

CITY OF BREEZY POINT PERSONNEL POLICY

Approved by City Council: June 5, 2006
Amended June 4, 2007
Amended November 5, 2007
Amended April 6, 2009
Amended April 1, 2013
Amended May 19, 2015
Amended February 5, March 12, 2018
Amended January 6, 2020
Amended September 8, 2020
Amended May 3, 2021
Amended December 5, 2022

PERSONNEL POLICY
TABLE OF CONTENTS

CHAPTER

1. Introduction
2. Equal Employment Opportunity
3. Definitions
4. Hours of Work, Overtime, Compensatory Time, and On-Call
5. Holidays
6. Vacation Leave
7. Sick Leave
8. Leaves of Absence
9. Leave Donation
10. Employment
11. Promotion Introductory Period
12. Personnel Files
13. Employee Development and Career Advancement
14. Seniority, Layoff and Recall
15. Disciplinary Action
16. Employment Separation
17. Employee Group Insurance Benefits/Eligibility
18. Salary Administration
19. Expense Reimbursement
20. Employee Safety
21. Workers' Compensation; Injured-on-Duty
22. Employee Responsibility
23. Work Rules
24. Workplace Violence
25. Harassment and Offensive Behavior
26. Use of City Property
27. Grievance Procedure
28. Grandfathered Provisions

Chapter 1. INTRODUCTION

The City of Breezy Point has prepared this manual to provide general information about some of the city's employment related policies and programs, and to describe the city's view of the employment relationship. It is not intended to be a legal statement of benefits. This policy shall be known as the "Personnel Policy" and shall be referred to in the following sections as "this plan, the plan, or the policy".

These policies and employment related benefits and programs will likely change from time to time. Although this policy will periodically be revised to reflect changes, the city may implement changes immediately, without advance notice. The city is authorized to revise, delete or otherwise change policies, and to make the final determination in interpreting or applying policies.

If any policy in this manual is in conflict with Federal, state, or local law, such law will govern.

Nothing contained herein or in any other or supplementary description of policies or employee benefits shall be construed as either a contract of employment or a contract to provide any benefit. Employees are employed "at will", and either the city or the employee may terminate the employment relationship at any time, with or without notice and for no reason or any reason not prohibited by law. The city reserves the right to add to, eliminate, or change the policies contained herein at any time and at its sole discretion.

This personnel policy supersedes, replaces, and revokes any and all other handbooks, policies or manuals made available to or applicable to the City of Breezy Point. No policy manual other than this manual adopted by the City Council on April 1, 2013, has any force or effect. However, employees hired prior to June 5, 2006 will refer to the policy as it relates to Compensatory, Sick and Vacation time accrual, usage and pay-out which is articulated in Chapter 28. All provisions of this policy will apply to employees, except those provisions covered by a collective bargaining agreement.

This policy applies to employees and interns but does not apply to elected officials.

Chapter 2. EQUAL EMPLOYMENT OPPORTUNITY

Policy Statement. It is the policy of the City of Breezy Point to provide equal employment opportunity to all employees and applicants in accordance with applicable equal opportunity laws and regulations. In accordance with that commitment, all

decisions regarding employment shall occur without regard to any characteristic protected by law.

All employees have an obligation to perform their duties and to conduct themselves in the workplace and while engaged in work for the city in accordance with this policy.

Reporting Procedure. Any individual who believes that he/she has experienced or observed behavior contrary to this policy is expected to report that information to the City Administrator, Mayor or City Attorney. All such reports of action contrary to this policy will be taken seriously and investigated promptly. Individuals found to have violated the city's equal employment opportunity policy will be subject to discipline up to and including termination of employment. No individual shall be retaliated against for making a good faith report of behavior contrary to this policy.

Chapter 3. DEFINITIONS

Contractual Individual: Individuals who offer their services to the public and technically are not city employees according to IRS regulations. Contractual individuals are appointed by the City Council or City Administrator and are paid under a fee basis.

Employee: For purposes of this manual, the word employee includes regular full, part-time, and seasonal/temporary employees and interns.

Employment status: Defined by eligibility for overtime in accordance with the Fair Labor Standards Act as non-exempt or exempt from overtime. All employees, regardless of category, are employed at-will.

Immediate Family: Spouse, spouse's mother or father, children, adult children, step-children, grandchildren, step parents, parents, grandparents, brothers or sisters, step-brothers or sisters.

Intern: Students who are working for credit to gain practical experience.

Non-exempt positions: Those subject to the minimum wage and overtime provisions of the Fair Labor Standards Act. Wage payments for these positions are governed by that Act, and also by various state wage laws.

Non-Immediate Family: Cousin, aunt, uncle, etc.

Regular Full-time Employee: Any person employed by the city who is regularly

scheduled to work at least forty (40) hours a week or 2,080 hours in a year and does not have a defined termination date.

Regular Part-time Employee: Any person employed by the city who is regularly scheduled to work less than forty (40) hours a week and does not have a defined termination date.

Seasonal/Temporary Employee: Any person employed by the city in any department or function of the city, where the duty is of definite and limited duration regardless of the number of hours worked.

Volunteers: Individuals who are not employees that perform work for the city on a voluntary basis without compensation.

Employees who have questions about the employment category for their position should contact the City Administrator.

Chapter 4. HOURS OF WORK , OVERTIME, AND COMPENSATORY TIME

Standard Work Schedules. The standard work day consists of 8 hours of work within a 24-hour period and for licensed peace officers the standard work day consists of 10-12 hours of work within a 24-hour period. The standard work week consists of a week that shall commence 12:01 am on Sunday and run through 12 midnight Saturday, and it shall consist of 40 hours. For licensed peace officers the standard work week (an actual two-week period) shall commence at 12:01 AM on Sunday and run through 12 midnight Saturday 14 days (2 weeks) later, and it shall consist of 14 consecutive day period in which officers shall work a total of 80 hours, not necessarily on consecutive days. Business demands may sometimes require employees to work extra hours beyond those for which they are usually scheduled. When possible, the city will notify employees in advance if overtime will be necessary. However, employees are expected to be available, and to work the extra time when needed, regardless of what notice has been given. If a non-exempt employee anticipates a need to work extra hours, he or she must receive the supervisor's approval in advance.

Overtime. For the purposes of this Chapter, hours worked include actual hours worked, sick time, vacation time, compensatory time, and holiday time.

Overtime Rates. Employees in non-exempt positions are eligible to be paid for overtime at a rate of time and one-half (1.5) their regular pay for all hours over 40 worked in a work week. Employees in an exempt position are not eligible for overtime. Licensed

Peace Officers will be eligible for overtime only for hours over 80 in a 14-day work week.

Compensatory Time. Full-time non-exempt employees who work more than forty (40) hours per week may elect the use of compensatory time at time and one-half (1.5) hours for each additional hour worked. Non-exempt Licensed Peace Officers may elect the use of compensatory time at time and one-half (1.5) hours for each additional hour worked over 80 per work week. Full-time exempt employees are expected to work the number of hours required to perform their job which at times requires working in excess of 40 hours a week. The City will allow a carryover of no more than 40 hours of compensatory time at year end. The city reserves the right to deny the use of Compensatory time off if the organizational needs of the city necessitate the employee work.

Exempt Employees: It is recognized that full-time exempt employees are not eligible for overtime and compensatory time for work that exceeds forty (40) hours per week and may, therefore, absent themselves from the office to a reasonable extent in consideration of such additional time expenditures. To this extent, exempt employees are not required to track their hours worked on an hour by hour basis except for the usage of vacation and sick time.

Call Back Time. An employee who is called back for work during the employee's scheduled time off shall receive a minimum of two (2) hours pay. An extension or early report to a regularly scheduled shift for duty does not qualify the Employee for the two-hour minimum.

Chapter 5. HOLIDAYS

Eligibility. All regular full and part-time employees scheduled to work at least 20 hours per week are eligible for paid holidays. Full-time employees will be eligible for holiday pay, while part-time employees will be eligible for a pro-rated number of hours based upon the typical number of hours per day or days of the week scheduled to work.

Observed Holidays. The following days will be observed as paid holidays for all regular full and part-time employees:

Holiday

New Year's Day

Martin Luther King Day

Presidents Day

Memorial Day
Independence Day
Labor Day
Veterans Day
Thanksgiving Day
Day after Thanksgiving
Christmas Day
Juneteenth
One floating Holiday – must be used during the year that it is earned

If any holiday should fall on a Sunday, the following Monday will be considered the paid holiday, and if any holiday should fall on a Saturday, the preceding Friday will be considered the holiday.

Holiday Pay. Holiday pay shall be the employee's regular hourly rate of pay multiplied by the number of hours in his/her normal work day. Part-time employees shall have their holiday pay pro-rated according to their regularly scheduled work days and/or hours. In payroll periods that include a holiday, the City Administrator may allow part-time employees to arrange their work schedules to avoid a reduction in salary due to the pro-ration of holiday pay, provided such rescheduling does not result in the payment of overtime.

Work on a Holiday. On designated holidays, regular employees shall be paid straight time for the number of hours normally worked. This would be Holiday Pay as paid time off. Additionally, on a designated holiday, regular employees shall be paid at a rate of time and a half for actual hours worked.

Weekend Holiday Lift Pay. Checking lift stations when a holiday occurs in the work week provides for compensation to be paid for the two-hour minimum at double time.

Religious Holidays. When a religious holiday, not observed as one of those holidays listed above, falls on an employee's regularly scheduled work day, the employee may request that day off to observe the religious holiday.

