffective, violations of this policy may result disciplinary action, up to and including immediate termination. Employees sent home to change clothes shall not be paid as regular duty pay; the employee may use vacation time or unpaid leave.

7.6 Off-duty Conduct

The City's effectiveness depends upon the respect and confidence of residents, business owners and employees. Inappropriate off-duty conduct detracts from community or employee respect and confidence. It is the City's policy to investigate circumstances suggesting that a City employee has engaged in inappropriate off-duty conduct that reflects unfavorably on the City. If inappropriate off-duty conduct is determined to have occurred that affects the City's business or reputation, discipline may be imposed, up to and including immediate termination.

Examples of inappropriate off-duty conduct include, but are not limited to the following:

- Certain moving violations
- Theft
- Violence
- Use of City position to manipulate or control
- Conviction of a gross misdemeanor or felony

Commented [CL30]: To be discussed based on City Attorney feedback.

This policy applies to all City employees (full-time, part-time, paid-on-call, temporary, casual, etc.); to acts that occur within or outside of City limits; and to acts that occur during or outside work hours.

7.7 Employee Parking

To ensure ~~that~~ the public has easy access to the entrances of City Hall front doors, employees parking at the City offices must park personal vehicles in the Municipal Parking Ramp; unless otherwise approved by the Department Head.- City vehicles may be temporarily parked on the road or in the south parking lot as needed for City business. Personal vehicles may only be parked on the road during such time that it takes to load or unload supplies for a City function.

7.8 Conflict of Interest and Divided Allegiance

The City Council and the City Administrator are committed to governing the City organization in a manner that is free of personal conflicts. For the purposes of this Policy, the term “conflicts” means both “conflicts of interest” as they are defined under applicable state and federal law, and “divided allegiances,” as they are defined in this Policy.

This Policy addresses how the City approaches actual or perceived conflicts. The definitions that apply cover more than the specific conflict of interest scenarios addressed by state or federal laws. A conflict of interest not identified in this policy may be a violation of those laws. City officials may have a legal conflict of interest even if their conduct does not amount to a conflict of interest under this Policy. Nothing in this Policy authorizes, or should be interpreted as authorizing, City officials to have an interest in a transaction that is prohibited by state or federal law. Employees and elected officials who have a conflict of interest recognized by state or federal law are subject to all of the consequences provided by law.

The purpose of this Policy is to inform City elected officials, appointed commission members, and staff of the City’s broad definition of Conflicts and to establish procedures to follow to declare and monitor conflicts as they arise. The City Council requires each elected official, appointed commission members and staff member to be advised of this Policy, and each of said persons are to be provided a copy of this Policy, immediately upon assuming their City’s duties or relationship. All individuals subject to this Policy are responsible for knowing and observing the Policy.

This Policy recognizes that a conflict of interest may exist, from a practical perspective, whenever the personal or professional interests of an elected official, appointed commissioner or staff member are potentially at odds with City’s interest(s). Since the City Council is responsible for ensuring that the organization’s management serves the City’s best interests, over and above the interests of any insider, this Policy broadly defines potential conflicts of interest to include all instances when a person within the organization may be able to exert his or her authority, influence, or bias on any issue in which they he or she may have divided allegiances.

The City Council recognizes that conflicts may exist not only when an individual has a financial interest in a transaction, but also when his or her nonfinancial interests are involved. In all cases, the City Council is committed to ensuring that whenever a dual interest between an individual’s personal, business, organizational or professional affiliations and the position and interests of the City exists, disclosure of such conflict is given and the resulting decision-making is fairly and appropriately managed. Furthermore, this Policy’s procedures apply not only when an actual

conflict is demonstrated, but also when the interests or concerns of another party to which one has allegiance may reasonably be seen as competing with City's interests or concerns. The decision of the City Council to effect a level of higher scrutiny and procedures when an elected official, appointed commissioner, or staff member of the City appears to have a conflict acknowledges the public's increasing sensitivity to self-dealing and/or lax management by elected officials, appointed commissioners, and staff.

The three types (or "Tiers") of conflicts defined in the Policy are not mutually exclusive. An interest that qualifies as a conflict of interest under one Tier may be a conflict of interest under either of the other Tiers as well, depending on the specific facts.

Conflict of Interest and Divided Allegiances, Definitions

Tier 1 -- Direct conflict: A direct conflict exists whenever there is any proposed transaction or action of the City in which an elected official, appointed commissioner, or staff member has any direct involvement or interest. Direct conflict of interest occurs when a decision or action would compromise a duty to a party without taking immediate appropriate action to eliminate the conflict. These transactions are subject to the highest scrutiny.

Tier 2 -- Indirect conflict: An elected official, appointed commissioner or staff member has an indirect involvement or interest in a proposed transaction or action of the City whenever:

- a) Any other party to the transaction or party affected by the action is a "family member" (i.e., a relative) of the elected official, appointed commissioner, or staff member, or, there is a relationship, affiliation, or other interest that could create an inappropriate influence if the person is called on to make a decision or recommendation that would affect one or more of those relationships, affiliation, or interests.
- b) Any other party to the transaction or party affected by the action is an entity in which the elected official, appointed commissioner or staff member has a material financial interest,
- c) The elected official, appointed commissioner or staff member is an officer, director, trustee, staff member or partner of any other party to the transaction or party affected by the action.

Conflicts involving more immediate relatives should generally be subject to a higher level of scrutiny by the City than those involving relatives who are removed, although each situation involves individual circumstances to be weighed by the City Council and City Administrator.

