



REQUEST FOR COUNCIL ACTION

AGENDA DATE: December 16, 2024
AGENDA ITEM: Consider revised Earned Sick and Safe Time Policy
PREPARED BY: Chery Pierzina, Human Resources Officer

BACKGROUND:

The MN legislature has made amendments to Earned Sick and Safe Time (ESST), therefore, updates and revisions have been made to our Earned Sick and Safe Time Policy.

To summarize, legislative amendments include provisions to cross-designation of PTO (FTO) hours, amendments to documentation of ESST hours, and weather-related exceptions.

The legislature updated the law to define an “employee” covered by the law, to include someone who is anticipated by the employer to work at least 80 hours in a year.

The legislature also clarified that the law does not include a volunteer firefighter or paid on-call firefighter, elected officials, or individuals appointed to fill vacancies in elected offices. As such, all references to paid on-call firefighters have been removed from the ESST Policy.

Lastly, the legislature clarified references to “hourly rate” throughout the law, added bereavement leave as an eligible use of ESST hours, added a section of remedies available in the event an employer fails to provide or allow ESST use as required by law, and addressed earnings statement concerns and the application of increment of time.

To review Minnesota’s ESST Statutes, see [181.9445](#), [181.9446](#), [181.9447](#), [181.9448](#).

These policy provisions have been provided by our labor attorney and updated by Human Resources. A red-lined version of our current policy is included for reference. Additional edits, such as grammar, punctuation, or spacing may have been made on the policy, and may not be on the red-lined version of the policy.

Since paid on-call firefighters no longer have ESST hours beginning in January 2025, and are essentially losing a benefit, the City is requesting to compensate paid on-call firefighters for accrued and unused ESST hours accrued from January 1, 2024, through December 31, 2024. This compensation will be paid in January 2025, after all 2024 timesheets for the paid on-call firefighters have been submitted to payroll.

REQUESTED COUNCIL ACTION:

Make a motion to adopt the revised Earned Sick and Safe Time Policy effective January 1, 2025, and compensate paid on-call firefighters for accrued and unused ESST hours accrued from January 1, 2024, through December 31, 2024, to be paid in January 2025, after all 2024 timesheets for the paid on-call firefighters have been submitted to payroll.