Time to observe a religious holiday shall be taken without pay unless the employee uses accumulated vacation leave, compensatory time or by mutual consent with the City Administrator, is able to work an equivalent number of hours at some time during the same pay period to compensate for the hours lost. An employee shall notify the City Administrator of his/her intention to observe a religious holiday in advance of the holiday. Use of this provision shall not entitle an employee to overtime compensation

as provided in Chapter 4.

Chapter 6. VACATION LEAVE

Eligibility. All regular full and part-time employees, scheduled to work at least 20 hours per week and are in active payroll status, will accrue vacation.

Accruals and Accumulation. Employee shall accrue vacation leave each pay period according to the annual rates provided below. Regular part-time employees scheduled to work at least 20 hours per week shall earn vacation on a pro-rata basis.

Full-time employees are allowed to carry over up to 240 hours of vacation leave at the end of the calendar year. Hours over 240 will be forfeited. Part-time employees will be allowed to carry over a pro-rated number of hours (i.e. an employee working 20 hours per week, 50% of an FTE, may carry over 120 hours.) In emergency situations, the City Council may temporarily suspend the maximum number of hours which may be accumulated.

As used below, " Years of Service" includes all time served but does not include time on suspension or unpaid non-medical leaves of absence which exceed one full pay period in duration.

Changes in accrual rates shall be made effective at the beginning of the next payroll period following completion of the specified years of service requirement.

VACATION ACCRUAL SCHEDULE FOR REGULAR FULL-TIME EMPLOYEES

- A. An employee shall be credited with vacation leave starting with the date of employment and accrue with each pay period. The amount of vacation leave available to regular full-time employees shall be earned according to the following schedule, determined by years of service and established at the anniversary date of the first day of employment. Vacation leave may be used only to the extent that it is earned.

Year 1	80 hours
Year 2	88 hours
Year 3	96 hours
Year 4	104 hours
Year 5	112 hours
Year 6	120 hours

Year 7	128 hours
Year 8	136 hours
Year 9	144 hours
Year 10	152 hours
Year 11+	160 hours

Vacation Usage. Vacation leave shall not be used during or prior to the pay period in which the hours are accrued. Employees shall submit written requests to use vacation leave prior to the absence. The City Administrator or Police Chief shall respond within a reasonable period and shall deny the request only to meet job-related organizational needs. Except in emergencies, no employee shall be required to work during the employee's vacation once the vacation request has been approved.

Vacation accrued while on paid leave may be used by the employee with the approval of the City Administrator without returning to work prior to the usage of such accrued leave.

Should an employee become ill or disabled while on vacation, vacation leave shall be changed to sick leave, effective the date of the illness or disability, upon timely notice to the City Administrator and verification by a medical provider.

Vacation Charges. Holidays that occur during vacation periods shall be paid as holidays and not charged as vacation leave.

Chapter 7. SICK LEAVE

Eligibility. All regular full and part-time employees who are scheduled to work 20 or more hours per week and are in active payroll status are eligible to accrue sick leave.

Accruals and Accumulations. A full-time employee shall accrue on a regular basis, sick leave based on an annual allocation of ten (10) days of sick leave at a rate of eight (8) hours per day until 700 hours have been accumulated. Part-time employees scheduled to work at least 20 hours per week shall have his/her sick leave accrual prorated according to the number of hours scheduled to work until 350 hours have been accumulated. An employee shall be credited with sick leave starting with the date of employment and accrue with each pay period. An employee whose sick leave balance falls below the maximum allowable accrued hours shall again accrue sick leave at the appropriate full or part-time base rate until his/her accumulation again reaches the maximum.

Usage. Whenever practicable, an employee shall submit a written request for sick leave in advance of the period of absence. When advance notice is not possible, an employee shall notify the City Administrator or Supervisor by telephone or other means at the earliest opportunity. An employee shall be granted sick leave to the extent of his/her accumulation for the following:

- ◆ illness, injury or disability; or
- ◆ medical, chiropractic, or dental care for the employee, spouse and children; or
- ◆ exposure to contagious disease which endangers the health of other persons; or
- ◆ illness, injury or disability of immediate family members of the employee or spouse for such reasonable periods as the employee's attendance may be necessary; or
- ◆ the employee or spouse for such reasonable periods as the employee's attendance may be necessary; or
- ◆ to arrange for necessary nursing care for members of the immediate family, not to exceed three days.
- ◆ Safety Leave - for the purpose of providing assistance to immediate family members or receiving assistance because of sexual assault, domestic abuse, or stalking. Safety leave for other than employee or employee's child is limited to 160 hours in a 12-month period.

An employee using sick leave may be required to furnish a statement from his/her medical practitioner or a medical practitioner designated by the City Administrator to verify the illness and expected duration of the illness or disability or to approve of time off for the employee's care of a member of his/her immediate family.

Sick leave hours shall not be used during or prior to the pay period in which the hours are accrued. Sick leave accruals earned while on paid leave may be used by the employee without returning to work prior to the usage of accrued sick leave.

Sick Leave Charges. An employee using sick leave shall be charged for only the number of hours that the employee was scheduled to work during the period of sick leave. Sick leave shall not be granted for periods of less than one-half hour except to permit usage of lesser fractions that have been accrued. Holidays that occur during sick leave periods will be paid as holidays and not charged as sick leave.

Chapter 8. LEAVES OF ABSENCE

Application for Leave. An employee shall submit a request for a leave of absence in

writing to the City Administrator as far in advance of the requested absence as is practicable. The request shall state the reason for, and the anticipated duration of, the leave of absence.

Paid Leaves of Absence. Paid leaves of absence shall not exceed the employee's normal work schedule and may be granted as follows:

- ◆ Court appearance leave for appearances before a court or other judicial or quasi-judicial body in response to a subpoena or other direction by proper authority for purposes related to the employee's city job. The employee shall receive regular pay for such appearances or attendances, including necessary travel time, provided that any fee received, exclusive of paid expenses using a personal vehicle, is returned to the city. Any employee who must appear and testify in private litigation, not as an officer of the city but as an individual, shall be required to use vacation leave, compensatory time or leave of absence without pay unless, by mutual consent with the City Administrator, the employee is able to work an equivalent number of hours during the pay period to compensate for the hours lost. Use of this provision shall not entitle an employee to overtime compensation as provided in Chapter 4.
- ◆ Paid jury duty leave for time to serve on a jury is provided for regular full and part-time employees up to a maximum of 15 days per calendar year. During jury duty the employee will be paid the employee's regular base pay. Following completion of jury service, an employee shall reimburse the city for compensation received for jury services. An employee shall be allowed to keep any funds paid by the court for mileage using a personal vehicle and expenses.

Employees shall notify their supervisor as soon as possible after receiving notice to report for jury duty.

An employee who has been excused or released from jury duty during the employee's regular work hours shall report to their supervisor for assignment to duty as soon as possible.

- ◆ Regular full and part-time employees shall be provided paid military leave for reserve training or active service, not to exceed 15 working days (shifts) per calendar year. Employees must give reasonable prior written notice.
- ◆ Voting time leave in accord with M.S. 204C.04 for employees eligible to vote in any state primary or general election or an election to fill the vacancy in the

office of United States Senator, United States Representative, State Senator or State Representative, or a presidential primary or general election provided that the leave is for a period of time long enough to vote during the forenoon of the election day.

- ◆ Emergency leave in the event of a natural or man-made emergency. If the City Administrator, after consultation with the City Council, determines that continued operation would involve a threat to the health or safety of individuals, the City Administrator may grant emergency leave. The length of such leave shall be determined by the City Administrator.
- ◆ Funeral leave with pay shall be extended to regular full and part time employees scheduled to work at least 20 hours per week upon the death of a member of the immediate family of the employee or the employee's spouse for attendance at the funeral or other related demonstrated need. Funeral leave benefits are pro-rated for part-time employees. Any funeral leave for the immediate family beyond one day, up to a maximum of three (3) days, is to be approved by the City Administrator. The City Administrator may grant a funeral leave of one day with pay to the employee upon the death of a member of the non-immediate family of the employee or the employee's spouse. This does not include a family friend, neighbor, etc. Funeral Leave is not for absences to aid bereaved relatives or to attend to the estate of the deceased.

Unpaid Leaves of Absence.

- ◆ School Conference and Activities Leave. Per Minnesota statute, 181.9412, employees may be eligible for a total of 16 hours during any 12-month period to attend school conferences or school related activities related to the employee's child, provided the conferences or school related activities cannot be scheduled during non-work hours. Employees 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. An employee may choose to substitute accrued vacation or compensatory time for any part of this unpaid leave.
- ◆ Political process leaves in accord with M.S. 202A.135 and 202A.19, subdivision 2, for the purpose of attending a precinct caucus, a meeting of the State central or executive committees of a major political party if the employee is a member of the committee, or any convention of major political party delegates including meetings of official convention committees if the employee is a convention delegate or alternate, provided that the leave is requested ten days prior to the

leave start date.

- ◆ All employees will receive unpaid military leave in accordance with applicable laws.

General Unpaid Leaves of Absence – Discretionary Unpaid leaves of absence may be granted by the City Council upon an employee's request for reasons as follows:

- Medical/Disability leave.
- Leave for personal reasons.

General unpaid leaves of absence, not required by law, are not guaranteed. Requests for such leave of absences will be evaluated based on the specific facts and circumstances along with the employee's service record with the city.

Certification. Medical leaves may require medical certification. The city may request a second medical examination and verification by a physician of the city's choosing. Such examination, if required, will be at the city's expense. The city may require the employee to provide additional information from his or her physician at reasonable intervals.

