



Battle Lake City Council

Tuesday, October 28, 2025

7:00 p.m. Council meeting

Persons in the audience but not on the agenda may be acknowledged by the Mayor. At that time, the person (or spokesperson for a group) so recognized, may address the Council for no longer than 5 minutes. Under no circumstances will disturbances or interference with the Council Meeting be tolerated.

- ❑ PLEDGE OF ALLEGIANCE
- ❑ APPROVE AGENDA

- Oath – Jesse Tysdal, Police Office

- Zoning Amendment Hearing **PAGES 2 - 3**

- Open Hearing
- Presentation of Changes to 152.072 of the City's Code of Ordinances– Zoning Official
- Council Discussion
- Call for Public Comment
- Close Public Hearing
- Board Action
 - Approval of Changes to Chapter 152.072

- Meeting will be closed due to pending litigation under Minnesota Statute 13D.05 – noting Attorney-Client Privilege
- Nopoli Shkolnik Attorneys – Explanation and request Approval of Complaint
- Motion to Close the Meeting
- Meeting Closed
- Motion to Reopen the Meeting with Council Making Decision

- ❑ Request Approval – Claims List **PAGES 4 - 12**

UNFINISHED BUSINESS:

1. Personnel Policy **PAGES 13 - 64**
 - a. Process - Employee Discipline **PAGE 65 – Sample Notice**
 - b. Process - Resident Complaint Regarding City Employee – Consider Change to Form
2. Council/Staff Work Session Follow-Up **PAGES 66 - 68**
 - a. Planning Commission Application Sample **PAGES 69-70**
3. Any Follow-up on the EDA/Council Work Session?

NEW BUSINESS:

1. Request for Credit on Utility Bill

Bernadine Anderson – Normal Usage is 900 to 1200 gallons. Her last bill showed Usage of 21,520 gallons. She stated that she was gone for several days, and her neighbor heard her outside water running and turned it off. The request is to credit for the sewer usage on the overage at \$129.90

NOTICES/ANNOUNCEMENTS/CORRESPONDENCE:

- ❑ Council Meeting – WEDNESDAY, November 12, 2025 at 7:00 p.m.

ADJOURN

§ 152.072 APPLICATION FOR PUDs.

The applicant for a PUD must submit the following documents prior to final action being taken on the application request:

- (A) A site plan and/or a plat for the project showing locations of property boundaries, surface water features, existing and proposed structures and other facilities, land alterations, sewage treatment and water supply systems (where public systems will not be provided), and topographic contours at ten-foot intervals or less. When a PUD is a combined commercial and residential development, the site plan and/or plat must indicate and distinguish which buildings and portions of the project are residential, commercial, or a combination of the two;

Exception: For minor structural features such as decks, balconies, porches, or similar building appurtenances that do not exceed 100 square feet in area and do not affect property boundaries, utilities, surface water features, or topography, a dimensioned sketch drawn to scale may be submitted in lieu of a full site plan as long as impervious and setback permit criteria are met.

- (B) A property owners' association agreement (for residential PUDs) with mandatory membership, and all in accordance with the requirements of § 152.075;

- (C) Deed restrictions, covenants, permanent easements, or other instruments that:

(1) Properly address future vegetative and topographic alterations, construction of additional buildings, beaching of watercraft, and construction of commercial buildings in residential PUDs; and

(2) Ensure the long-term preservation and maintenance of open space in accordance with the criteria and analysis specified in § 152.075.

- (D) When necessary, a master plan/drawing describing the project and the floor plan for all commercial structures to be occupied; and

- (E) Those additional documents as requested by the Planning Commission that are necessary to explain how the PUD will be designed and will function.

(Ord. passed 3-23-1999; Ord. passed 9-13-2016; Ord. passed 5-9-2017; Ord. passed 6-9-2020; Ord. passed 4-13-2021; Ord. passed 8-16-2022)

CITY OF BATTLE LAKE

PLANNING COMMISSION – October 20th, 2025

The Battle Lake Planning Commission met at 7:00 p.m. on Monday October 20th, 2025 at city hall. Present were Commissioners John Salvevold, Richard Bullard, Heather Jacobson, Jaime Cline, and Rezin Everts. Joining via zoom was Don Maslow due to illness. Absent was Dennis Pederson. Also present Trevor Meece, Zoning Officer.