Tier 3 -- Potential conflict or the appearance/perception of conflict: elected official, appointed commissioner and staff members should follow the disclosure procedures of this Policy when the interests or concerns of any elected official, appointed commissioner or staff member, or of any of those individual's relatives, or any other individual group or organization to which such person has allegiance, may reasonably be seen by a third party as competing with the interests or concerns of the City; that conflicting duties or loyalties exist.

For purposes of this Policy, the term "relative" includes all of the following individuals: spouses, , parents, children, children's spouses, siblings, spouses of siblings, aunts, uncles, first cousins, step-parents and step-children.

For purposes of this Policy, a "material financial interest" exists when an individual or their

relative has rights (whether or not yet vested) to be paid compensation, employee or retiree benefits, dividends, or profit-sharing, or to have their expenses reimbursed or obligations or other liabilities repaid, etc. The term is intended to include any and all remunerative expectations.

The City's elected officials, appointed commissioners, staff, and consultants, shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, donors, grantees or parties to sub-agreements, with the exception that unsolicited gifts, such as trinkets or mementos costing \$5.00 or less, not given regularly may be accepted.

When there is any doubt as to whether a conflict exists, either pursuant to this Policy or under applicable law, the matter shall be resolved by the City Attorney.

All local officials, as defined in Minnesota law, must comply with Minnesota law regarding the receipt of gifts.

Procedure When Appointed Officials have a Conflict

When conflicts arise, the interested appointed official must:

1. Prepare a written statement or make a verbal announcement at the applicable public meeting describing the matter requiring action or decision and the nature of the potential conflict of interest.
 - a. Deliver a copy of the notice to the chair of that board, commission or committee. If the chair has the conflict, notice should go to the appointing authority - the city council.

Procedure when Elected Officials have a Conflict

When conflicts arise, the interested elected official must:

2. Prepare a written statement or make a verbal announcement at the applicable public meeting describing the matter requiring action or decision and the nature of the potential conflict of interest.
 - a. Deliver a copy of the notice to the presiding officer (typically the mayor)
 - b. If the mayor has the conflict, notice should go to the acting presiding officer.

Procedure When Staff have a Conflict

1. Each staff member has a duty to disclose to the City Administrator, Finance Director and/or ~~Human Resources Manager~~[Administrative Services Director](#) of the City the material facts of any proposed transaction of the City in which such person has any conflict(s) identified by this Policy.
2. The disclosure required under 1 (above) is to be made immediately, and to the extent possible, before any consideration of such proposed transaction by the City. If a staff member does not recognize the existence of a conflict prior to a decision regarding the transaction, the staff member has a duty to disclose the material facts of the conflict as soon as it is recognized.
3. A staff member having a conflict shall not participate in the deliberation or decision by the City regarding the transaction under consideration, unless invited by the City Council, City Administrator, Finance Director, and/or ~~Human Resources Manager~~[Administrative Services Director](#) to do so, after consideration of the significance to the City of the disclosed conflict. The City Council, City

Administrator, Finance Director, and/or ~~Human Resources Manager~~Administrative Services Director of the City may also request that he or she provide the City with any relevant information regarding the matter.

4. The City Council, City Administrator, Finance Director and/or Human Resources of the City shall take such additional action as may be required to ensure that the conflict is properly noticed to management and that appropriate steps are employed as the transaction and its terms are brought forth for decision-making and/or implementation. Furthermore, the City Administrator, Finance Director, and/or ~~Human Resources Manager~~Administrative Services Director of the City shall maintain a record of the existence, procedures employed in managing, and resolution of the conflict.

CC Work Session

Meeting Date: 03/12/2024

Primary Strategic Plan Initiative: Enhance City’s communication through transparency and accountability.

Information

Title:

Review Future Topics/Calendar

Purpose/Background:

Attached is the current list of future topics for work session discussions. Items are drawn from Council requests at meetings, or are related to topics that have been identified in the City's strategic plan. Tentative dates have been assigned.

Timeframe:

Funding Source:

Responsible Party(ies):

Outcome:

For Council review - no formal action necessary.

Attachments

Future Topics List

Form Review

Inbox

Brian Hagen

Form Started By: Katie Schmidt

Final Approval Date: 03/05/2024

Reviewed By

Brian Hagen

Date

03/05/2024 09:03 AM

Started On: 03/01/2024 11:08 AM

Row #		<u><i>Tentative City Council Future Work Session Topics</i></u>	
	Proposed Date	Topic	Minutes (Estimate)
	2024		
	March 26	Solicitor License approval process	15
	March 26	Recycling Program Overview	45
	March 26	Development Interest to Council	15
	March 26	Bowers Drive/Riverstone South Trail Connection Survey Results/Consideration	15
	April 9	Waterfront Park Direction	60
	April 9	Personnel Policy	30
	April 23	Subdivision Code	60
	April 23	Personnel Policy	30
	May 14	Final Review of Personnel Policy	30
	May 14	Labor Negotiations (closed session)	60
	May 28	Subdivision Code	
	June 11	City Administrator Review	15
	June 25	Review Citizen Survey	
	July	Budget Season Begins	
	TBD	Continue Policy Project Discussion – continue Park Policy discussion – Riverblood	30
	TBD	Draft Trail Maintenance Policy – Riverblood	30
	TBD	Draft Stormwater Pond Maintenance Policy – Westby	30
	TBD	Review procedure/policy/best practice for introduction of resolutions/proclamations – Staff	20
	TBD	Discuss Council and B/C Remote Meetings Policy - Staff	15
	TBD	Decorum of Council Towards Meeting Attendees	