Pay While on Leave. Leave will generally be granted without pay. However, earned vacation time, compensatory time (and sick leave, if appropriate) will be paid until the balance is exhausted.

Length of General Leave. A general leave may be granted by the City Council for up to 90 days. Under special circumstances, leaves may be extended at the discretion of the City Council an additional 90 days. Requests for leave extensions must be made within 45 days prior to the expiration of the original leave of absence to allow for City Council action.

An employee who returns from a general medical leave will be required to provide a doctor's release that states s/he is medically fit to return to work and can perform the essential functions of the position.

An employee returning from a general leave may be reinstated to his/her former position or a comparable position if one is available. However, the city does not guarantee that a person's job will be held open while on a general leave.

Parenting Leave. Employees who have completed 12 consecutive months of

employment and worked at least 1040 hours during that 12-month period are entitled to up to twelve (12) weeks of unpaid parental leave. Female employees will be afforded pregnancy leave for prenatal care or incapacity due to pregnancy. Parenting leave is provided to natural or adoptive parents in conjunction with the birth or adoption of a child. The leave must begin within 12 months of the birth or adoption of the child. If a child needs hospital care longer than the mother, the 12-month window within which the parent can take leave begins when the child leaves the hospital.

Employees are required to make a written request for parenting leave to the City Administrator at least thirty (30) days before the leave is to begin, if practicable.

Employees taking parenting leave will be continued on the city's insurance policies if the employee was covered prior to the leave. An employee will continue to be responsible for his/her portion of the premiums while on leave and will be responsible for the total premium(s) should the employee elect not to return from leave.

Upon returning from parenting leave, an employee will generally be placed in the same position or a position of equivalent seniority, duties, hours, and pay that s/he had before the leave. Sick pay, vacation time and other benefits will not accrue during parenting leave taken without pay.

Family and Medical Leave. Regular full-time and part-time employees who have been employed by the city for at least 12 months and have worked at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave are entitled to a total of 12 work weeks of unpaid family or medical leave during the applicable 12-month period as determined by the city, plus any additional leave as required by applicable law. FMLA Leaves will be granted for a period of up to twelve weeks in any rolling 12-month period running backward from the date an employee uses FMLA Leave. Leave may be taken for one or more of the following reasons in accordance with applicable law:

1. Birth of the employee's child;
2. Placement of an adopted or foster child with the employee;
3. To care for the employee's immediate family with a serious health condition; and/or
4. A serious health condition that makes the employee unable to perform the functions of the employee's job. A "serious health condition" typically requires either inpatient care or continuing treatment by or under the supervision of a health care provider. Family and medical leave generally is not intended to cover short-

term conditions.

Depending on the type of leave, intermittent or reduced schedule leave may be granted at the discretion of the city or when medically necessary. However, part-time employees are only eligible for a pro rata portion of leave to be used on an intermittent or reduced schedule basis, based on their average hours worked per week. Where an intermittent or reduced schedule leave is foreseeable based on planned medical treatment, the city may, if available, transfer the employee temporarily to an available alternative position for which the employee is qualified and which better accommodates recurring periods of leave than does the employee's regular position, and which has equivalent pay and benefits.

If an employee requests a leave for the serious health condition of the employee or the employee's immediate family, the employee will be required to submit sufficient medical certification. In such a case, the employee must submit the medical certification within 15 days from the date of the request or as soon as practicable under the circumstances.

If the city has reason to doubt the validity of a health care provider's certification, it may require a second opinion at the city's expense. If the opinions of the first and second health care providers differ, the city may require certification from a third health care provider at the city's expense. An employee may also be required to present a certification from a health care provider indicating that the employee is able to return to work.

Employees must give 30 days' written notice of a leave of absence where practicable. Employees are expected to make a reasonable effort to schedule leaves resulting from planned medical treatment so as not to disrupt unduly the operations of the city, subject to the approval of the health care provider.

During the period of a leave permitted under this policy (which does not exceed a total of 12 work weeks in the applicable 12-month period), the city will maintain health insurance under its group health plan under the same conditions coverage would have been provided had the employee not taken the leave. The employee will be responsible for payment of the employee contribution, if applicable, to continue group health insurance coverage during the leave. Failure to make necessary and timely contributions may result in termination of coverage.

Employees returning from a leave permitted under this policy (which does not exceed a total of 12 work weeks in the applicable 12-month period) are eligible for reinstatement in the same or an equivalent position as provided by applicable law. However, the

employee has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the leave.

The provisions of this Family and Medical Leave Policy are intended to comply with applicable law, including the Family and Medical Leave Act of 1993 ("FMLA") and applicable regulations.

Return From Leave. An employee returning from a leave of absence of two months or more shall notify the City Administrator at least two weeks prior to the intended date of return. An employee on a general leave of absence must return to work following the expiration of the leave. Failure to return on the agreed upon date will be considered as a voluntary resignation.

Termination of Leaves. An employee may terminate his/her leave of absence prior to the previously agreed upon date of expiration of the leave with the approval of the City Administrator. Leaves of absence or extensions of leaves which are subject to the discretionary authority of the City Council may be canceled by the City Council upon reasonable notice to the employee. Such notice shall ordinarily be in writing except in case of emergency.

Chapter 9: Leave Donation

Leave Donation Policy. All regular employees of the city who are eligible to accrue sick and/or vacation leave, will be allowed to voluntarily donate a portion of accrued regular sick and/or vacation leave to fellow employees experiencing a debilitating illness or injury suffered by the employee or the employee's immediate family members as described on the Usage section of the Sick Leave Policy. Donated hours will be transferred (deducted) from and added to eligible recipients Sick Leave balance upon written request and subject to approval by the City Administrator. When such a need arises, the employee in need of additional sick leave or their Supervisor shall contact the City Administrator. Upon approval of a request, a posting of such need will be sent to all departments. Employees who choose to make a donation will submit an "Accrued Leave Donation Authorization Form" to the City Administrator for approval.

Administration of Donated Leave

- ◆ An employee is only eligible to receive donated leave for normal regular work hours lost due to a debilitating illness or injury as described above.

- ◆ No employee will be eligible to receive donated leave if they have already been compensated for 2080 hours or more in the current calendar year regardless of the type of hours paid.
- ◆ An employee will be eligible to receive donated leave only after the employee's own accrued sick, compensatory and vacation leave have been completely exhausted.
- ◆ No single employee may donate more than 16 hours of leave for any single debilitating illness or injury without approval from the City Administrator.
- ◆ Donated hours must be used in the same manner as is currently established by the Sick Leave Policy.
- ◆ Any unused donated leave hours will be returned to the donating employee in increments of not less than 1 hour.
- ◆ Donated leave will not be used for any severance pay, or paid out to an employee in the form of cash, or used in any manner other than what is stated in this section of the policy.
- ◆ The value of the donated leave will be paid according to the salary or wages of the recipient, regardless of the salary or wage of the donor.

Chapter 10. EMPLOYMENT

Reemployment of Former Employees: The City of Breezy Point will consider past employees for rehire if they meet minimum position requirements and previously resigned from the city on a voluntary basis or lost their position due to no fault of their own. Normally, former employees will not be considered for rehire if they were terminated for conduct or performance reasons or left the job without giving appropriate notice. Previous employment with the city does not guarantee future employment; selection for open positions will be based on individual merit and qualifications.

Employment of Relatives. Relatives of present employees will be hired on the same basis as other applicants; that is on the basis of their qualifications. No Immediate or Non-Immediate Family member will be permitted to work directly for another, or in his or her chain of command.

Pregnancy Accommodation. A pregnant employee is entitled to the following upon request: more frequent restroom, food, and water breaks; seating, and limits on lifting over 20 pounds. The employer will consider reasonable accommodation for pregnant employee, if requested under the advice of her licensed care provider. A less stressful or hazardous position may be considered unless the employer demonstrates that the accommodation would impose an undue hardship. The employer is not required to create a new or additional position or to discharge or transfer other employees to accommodate the employee.

Nursing Mother Accommodation. Nursing mothers are afforded reasonable unpaid break times to express breast milk in a non-bathroom private area with an electrical outlet.

Chapter 11. PROMOTION INTRODUCTORY PERIOD

An employee who is promoted shall serve an introductory period of no less than 3 months, to determine his or her suitability for the new position. The introductory period can be lengthened as necessary. Such introductory status shall not affect the employee's use of vacation and sick leave.

Chapter 12: PERSONNEL FILES

In accordance with the Minnesota Data Practices Act, personnel records shall be open for inspection and review by the employee during office hours, in accordance with such procedures as the City Administrator may prescribe. Review of such records shall be at reasonable times as determined by the City Administrator and under the direct supervision of a city representative. The City Administrator shall have records maintained as necessary for the proper administration of the personnel system.

Chapter 13. EMPLOYEE DEVELOPMENT AND CAREER ADVANCEMENT

Job Descriptions. A job description outlines the essential duties and responsibilities of all jobs for the city. The job description is intended to be a guideline, and it is not intended to be all inclusive of duties and responsibilities for a particular job. This job description outlines the essential duties and responsibilities of a job as it exists at the present time. Due to changes in job content and department organization, job descriptions may need revision in the future. A copy of a job description will be given to each employee by his or her supervisor when an employee begins work on an assigned job. The supervisor shall use this job description in training, annual performance appraisals, transfers, and promotions. Generally, job descriptions will be reviewed on an annual basis or otherwise as determined by the City Administrator.