Jacobson made a motion to approve the agenda. Bullard seconded. With a roll call vote, those in favor include Jacobson, Maslow, Salvevold, Everts, Bullard, and Cline. MCU

Bullard made a motion to approve the minutes of the May 6, 2025 meeting, Salvevold seconded. With a roll call vote, those in favor include Jacobson, Salvevold, Maslow, Everts, Bullard, and Cline. MCU

The board then reviewed and discussed changes to the zoning code regarding balcony and deck installations in planned unit developments, including specific requirements and recommendations for amendments. The group agreed on regulations for residential and commercial deck construction, including a simplified permitting process while maintaining existing standards. Cline made a motion to recommend to the city council the amended change to ordinance §152.072 that reads "Exception: For minor structural features such as decks, balconies, porches, or similar building appurtenances that do not exceed 100 square feet in area and do not affect property boundaries, utilities, surface water features, or topography, a dimensioned sketch drawn to scale may be submitted in lieu of a full site plan as long as impervious and setback permit criteria are met." Seconded by Everts. With a roll call vote, those in favor include Jacobson, Maslow, Salvevold, Everts, Bullard, and Cline. MCU

Salvevold made a motion to adjourn the meeting, Everts seconded. With a roll call vote, those in favor include Jacobson, Salvevold, Maslow, Everts, Bullard, and Cline. MCU

Adjourn. 7:25 p.m.

Valerie Martin, Secretary

City of Battle Lake
October 28, 2025
Claims List

10/15/2025	49047	Employee Payroll	\$ 98.78	Employee Payroll
10/17/2025	49047	Wex Bank	\$ 452.47	PD MOTOR FUELS
10/17/2025	49048	United Way of Otter Tail County	\$ 50.00	Contribution
10/17/2025	49049	NCPERS Group Life Ins.	\$ 32.00	Insurance
10/17/2025	49113	First National Bank of Henning, Ottertail and BL	\$ 28.76	MAJ UNDERGROUND INVOICE PAID THROUGH AUTOBOOKS
10/27/2025	49116	QUADIENT Leasing USA, Inc.	\$ 134.22	POSTAGE MACHINE
10/27/2025	49117	QUADIENT Finance USA, Inc.	\$ 503.00	POSTAGE-GAS MAILING
10/15/2025	A-11922 to A-11937	Employee Payroll	\$ 17,749.70	Employee Payroll
10/17/2025	EFT 01339	Wex Health, Inc	\$ 24.75	ADMIN FEE HSA/VEBA
10/17/2025	EFT 01340	Breakthru Beverage MN Beer, LLC	\$ 23.00	INVENTORY FOR RESALE
10/17/2025	EFT 01341	Breakthru Beverage MN Beer, LLC	\$ 952.02	INVENTORY FOR RESALE
10/17/2025	EFT 01342	Southern Glazer's of MN	\$ 1,063.16	INVENTORY FOR RESALE
10/17/2025	EFT 01343	Wine Merchants	\$ 167.65	INVENTORY FOR RESALE
10/17/2025	EFT 01344	Artisan Beer Company	\$ 356.80	INVENTORY FOR RESALE
10/17/2025	EFT 01345	Phillips Wine & Spirits	\$ 2,476.07	INVENTORY FOR RESALE
10/17/2025	EFT 01346	Johnson Bros-St Paul	\$ 1,002.67	INVENTORY FOR RESALE
10/17/2025	EFT 01347	Wex Health, Inc	\$ 4,632.95	H.S.A. Contribution
10/17/2025	EFT 01348	VSP Vision	\$ 33.06	Insurance
10/17/2025	EFT 01349	Public Employees Retirement Association of Minneso	\$ 4,188.42	Retirement
10/17/2025	EFT 01350	MN Revenue - SWH	\$ 1,280.42	Withholding
10/17/2025	EFT 01351	Lincoln National Life Insurance Company	\$ 277.22	Insurance
10/17/2025	EFT 01352	Lakes Country Service Coop	\$ 13,821.34	Insurance
10/17/2025	EFT 01353	EFTPS	\$ 6,206.90	SS/Medicare/Withholding
10/17/2025	EFT 01354	AFLAC	\$ 283.76	Insurance
10/17/2025	EFT 01355	Wex Health, Inc	\$ 825.00	VEBA Contributions
10/17/2025	EFT 01356	Minnesota Deferred Compensation Plan - 98945-01	\$ 2,175.00	Retirement
10/17/2025	EFT 01358	Phillips Wine & Spirits	\$ 1,966.63	INVENTORY FOR RESALE
10/17/2025	EFT 01359	Johnson Bros-St Paul	\$ 2,049.26	INVENTORY FOR RESALE
10/17/2025	EFT 01360	Wine Merchants	\$ 167.65	INVENTORY FOR RESALE
10/17/2025	EFT 01361	Phillips Wine & Spirits	\$ 2,430.72	INVENTORY FOR RESALE
10/21/2025	EFT 01362	Wex Bank	\$ 756.61	PW MOTOR FUELS
10/22/2025	EFT 01363	Breakthru Beverage MN Beer, LLC	\$ 1,239.16	INVENTORY FOR RESALE
10/22/2025	EFT 01364	Vestis	\$ 135.08	RUGS/MOPS
10/22/2025	EFT 01365	Southern Glazer's of MN	\$ 1,498.19	INVENTORY FOR RESALE
10/22/2025	EFT 01366	Artisan Beer Company	\$ 333.88	INVENTORY FOR RESALE
10/22/2025	EFT 01367	Johnson Bros-St Paul	\$ 1,591.92	INVENTORY FOR RESALE
10/22/2025	EFT 01368	Wine Merchants	\$ 155.31	INVENTORY FOR RESALE
10/22/2025	EFT 01369	Phillips Wine & Spirits	\$ 3,944.50	INVENTORY FOR RESALE
10/15/2025	EFT 01370	First National Bank of Henning, Ottertail and BL	\$ 38,019.26	Certificate of Deposit
10/15/2025	Trsfr2025-10-15		\$ 10,000.00	Pickleball fund transfer
			\$ 123,127.29	