Performance Appraisal. The city values each employee's contribution and recognizes it is important to inform employees about how well they are performing or in certain cases not performing their job. Accordingly, the city will conduct formal performance appraisals of employees at periodic intervals.

Performance appraisals provide an opportunity for employees to make sure they know what is expected of them, and to discuss how they are doing in meeting those expectations.

Employees are encouraged to talk to their supervisor at any time if they have questions about performance or performance expectations, without waiting for a scheduled performance appraisal.

Such performance reviews will provide an opportunity for work planning and the establishment of personal growth objectives. The review discussion provides the groundwork for future discussions throughout the review period. Supervisors will appropriately address performance issues as they occur rather than waiting for the formal review discussion.

The City Administrator will be reviewed periodically and at least annually by the City Council.

Individual Development Planning. As part of the performance appraisal, the employee shall be notified of any gaps between current levels of performance and those required for satisfactory performance. The employee shall also be given an opportunity to explore with the City Administrator or Supervisor any perceived developmental needs or interests to improve performance in the current job or to expand capability to achieve higher levels of responsibility within the agency and city service.

Assigned Training. Training and education may be necessary to meet the goals of the city to have employees function appropriately in their positions and to prepare employees to accept expanded responsibilities. Employees who are required by the city to participate in training programs shall be released from their work assignments and shall be paid for the time spent in training and/or other time as required by the Fair Labor Standards Act. With the prior approval of the City Administrator or Supervisor, an employee required to attend continuing education courses in order to maintain professional licensure necessary to his/her city employment shall be released from work to attend courses determined to be relevant to the job.

Non-assigned Training. A regular full or part-time employee may request to attend a specific training activity. If, in the judgment of the City Administrator or Police Chief, the requested course, workshop, or seminar will better prepare an employee to perform his/her current or projected responsibilities and if staffing needs and budgetary resources permit, the City Administrator or Police Chief may approve the employee's request for training and provide released time and/or reimbursement. An employee must successfully complete the training to be eligible for reimbursement. Successful completion means the employee will present a certificate of completion or in the case of an educational course, receive a grade of "C" or higher. Employees engaged in this type of training shall not be eligible for additional work time compensation.

Membership in Professional Organizations. In each fiscal year, the City Administrator may authorize payment for a regular full or part-time employee the full or partial costs of membership dues and conference fees paid to a professional organization related to the employee's job provided that the organization offering the membership does not directly influence agency policies, exist primarily for social reasons, have as its primary purpose the advancement of individual employee interests, or restrict membership on the basis of sex, race, religion or any other protected class status. The employee may attend meetings and seminars of a professional organization during work hours if the amount of time required is reasonable, the City Administrator approves such attendance as related to the work assignment, and staffing requirements permit. The employee may hold office in a professional organization if s/he receives no stipend or direct payment other than expense reimbursement from the organization.

Subscriptions. The City Administrator may authorize payment for the cost of a regular full or part-time employee's individual subscriptions to magazines or other professional publications provided that the publications meet organizational needs.

Chapter 14. LAYOFF and RECALL

Layoff. Any employee may be laid off because of elimination of the employee's position, shortage of work or funding, a management-imposed reduction in a full-time employee's normal work hours which continues longer than two consecutive weeks, ineligibility for appointment to a reclassified position, or other reasons outside the employee's control. Any employee who has voluntarily requested and been authorized to reduce his/her hours shall not be considered to have been laid off.

Recall. The city will make every attempt to recall the most productive employees if the workload resumes; however, work performance and attendance are factors in considering the priority for individuals to be recalled.

Chapter 15. DISCIPLINARY ACTION

The city requires standards of conduct and behavior that will best ensure that the public is provided with efficient and effective service. It is the city's expectation that employees will perform their jobs satisfactorily, and comply with city rules and policies. However, this may not always happen. Normally, supervisors would like to work with employees in communicating and attempting to correct employee work-related problems.

However, when work performance is unsatisfactory or when an employee violates the rules or regulations of the city, appropriate disciplinary action may be taken, up to and including termination of employment, without prior warning or notice.

Forms of Discipline. Disciplinary action may take many forms including, but not limited to, oral warnings, written warnings, suspension and termination. However, the city will take whatever disciplinary action it determines appropriate in response to the circumstances of any given situation, and termination may result from the first incident if the city believes that this action is warranted under the circumstances.

Oral warning. In incidents where an employee is not meeting the city's expectations for conduct or work performance, the supervisor should meet with the employee to discuss the matter and inform the employee of the issue as well as the action that is necessary to correct the problem. The employee should also be given an opportunity to respond to the disciplinary action verbally and in writing. A written, dated and signed (by both the supervisor and employee) record of this conversation will be placed in the personnel file.

Written warning. Employees may receive a written warning when there have been repeated incidents, or when the supervisor believes that the nature of the first incident is serious enough to warrant a written warning. The supervisor should meet with the employee to discuss the matter and inform the employee of the issue as well as the action that is necessary to correct the problem. The employee should also be given an opportunity to respond to the disciplinary action verbally and in writing. The warning should be signed by the supervisor and the employee. The warning will then be placed in the employee's personnel file.

Suspension with or without pay. A suspension is generally used as a disciplinary measure after an employee fails to correct performance/conduct after repeated incidents and warnings or when the supervisor believes that the nature of the first incident is serious enough to warrant a suspension with or without pay. Investigatory

suspensions may also be used when time is needed to further assess a situation. An employee on unpaid investigatory suspension shall continue to receive city paid insurance benefits as provided in this Plan.

Discharge. Termination of employment normally will occur when the city has tried to assist the employee in correcting his/her performance or conduct without the desired results. However, when there is an incident that the City Administrator, with concurrence of the City Council, believes is so severe in nature that termination is warranted, termination may occur without prior warning.

Procedure for Discharge of Employee With Regular Status. Discharge requires a written notice, no later than one day prior to effective date of discharge. The notice of discharge shall include the following:

1. Nature of the disciplinary action;
2. Specific reasons for the action;
3. Effective date of the action;
4. Statement of the employee's right to request an opportunity to hear an explanation of the evidence against him/her, and present his/her side of the story while still in pay status, and notice that this right expires at the end of the next scheduled day of work after the notice of discharge is delivered unless the employee and the city agree otherwise; if the employee was not in pay status at the time of the notice, for reasons other than an investigatory suspension, the requirement to be in pay status does not apply;
5. Statement of the employee's right to reply in writing.

Authority. The employee's immediate supervisor has the authority to take action in the form of oral and written warnings and to effectively recommend suspension without pay, or discharge.

After conferring with the City Administrator the employee's immediate supervisor may suspend an employee **with** pay pending completion of an investigation which may result in disciplinary action.

The City Administrator may recommend to the City Council termination of an employee. The city reserves the right to terminate employment at any time, with or without notice for any reason not prohibited by law.

The City of Breezy Point retains the right to take whatever corrective action it determines appropriate in response to the circumstances of any given situation. Termination may result from the first incident if the City believes that this action is

warranted under the circumstances. Further, nothing in this policy changes an employee's rights to terminate his/her employment with the City of Breezy Point at any time, for any or no reason, nor does it modify the City's right to terminate any employee's employment at any time, with or without notice, for any reason not prohibited by law.

Chapter 16: EMPLOYMENT SEPARATION

Policy Statement: It is the city's policy that all instances of separation of employment, whether initiated by the employee or the city, will be conducted with due regard for the rights and obligations of both parties, and in accordance with all applicable Federal, state and local laws.

Veterans Preference. The city will comply with laws regulating the termination of employees who have claimed Veterans Preference. If a veteran is to be terminated, the city will notify the veteran that he/she has a right to request a hearing in writing within 60 days of the termination. The veteran loses his/her right to a hearing if it is not requested in writing within 60 days of the termination. If a veteran is removed from employment prior to requesting a hearing, the veteran will continue to be paid until the hearing is completed and a determination made on the status of employment.

Resignations/Retirement. Any employee wishing to leave employment with the city in good standing shall submit written notice to the City Administrator a *minimum* of ten (10) working days before leaving stating the effective date of his/her resignation. Failure to comply with this procedure may be considered cause for denying such employee future employment with the city and result in the forfeiture of vacation and severance payments if authorized.

Vacation Leave Upon Separation. An employee who separates from city service in good standing shall be paid at the employee's current rate of pay, for all vacation leave credited at the time of separation. Vacation leave may not be used alone or in combination with unpaid leave on separation from the city service to extend insurance coverage.

Sick Leave Upon Separation. An eligible employee who retires after working the minimum time period as outlined in the City's current Health Care Savings Plan (HCSP) contract shall be paid the employee's current rate of pay for accumulated but unused sick leave balance at the time of separation not to exceed 240 hours. Employees who separate employment from the City but do not retire as defined by the Minnesota State Retirement System shall not be paid for any accumulated but unused sick leave.

Termination of Seasonal/Temporary Employees, Contractual Individuals or Student Interns. Any person working in a seasonal/temporary, contractual or student intern appointment may be terminated at any time by the City Council and shall have no further rights to city employment.

Absence Without Notice. Any unauthorized absence from duty is an absence without notice and shall be without pay. Any employee who is absent for three consecutive days without notifying the City Administrator (or other management representative if the City Administrator is not available) shall be considered to have voluntarily terminated his/her employment.

Chapter 17: EMPLOYEE GROUP INSURANCE BENEFITS/ELIGIBILITY

The city currently provides insurance protection to employees through a combination of employer, employee/employer shared cost, and employee-paid plans. These plans are subject to modification or withdrawal at any time at the city's discretion. Details of the plans and required Summary Plan Descriptions, forms and procedures are available from the City Administrator. The summary plan documents will be the final determinant of eligibility and coverage.

Health Insurance. The city currently offers medical coverage to eligible employees and their dependents, under a cost share structure.

Eligibility. Regular full or part-time employees meeting the work hours requirement are eligible to participate in the city's group insurance benefits immediately upon their start date. (Subject to various waiting periods and plan provisions.) Group insurance benefits will be provided to each employment status as follows:

Contractual: Receive no employment benefits.

Interns: Receive no employment benefits.

Regular Full-time: All benefits are currently made available to regular full-time employees as described in the personnel plan. (Subject to the various waiting periods and plan provisions.)

Regular Part-time: Regular part-time employees scheduled to work at least 32 hours but less than 40 hours are eligible for group insurance benefits. Part-time employees scheduled to work less than 32 hours per week are not eligible for group insurance

benefits.

Seasonal/Temporary Employees: Receive no employment benefits.

Health Insurance Alternative. For eligible employees not choosing city sponsored Health Insurance, the city will provide \$360 per month. Said payment will only be authorized if the employee has health insurance coverage from another provider and provides proof of coverage.

Flexible Spending Account & Health Savings Account (HSA) The city makes available to employee's participation in a flexible spending account and/or health savings account (HSA) which allows the pre-tax deduction of money from payroll for qualified expenses, dependent on the type of insurance the City offers or employee selects.

Basic Life Insurance. The city currently provides life insurance coverage in a fixed amount at no cost to the employee.

Dental Insurance. The city currently offers dental insurance to employees and their dependents, under a cost share structure.

The city reserves the right to change benefit providers and/or eligibility and coverage provisions and to delete benefits at any time, in its sole discretion.

Continuation of Coverage (COBRA) and Certificate of Portability (HIPAA). Federal and state laws provide some opportunities for employees to continue coverage in the group health insurance and life insurance plans, at their own expense, after they leave their employment with the city. Employees who are eligible for insurance continuation at the time their employment terminates will be provided specific information about availability and cost. When coverage under the group health insurance plan ceases, employees will also be provided with a Certificate of Insurance Portability as required by federal law (HIPAA). This certificate may help eliminate or reduce the waiting periods for coverage of preexisting conditions under other insurance plans.

Employee Paid Benefits

Supplemental Life Insurance/Employee, Spouse and Dependent. Employees may purchase additional life insurance by completing an enrollment application which may include a health history form.

Short-term disability. Employees may purchase, through the city, short-term disability insurance. Details of the plan can be obtained from the City Administrator.

Chapter 18. SALARY ADMINISTRATION

Salary Ranges. Each position is assigned to a specific job class/pay grade at the time a position is established. If no appropriate class exists, a new one will be created. New classes will be evaluated and assigned appropriate points. Based on points and comparison to other jobs within the city, a range will be established.

Salary Rates and Limits. The salary rate for each employee shall be set by the City Council within the limits of the salary range to which the employee's class is assigned.

Compensation Plan. Non-union employees are compensated based on a compensation plan. Under the plan, salary adjustments fall into 3 general categories.

- ◆ A cost of living increase (COLA) is given at the discretion of the council. It is generally provided to address the higher costs of goods and services over a period of time. These are across the board increases and result in a corresponding adjustment to the salary schedule.
- ◆ A wage (step) increase is given to represent a threshold being met. Steps are generally based on longevity but are also to recognize greater knowledge and efficiency in fulfilling the requirements of the position. For a step to be given the employee must show a positive performance review and good work history in terms of performance and goal obtainment, since the previous adjustment. In the event these criteria are not met, a step would not be granted at that time with reconsideration upon a subsequent review. This policy provides for step considerations every other year to be given at the employee's anniversary date. If the city experiences extreme fiscal stress, the granting of steps may be suspended.
- ◆ Periodically the schedule needs to be adjusted. These adjustment needs are caused by market factors in one or more job category or can be the result of percentage increases tipping the higher wage rates too high over a period of time. Other factors may also influence the salary schedule but regardless of the contributing factor, a schedule adjustment is a tool used to bring wage rates into compliance with existing conditions. These adjustments can be accomplished at any time and at the discretion of the city.

Change in Job Descriptions or Promotions. As job descriptions change, with added or reduced responsibilities, a review will be accomplished under pay equity to determine if a salary grade change has occurred. If a grade change is warranted, the employee will be moved to the appropriate grade in the pay plan. If the change results in a higher

grade, the employee will be slotted into the wage rate that is the next higher wage rate closest to current pay. If the grade change results in a lowering of the pay grade, the employee will be slotted into the wage rate that is consistent with the grade and the work to be accomplished.

Changes in wage rates (steps). Employees' performance will be reviewed on or about their anniversary date of employment on an annual basis. A step increase in accordance with the intervals as specified in the pay plan is available based on longevity and meeting satisfactory performance standards. The new wage rate if given will be applied to the next full pay period following the anniversary date.

Compensation plan subject to employer limitations. As a matter of policy it is the goal of the city to maintain the employee compensation plan. The plan is subject to limitations posed by extreme fiscal stress of the city. The suspension of this policy will not be accomplished lightly as employees have a vested interest in their compensation. Any suspension of the compensation plan will result in an across the board suspension for all non-union employees. The suspension action shall be accomplished by resolution of the City Council indicating the reasons for such action. Said action would be accompanied by a request to meet with labor unions associated with the city to discuss the possibility of concessions to address the situation.

Wage Disclosure Protections. An employee may not be restrained from discussing or disclosing wages. The employer may not retaliate against an employee for asserting their right to discuss their wage or another employee's wage which has been disclosed voluntarily.

Chapter 19. EXPENSE REIMBURSEMENT

General. The Administrator may authorize payment of travel and other expenses and reimbursement of special expenses for regular full and part-time employees scheduled to work at least 20 hours per week in accord with the provisions of this Chapter for the effective conduct of the city's business.

Privately-Owned Vehicles. An employee shall be reimbursed for the use of privately owned vehicles under the situations as provided for from time to time by the City Council and at the rates utilized by the IRS.

Other Travel Expenses. Upon approval of the City Administrator, employees in travel status may be reimbursed for expenses in the amounts actually incurred and subject to reasonableness of expense. All business-related expenses must be substantiated by

receipts, cancelled checks, or other documentation.

Chapter 20. EMPLOYEE SAFETY

Policy: The city seeks to provide a safe working environment for all employees and the public. To support this intent, the city will aim to comply with all applicable federal, state and local health and safety regulations.

Employee Responsibility. All employees share in the responsibility to make and keep a safe working environment at the city. All employees are expected to comply with health and safety requirements, whether established by law or city policy, and to be familiar with safety policies and practices for their work areas and work responsibilities. Employees are also responsible for alerting their supervisor or some other member of management about any unsafe condition or practices in the workplace.

Violations of the city's safety rules, regulations, and/or deliberate or careless conduct endangering the safety of others may result in disciplinary action up to and including termination of employment.

Protective Equipment. The city shall provide and maintain protective equipment or clothing, including safety glasses, safety helmets, and safety vests whenever such equipment is required as a condition of employment.

Medical Examinations. If required by the city as part of general health and safety programs or to comply with State and Federal health and safety requirements, medical examinations shall be provided at no cost to the employee.

Chapter 21. WORKERS' COMPENSATION; INJURED ON DUTY PAY, JOB REQUIREMENTS

Work-Related Injuries. An employee who is injured or who is involved in an accident during the course of his/her employment shall report the accident to his/her immediate supervisor as soon as possible after the injury or accident occurs. A first report of injury form should be filled-out by any employee injured during work regardless of the severity of the injury. Forms can be obtained through the employee's supervisor.

Job-Related Injury Compensation. An employee incurring an on-the-job injury shall be paid his/her regular rate of pay for the remainder of the scheduled work day without deduction from vacation or sick leave accruals. The following shall apply to an employee who incurs a compensable illness or injury and receives workers'

compensation benefits.

- ◆ The employee retains the workers' compensation benefit check and takes an unpaid workers' compensation leave during the time s/he is unable to work.
- ◆ An employee shall return from workers' compensation leave upon appropriate release from workers' compensation status provided the employee is able to perform the work satisfactorily and safely as determined by competent medical authority. A return to work notice is required to be provided to the employer.

Vacation and Sick Leave Accruals. An employee receiving workers' compensation benefits shall accrue vacation and sick leave for the time in workers' compensation status. An employee on unpaid workers' compensation leave does not accrue vacation or sick leave.

Insurance. For employees who are off the city payroll due to a work-related injury or disability, group benefits provided under this Plan shall continue as long as the employee is receiving workers' compensation payments or is using disability leave up to a maximum of one year.

Unable to Perform Job Requirements. When an employee is unable to perform the essential requirements of the employee's job due to a temporary disability, the employee will notify the City Administrator or Department Head in writing as to the nature and extent of the disability and the reason why the employee is unable to perform the essential functions, duties, and requirements of the position. This notice must be accompanied by a physician's report containing a diagnosis, current treatment, and any work restrictions related to the temporary disability. Said notice shall also include the expected time frame regarding return to work full time with no restrictions, meeting all essential requirements and functions of the city's position description along with a written request for light duty.

The city may require an independent evaluation conducted by a physician selected by the city to verify the diagnosis, current treatment, expected length of temporary disability, and work restrictions.

Return to Work/Light Duty. It is the commitment of the city to encourage the return to work of employees in allowing the city to benefit from the employees' knowledge, skills and abilities while temporarily limited by illness or injury. The city may establish guidelines for temporary assignment of work to temporarily disabled employees who are medically unable to perform their regular work duties. The City of Breezy Point's

Light Duty Program is for short-term, temporary disability-type purposes. The City Administrator or Police Chief reserves the right to determine when and if light duty work will be assigned. Although this policy is handled on a case-by-case basis, light duty is recommended to last no longer than six months. This policy does not guarantee assignment to light duty.

The circumstances of each disabled employee performing light duty work will be reviewed regularly.

Chapter 22: EMPLOYEE RESPONSIBILITY

General Policy. For the effective administration and implementation of city policy, and to serve the citizens, each individual employee must cooperate to the fullest with all fellow employees and the public. Public employees have a high degree of visibility to the general public, and therefore, must exercise particular care and caution to ensure that all work undertaken is accomplished expediently, professionally and with efficiency. To achieve this goal, employees must adhere to established rules and procedures and follow the instructions of their supervisors.

Therefore, employees are required to:

- ◆ Perform their assigned duties to the best of their ability at all times and continually strive to improve their performance;
- ◆ Provide prompt, accurate and courteous service to the public at all times;
- ◆ Read, understand and comply with the rules and regulations as set forth in this personnel plan as well as those of their department; and
- ◆ Conduct themselves with decorum and respond to inquiries and information requests with patience and every possible courtesy.

Attendance and Tardiness. The city's ability to meet the public's needs is dependent on employees being at work every day as scheduled and completing work in a timely fashion. Therefore, it is important for all employees to be at work when scheduled (or as required) and be at their workstation ready to work at the appointed time.

Employees need to contact their immediate supervisor every day they are absent. Absence or tardiness that the city considers excessive, or which appears to occur with some pattern, may result in disciplinary action up to and including termination of employment.

Employee Grooming and Dress Code. It is the policy of the city that each employee shall be dressed and groomed appropriate to their specific work situation. Employees,

in general, are expected to present themselves in a professional manner. A well-groomed employee conveys an impression of efficiency to the public. This enhances the public's confidence that their business with the city will be handled efficiently.

The city reserves the right to determine appropriate work attire and appearance.

Confidentiality. Employees have access to confidential and/or sensitive information only because of their employment with the city and because they need the information to do their job. Employees are expected to respect the confidentiality and sensitive nature of such information and use it only for the required business purposes. This includes data that is not yet considered to be public information.

No confidential or sensitive city information is to be communicated to other employees, unless they have a business need to know such information, or to persons outside of the city without specific authorization of the City Administrator.

Employees are also responsible for assuring the security of information to which they have access. Be aware of information left on desks, including computer printouts and information displayed on video display screens. Employees should log off of their computers if away from their desk for an extended period of time.

Policy Change Requests. All employees wanting policy changes for individual or group benefits, wages go directly to the City Administrator/Clerk in writing. The Administrator/Clerk, within ten calendar days, will notify employee in writing if the request will proceed.

Conflict of Interest. It is impossible to write a policy statement that will cover every conceivable conflict of interest. In general, employees are expected to avoid placing themselves in a position where others may seek to take advantage of their employment relationship with the city or to obtain information or preferential treatment in their dealings with the city. Specifically, it is a conflict of interest:

- ◆ For an employee to have any other interest in or relationship with an outside organization or individual having business dealings with the city if this interest or relationship might tend to impair the ability of the employee to serve the best interests of the city;
- ◆ For an employee to do business with a relative, or a company with which a relative is associated, on behalf of the city unless the facts are disclosed and the City Administrator approves the business dealings;

- ◆ For an employee to accept a loan, gift or favor of more than a nominal value from a source having a business relationship with the city. Under no circumstance shall an employee accept any loan, gift or favor, regardless of the amount, when it is granted or accepted with the expectation of granting a favor, or better treatment than accorded other persons.

Any potential conflict of interest must be disclosed to the City Administrator. Failure to do so may result in disciplinary action up to and including termination of employment.

Identification of Employment: It shall be the policy of the city to provide all city employees an identification badge. Badges are provided to ensure that city employees, given their on-going contact with people in the community, can be readily identified as city employees. The badge is a required part of the employees' dress attire unless safety concerns are raised in wearing the badge or job necessity dictates that the employee is to not identify themselves as determined by their Supervisor. If an employee does not physically have the badge on his or her person, it shall be within close enough proximity to allow the employee to identify him or herself upon request.

Chapter 23: WORK RULES

Work Rule Offenses: It is the city's policy to establish rules of conduct and standards of behavior in order to protect the health and safety of all employees and the public, to maintain an effective and productive flow of work, and to protect the city's property. In addition to other misconduct provisions stated in this plan, the following conduct is prohibited:

1. Gross neglect of duty.
2. Insubordination, which is the refusal to comply with the supervisor's instructions.
3. Misconduct or conduct unbecoming a city employee.
4. Intentional falsification of applications, personnel records, time reports or other city records or reports.
5. Indulging in offensive conduct or using offensive language toward the public, or in public, or toward city officials, supervisors or other employees.
6. Carelessness or negligence with the monies or the property of the city.
7. Theft or intentional destruction of city property or another employee's property.
8. Sleeping or inattention on the job.
9. Intoxication, or being under the influence of intoxicants, drugs or narcotics while on duty. Being under the influence of alcohol or drugs or of use,

- possession, manufacture, distribution or dispensation of alcohol or drugs on the city's premises or property or while on the city's business.
10. Inducing or attempting to induce any employee in the service of the city to commit an unlawful act or to act in violation of any lawful departmental or official regulation or order.
 11. Soliciting political contributions from city employees, and engaging in political activities on or with city property or on city time.
 12. Possession of a weapon while on city property, a vehicle or while on city business except:
 - ◆ In carrying out the duties of the position.
 - ◆ Or the keeping of weapons in an employee's motor vehicle. Guns shall be unloaded and cased.
 13. Horseplay - actions adversely affecting safety of normal operations of the department or other employees.
 14. Inattentiveness to work, failing to start work at designated time, abuse of break or meal periods, or quitting work before proper time.
 15. Smoking in posted or unauthorized areas.
 16. Abusive, threatening or coercive treatment of another employee or the public on employer's time or premises.
 17. Failure to fulfill employee responsibilities as listed in job duties.
 18. Vending, soliciting or collecting contributions on the employee's time or premises.
 19. Inappropriate dress for employee's work duties.
 20. Misusing city communication systems including telephones, cell phones, Internet, e-mail and computers, etc.
 21. Any other action or behavior that the city determines is detrimental to the efficient and/or economical operation of the city.

This list is not all inclusive. It may be changed at any time and additional prohibited behaviors may be added. An employee may be subject to immediate disciplinary action, without prior warning, up to and including termination for any of the above work rule offenses.

Chapter 24. WORKPLACE VIOLENCE

Purpose. The purpose of this policy is to set forth the City of Breezy Point's policy on workplace violence and to outline the actions that must be taken if a threat or incident of violence occurs. This policy applies to all employees, elected officials, and volunteers of the city and to all locations in which the city does business. If there is a conflict between this policy and any state, local or federal law, such law will govern.

Policy Statement. The City of Breezy Point is concerned about and committed to the safety of all employees and the public and will strive to maintain a workplace that is free of violent behavior. The city will not tolerate any employee's acts or threats of violence. Violence includes, but is not limited to, threatening or hostile behaviors, verbal or written threats of violence or physical assault against any person or employee property.

In conjunction with this commitment, the city will take prompt remedial action if an employee is found to have engaged in violent behavior. Disciplinary action may include, but is not limited to, written warnings, suspension or termination of employment. In addition, appropriate action will also be taken if a member of the public engages in violent behavior.

Employee Responsibilities. All employees are expected to comply with this policy and assist the city in maintaining a safe working environment. Employees must immediately report any incident of violence to their immediate supervisor or the City Administrator. This includes situations where an employee observes or otherwise has knowledge of a violation of this policy. No individual shall be retaliated against for making a good faith report of behavior contrary to this policy.

Reporting Procedures. An employee who encounters violent behavior that may be a serious threat to his/her well-being should call 911. Employees are also required to report any incident of violence to the City Administrator for further investigation. Failure to report such incidents may result in disciplinary action.

If there is any type of evidence that would be helpful in an investigation, it must be maintained. Employees who witness violent situations will be required to complete a detailed description of the event and participate in an interview.

Consequences. Disciplinary action in response to a situation in which an employee is violent may include, but not be limited to, written warnings, suspension or termination. The city will take whatever disciplinary action it determines appropriate in response to the circumstances of any given situation.

If an employee engages in behavior that endangers another person's well-being, the employee will be immediately suspended pending further investigation. Appropriate legal action may also be pursued.

Chapter 25: HARASSMENT AND OFFENSIVE BEHAVIOR

Policy Statement. The City of Breezy Point is committed to providing a workplace that is free of discrimination, illegal harassment and offensive behavior. In accordance with that commitment, the city will not tolerate harassment in the workplace based on race, color, religion, national origin, sex, age, disability, marital status, creed, sexual orientation, status with regard to public assistance, or membership, activity in a local commission or any other characteristic protected by applicable local, state or federal law.

Applicability: This policy applies to all city officials, employees, volunteers, interns, applicants for employment, and contract workers, as well as customers, suppliers, vendors or any other person associated with the City of Breezy Point. City employees shall participate periodically as needed in educational programs concerning legal compliance and workplace applications.

Definitions. Harassment includes, but is not limited to, offensive, abusive or degrading comments or other verbal behavior, as well as written or pictorial materials. It also includes behavior that is personally offensive, impairs morale and interferes with work effectiveness.

Sexual harassment in the workplace is specifically prohibited. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact and other verbal or physical conduct or communication of a sexual nature where:

- ◆ submission to the conduct or communication is made, either explicitly or implicitly, a term or condition of employment;
- ◆ submission to or rejection of the conduct or communication by an individual is used as a factor in decisions impacting that individual's employment;
- ◆ conduct or communication with the purpose or effect of substantially interfering with an individual's employment or creating a hostile, intimidating or offensive work environment.

Examples of behavior that could be sexual harassment include, but are not limited to:

- ◆ gender based stereotyping
- ◆ sexual flirtation, or unnecessary touching, patting, pinching;
- ◆ sexual advances, propositions or requests for sexual favors;
- ◆ verbal abuse of a sexual nature;

- ◆ graphic or suggestive comments about an individual's dress, body or sexual activities;
- ◆ using sexually degrading words to describe an individual;
- ◆ displaying, in the workplace, sexually suggestive objects or pictures;
- ◆ sexually explicit or offensive jokes;
- ◆ physical assault.

Sexual harassment includes unwelcome sexual or gender based behavior by either males or females toward either males or females.

No individual will be denied nor receive special employment opportunities based on tolerating or rejecting sexual advances or other conduct of a sexual nature contrary to this policy.

Employee Responsibility. Every employee of the City of Breezy Point is to support this commitment to a workplace free from harassment and offensive behavior by conducting him/herself in a manner that is consistent with the intent and spirit of this policy.

Reporting Procedure. Any individual who believes s/he has experienced or observed hostile or offensive behavior contrary to this policy is encouraged, but not required to make it clear to the offender that such behavior is offensive and unwelcome, and request that it stop. It is not necessary that the offender be directly confronted if the employee does not feel comfortable doing so. However the employee is expected to report that information to the City Administrator or Mayor. In the event that the alleged harasser is the City Administrator the employee should contact the Mayor. If the alleged is an elected or appointed member of the City Council or a committee, the employee should contact the City Administrator. If the alleged is the City Administrator and the Mayor, the employee must contact the Acting Mayor. Once the situation is understood, the contact person should contact the City Attorney.

All such reports of action contrary to this policy will be taken seriously and investigated promptly, thoroughly and impartially and in as confidential a manner as possible. All employees are expected to cooperate with any investigation of potential hostile or offensive behavior. Failure to do so may result in corrective action up to and including termination of employment. Information provided by employees in the course of an investigation will be treated as discreetly as possible. However, confidentiality cannot be guaranteed.

Individuals found to have violated the city's harassment/offensive behavior policy will be subject to disciplinary action, up to and including termination of employment. No

individual shall be retaliated against for making a good faith report of behavior contrary to this policy.

Chapter 26: USE OF CITY PROPERTY

General Statement. City employees will be provided with various city property and equipment that they need to perform their job, including cellular telephones, pagers and computers. Employees are responsible for using such property and equipment for its intended business purposes. Employees may not use city owned equipment and supplies for purposes other than in the conduct of official city business.

City Vehicles: Certain police employees, because of the nature of their job, are provided with vehicles that are kept at the employee's residence while off duty. Personal use of city vehicles is prohibited. Use of city vehicles is for official business only.

Employees driving city vehicles for city business must have a valid driver's license. Employees who drive city vehicles shall comply with all traffic laws. Employees are responsible for any driving violations/fines that result from their driving a city vehicle. All driving violations must be reported to the immediate supervisor.

Bulletin Boards. The city maintains bulletin boards to post official notices, job openings and other important information. Posting of literature by employees on any city bulletin board that is reserved for this purpose is prohibited.

Electronic Communications. The city provides electronic mail (e-mail) for the primary purpose of business correspondence to facilitate efficient communication. By using the city's electronic and technological equipment, an employee is voluntarily consenting to being monitored, and voluntarily authorizing the city to inspect, monitor, and access all information or communications he/she has made with that equipment. The city must reserve the right to monitor and access any and all communications made through its equipment, and the contents of any city computer, as needed for compliance with policies and for any other business reason. E-mail is not a private communication system. Improper use of the e-mail system could expose employees to personal liability as well as disciplinary action. E-mail is not to be used to send jokes or other comments that may be discriminatory, harassing or offensive to others, or to send material that defames an individual, company, business, municipality etc. It is important to note that e-mail is discoverable as evidence in legal proceedings. Employees should be aware that even though a message may be deleted from the e-mail system, a record of it may remain on the computer system.

Internet access is provided to those who need it for their job duties. The city recognizes that some personal use of city owned computers and related equipment has and will occur. Reasonable use of city email and internet for personal reasons is allowable provided it doesn't interfere with normal work requirements. This is recognized as a privilege much like the ability to have personal phone calls during work hours. Abuse of this privilege will not be tolerated and may result in disciplinary action. Downloading from the Internet (other than by authorized personnel for legitimate business reasons) is restricted to information files (i.e. federal regulations, statutes, etc.) and required software updates. Downloading any other programs, software, non-work related graphics or pictures of any kind is prohibited as they may carry computer viruses or may violate the city's license agreement. If downloading is necessary, employees need to obtain prior approval from the City Administrator.

Use of Electronic and Technological Communications. Electronic and technological communications, such as cell phones and mobile devices, are not to be used in ways that may be disruptive, offensive or harmful to others or in ways that conflict with any of the city's policies, including equal employment, harassment/offensive behavior, and security policies. Violation of these policies may lead to disciplinary action up to and including termination.

It is not the city's practice or intent to eavesdrop on private communications or data. However, the city must protect its legitimate business interests and remind employees that the equipment and services available in the workplace are to be used to support the city's legitimate business needs.

Chapter 27: GRIEVANCE PROCEDURE

Grievance Procedure. Disputes can often be satisfactorily resolved without instituting a formal grievance process. Therefore, the City of Breezy Point encourages employees to discuss disputed matters with their immediate supervisor prior to submitting a written grievance. If the matter cannot be resolved in this manner, the employee can present his/her concerns verbally to the City Administrator (if not the immediate supervisor) or in the manner as described below. However, should an employee decide to use the grievance procedure, s/he may do so at any time without prior consultation with his/her supervisor.

A dispute between the employee and the city relative to the application, meaning or interpretation of the Personnel Plan shall be settled in accordance with the following procedure:

Step 1: The grievance shall be presented in writing setting forth the nature of the grievance, the facts on which it is based, the provision or provisions of the Personnel Plan allegedly violated, and the remedy requested, by the employee to the City Administrator within ten (10) working days after the alleged violation or dispute has occurred. Upon receipt, the immediate supervisor or City Administrator will respond to the employee in writing within ten (10) calendar working days.

Step 2: If the grievance has not been settled in accordance with Step 1, it shall be presented in writing, setting forth the nature of the grievance, the facts on which it is based, the provision or provisions of the Personnel Plan allegedly violated, and the remedy requested, by the employee to the Personnel Committee within ten (10) calendar working days after the immediate supervisor's or City Administrator's response was due. The Personnel Committee shall provide a written response within 30 days of the receipt of the written appeal

Step 3: If the grievance has not been settled in accordance with Step 2, it shall be presented in writing, setting forth the nature of the grievance, the facts on which it is based, the provision or provisions of the Personnel Plan allegedly violated, and the remedy requested, by the employee to the City Council within ten (10) calendar working days after the Personnel Committee's response is due. The City Council shall provide a written response within 30 days of the receipt of the written appeal

The decision of the City Council shall be the final response to the grievance.

Note: If the grievance is unsettled in accordance with Step 1 because the grievance involves the City Administrator, the employee may, within ten (10) working days of the incident proceed with the procedure described in step 2.

WAIVER:

If the grievance is not presented within the time limits set forth above it shall be considered "waived." If a grievance is not appealed to the next step in the specified time limit or any agreed extension thereof, it shall be considered settled on the basis of the city's last answer. If the city does not answer a grievance or an appeal thereof within the specified time limits, the employee may elect to treat the grievance as denied at that step and immediately appeal the grievance to the next step. The time limit in each step may be extended by mutual agreement of the city and the employee without prejudice to either party.

Chapter 28: Grandfathered Provisions

Certain Employees. Those employees hired prior to June 5, 2006 were grandfathered certain benefits with the adoption of a revised Personnel Plan.

Sick Leave. Every regular employee is entitled to sick leave with pay at a rate of one (1) day for each calendar month of full-time service or major fraction thereof. Sick Leave may be accumulated to a maximum of 90 days (720 hours). Regular part time employees, who are employed for no less than twenty (20) hours per week, shall accrue sick leave in proportion to the percentage of work week for which they are engaged.

Compensatory Time. The accrual of compensatory time is not capped.

Severance Pay. All full time employees shall receive accrued sick leave pay as severance pay up to a maximum of ninety (90) days upon retirement if they have been continuously employed for a minimum period of five (5) years. Employees who must terminate their employment because of a disability (as supported by a physician) need not meet the five-year requirement. In the event of an employee's death, benefits are payable to the beneficiary.

City of Breezy Point Conflict of Interest and Ethics Policy

Purpose

The citizens of Breezy Point are entitled to local government that serves the people with integrity, trust and the public's best interest in mind. The purpose of this policy is to articulate a standard of conduct for elected and appointed officials of the City of Breezy Point. In recognition of the purpose and goals there is hereby established a policy for all public officials of the City of Breezy Point in addressing ethical standards of conduct. This policy is intended to supplement but not replace statutory requirements, attorney general opinions and court rulings.

Expected Conduct

Public elected or appointed officials must put the public interest ahead of their own personal advancement and financial interests, disclose conflicts of interest, and refrain from participating in decisions where a financial interest exists. Public officials must avoid actions that might impair independence of judgment or give the appearance of impropriety or a conflict of interest. Public officials must not use their position to gain privileges or special treatment. Public officials of the City shall avoid any situation that might give rise to or even suggest the potential for a conflict of interest. Public elected or appointed officials shall abstain from participation in discussions, deliberations and voting on a City contract in which the public elected or appointed official's or any member of that official's immediate family has a direct, indirect or pecuniary interest. When a non-contract matter comes before the City in which a public elected or appointed official or anyone in the official's immediate family has a direct, indirect or pecuniary interest, the official shall abstain from participation in discussions, deliberations and voting on that matter.

Definition of Terms

Anything of value or Gift: Money, real or personal property, a permit or license, a favor, a service, forgiveness of a loan or promise of future employment, the payment or receipt of anything that is given and received without the giver receiving consideration of equal or greater value in return. It does not mean reasonable compensation or expenses paid to a public official by the City for work performed.

Association: A business entity of any kind, a labor union, a club or any other group of two or more persons other than the immediate family.

Conflict of Interest. A conflict of interest is present when, in the discharge of official duties, an elected or appointed official participates in a governmental decision, action or transaction in which he or she has a financial interest, except for those interests when the financial interest is no greater than that of another member of his or her business classification, profession or occupation.

- a. *Financial Interest.* A financial interest is any interest, including loans, directly or indirectly, a monetary or other material benefit to the elected or appointed official (other than monetary or material benefits authorized by the City). A financial interest of a local

public official's employer (other than the City) his or her associated business, or his or her immediate family as more specifically defined below, and their employers of associated businesses shall also be considered a financial interest of the local official or volunteer.

- b. *Exception.* The following assets shall not be considered a financial interest for purposes of this policy: (1) ownership of shares in a diversified mutual fund; (2) membership in a pension plan or employee benefit plan; (3) de minimis ownership of bonds or publicly traded securities.

Immediate Family: Immediate family shall be defined as spouse, domestic partner, parents, children, siblings, father and/or mother in-law, son and/or daughter in-law, sister and/or brother in-law, step children, step siblings and half-brother and/or sister.

Interested Person: An interested person means a person, or a representative of a person or association, that has a direct financial interest in a decision that a local official is authorized to make.

Public Official: Any person that has been elected to office, appointed by the City Council, appointed to a city committee or commission, or hired by the city to serve as a department head.

Ethical Considerations and Standards of Conduct

Public Officials are to serve all persons fairly and equitably without regard to their personal or financial benefit. Public officials must maintain integrity and independence in their judgments and actions without consideration of personal gain or bias. A public official shall consider ethical implications in fulfilling their responsibilities.

The list below is not all encompassing but establishes rules, standards and guides ethical actions.

1. Public Officials shall not use their positions to secure special privileges or exemptions for themselves.
2. An elected public official shall not hold another "incompatible office" while at the same time being an elected official. Employed public officials shall not hold such incompatible office without notice and approval by the city council. Elected and appointed public officials shall not hold another office or employment which compromises the performance of their elected or appointed duties.
3. No public official shall use information gained as a public official which is not generally made available to and/or is not known by the public.
4. A public official shall not solicit or receive anything of value from a person or association, directly or indirectly.
5. A public official shall not participate in discussions, deliberations and voting on any financial matters that affects the public official or public officials immediate family directly or indirectly; or those of a business, profession or occupation which the public official is associated.
6. Investments. Except for exceptions stated above, a public official shall disclose any investment which may compromise a decision and disqualify him from that particular action.

7. A public official shall not represent persons or associations in dealing with the city in consideration of any matter before the city.
8. No public official shall grant any special consideration, treatment, or advantage to any citizen beyond that which is available to every other citizen.
9. No public official shall exceed his or her authority, breach the law, or ask others to do so.
10. In accordance with MN Statutes 471.895 an interested person may not give a gift or request another to give a gift to a local official. A local official may not accept a gift from an interested person. The following are permitted under the exceptions to the law.
 - a. Lawful campaign contributions.
 - b. Services to assist an official in the performance of official duties.
 - c. Services of insignificant monetary value.
 - d. A plaque or similar item.
 - e. A trinket or item of insignificant monetary value.
 - f. Informational material of unexceptional value.
 - g. Food or beverage given at a reception, meal, or meeting by an organization before whom the recipient makes a speech or answers questions as part of a program (this exception is only available if the location of the reception, meal, or meeting is away from the recipient's place of work).
 - h. Gifts given because of the recipient's membership in a group.
 - i. Gifts between family members.
11. No elected public official shall give anything of value to potential voters in return for their votes, promises or financial considerations.
12. No public official shall use public funds, personnel, facilities, or equipment for political activities or private gain.
13. Public officials shall provide complete documentation to support expense reimbursements.
14. Public officials shall take no action to benefit a person or entity because of a donation made to the city.
15. No public official shall take official action which will benefit any person or entity where such public official would not have otherwise taken such action but for a family relationship, friendship, or other business relationship.
16. Public officials shall disclose to the governing body any relationship to another person or entity in any instance where there is a real or perceived conflict of interest.

17. Public officials shall not have a personal financial interest in any sales, lease, or contract that they are authorized to make in their official capacities except as authorized by law.
18. Public officials shall comply with all local ordinances, state and federal statutes including, but not limited to, criminal code, Fair Campaign Practices Act, and laws governing municipalities.
19. Public officials have a responsibility to guard against discrimination in hiring, employee relations and decision making. Public officials shall not discriminate against race, creed, color, religion, national origin, gender, sexual or affectional orientation, marital status, familial status, age, disability, or status with regard to public assistance.
20. Public officials must adhere to the requirements of the Open Meeting Law under MN Statutes §13D keeping all deliberations in a public forum with proper notice.
21. Appointed public officials who are hired may not seek or accept appointments to any city committee or commission but may serve in an ex-officio capacity.

Conflict of Interest in Contracts

(From the League of MN Cities)

Generally, public officers may not have a personal financial interest in a sale, lease or contract they are authorized to make in their official capacity. A "public officer" includes the Mayor and any Councilmember. In some circumstances, the designation may also include appointed officers and employees who are able to influence contracting decisions.

The attorney general has advised that the conflict of interest law applies to any Councilmember "who is *authorized* to take part in any manner" in the making of the contract. Simply abstaining from voting on the contract will not allow the contract to be made. The attorney general reasoned that if the Legislature had only wanted to prohibit a contract with an interested officer who votes on the contract, it would not have used the word "authorized."

A literal reading of the statute might suggest that it does not apply to City officers who are unable to make a contract on behalf of the City. However, the attorney general has given the statute a broad interpretation, which could mean the statute affects more officials than just those who actually make the decision to enter into the contract. As a result, it may be wise to take a conservative approach regarding contracts with any City official.

The law would appear to prohibit a contract with a public official who has had the opportunity to influence the terms of the contract or the decision of the governing body.

Exceptions are found in MN Statutes 471.88 regarding contracts and if an exception is to be considered, the legal basis for the exception needs to be identified which may require a city attorney review.

Special Considerations

Required Decisions. Situations can arise when a public official abstains from voting because of a conflict of interest, but the vote requires a super majority to take action. This can happen where a four-fifths vote is needed to pass an issue or a split vote doesn't pass or reject it, as examples. The disqualified public official is required to act providing a disclosure is made concerning the nature of the conflict prior to the action taken. The record of the meeting shall clearly state the conflict, the reasons for the required vote and its resolution.

No Financial Interest. A local public official may participate in a City government decision, action, or transaction involving an association or entity if the public official or immediate family member is an officer, director, board member, or trustee but does not have a financial interest in the governmental decision, action or transaction. However, the public official must disclose his or her affiliation with the organization or entity as though it was a conflict of interest.

Related Person. A local public official may participate in a City governmental decision involving a related person, other than his or her immediate family, if the public official does not have a financial interest in the governmental decision, action, or transaction. However, the public official must disclose his or her relationship with the related personnel as though it were a conflict of interest.

Disclosure

If a public official, in the discharging of his or her duties, recognizes that a conflict of interest could occur the public official shall disclose the conflict as soon as they are aware of it. This disclosure shall include the nature of the conflict and may be made orally during the meeting or if unable to attend the meeting a written disclosure shall be provided and read into the record at this or a subsequent meeting and recorded in the minutes.

Upon disclosure the member must abstain from deliberation, discussion and voting on the issue.

Compliance and Enforcement

Council, Commissioners and Committee members themselves have the primary responsibility to assure that the code of conduct is understood and followed. It is the responsibility of the public official to police its members. When inappropriate behaviors are observed, any member of the council, commission or committee can intervene. If inappropriate behavior is observed, the city council will discuss the matter.

By direction of the council, it will be determined whether:

- a. A letter is sent to the offending public official stating that they have been found operating outside the established conflict of interest policy, requesting them to correct the behavior identified as inappropriate; or
- b. The public official is formally sanctioned by resolution at a council meeting.
- c. Other messages as the city attorney may advise.

Adopted by Breezy Point City Council – April 2, 2012

EMPLOYEE AFFIRMATION

I have received a copy of the City of Breezy Point's Personnel Policy amended September 8, 2020 and I acknowledge receipt and my responsibility to read and understand the policy in its entirety.

Employee Name

Signature

Date

cc: Personnel File