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Unposted Batch for Review

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Fund	Dept	Acct#	Account	Dept	Check Amount	Credits	Inv#	Amount	Notation
ARVIG - Const									
Natural Gas - Capital Project									
408	49600	408	Service Line Extension 701 NORTH SHORE DR	Gas Utilities	1,890.00	0.00	353609	1,890.00	701 NORTH SHORE DR
408	49600	408	Service Line Extension 511 SUMMIT ST E	Gas Utilities	2,149.65	0.00	353597	2,149.65	511 SUMMIT ST E
408	49600	408	Service Line Extension 23354 STATE HWY 78	Gas Utilities	2,220.35	0.00	353608	2,220.35	23354 STATE HWY 78
408	49600	408	Service Line Extension 476 MAIN ST E	Gas Utilities	3,773.65	0.00	353610	3,773.65	476 MAIN ST E
Natural Gas - Capital Project Totals					\$10,033.65	\$0.00		\$10,033.65	
ARVIG - Const Totals					\$10,033.65	\$0.00		\$10,033.65	
Badger Meter, Inc.									
Gas Fund									
605	49600	309	Software Maintenance HOSTING SERVER	Gas Utilities	82.40	0.00	80191425	82.40	HOSTING SERVER
605	49600	309	Software Maintenance HOSTING SERVER	Gas Utilities	447.46	0.00	80197652	447.46	HOSTING SERVER
Gas Fund Totals					\$529.86	\$0.00		\$529.86	
Sewer Fund									
602	49450	309	Software Maintenance HOSTING SERVER	Sewer	82.40	0.00	80194558	82.40	HOSTING SERVER
602	49450	309	Software Maintenance HOSTING SERVER	Sewer	447.47	0.00	80197652	447.47	HOSTING SERVER
Sewer Fund Totals					\$529.87	\$0.00		\$529.87	
Water Fund									
601	49400	309	Software Maintenance HOSTING SERVER	Water	82.48	0.00	80203621	82.48	HOSTING SERVER
601	49400	309	Software Maintenance HOSTING SERVER	Water	447.47	0.00	80197652	447.47	HOSTING SERVER
Water Fund Totals					\$529.95	\$0.00		\$529.95	
Badger Meter, Inc. Totals					\$1,589.68	\$0.00		\$1,589.68	
Battle Lake Area Fire & Rescue Association									
Community Events									
245	41000	430	Miscellaneous	General Government	500.00	0.00		500.00	PASS THROUGH-

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Fund	Dept	Acct#	Account	Dept	Check Amount	Credits	Inv#	Amount	Notation
<i>PASS THROUGH-DONATIONFROM BLACF</i>									
Community Events Totals					\$500.00	\$0.00		\$500.00	
Battle Lake Area Fire & Rescue Association Totals					\$500.00	\$0.00		\$500.00	

Bellboy Corporation**Municipal Liquor Fund**

609	49750	333	Freight And Express	Liquor Store	2.77	0.00	0110446800	2.77	INVENTORY FOR RESALE
<i>INVENTORY FOR RESALE</i>									
609	49750	333	Freight And Express	Liquor Store	10.18	0.00	0209399000	10.18	INVENTORY FOR RESALE
<i>INVENTORY FOR RESALE</i>									
609	49750	254	Soft Drinks/Mix For Resale	Liquor Store	48.00	0.00	0110446800	48.00	INVENTORY FOR RESALE
<i>INVENTORY FOR RESALE</i>									
609	49750	251	Liquor For Resale	Liquor Store	1,024.45	0.00	0209399000	1,024.45	INVENTORY FOR RESALE
<i>INVENTORY FOR RESALE</i>									
Municipal Liquor Fund Totals					\$1,085.40	\$0.00		\$1,085.40	
Bellboy Corporation Totals					\$1,085.40	\$0.00		\$1,085.40	

Beverage Wholesalers, Inc**Municipal Liquor Fund**

609	49750	254	Soft Drinks/Mix For Resale	Liquor Store	20.00	0.00	405267	20.00	INVENTORY FOR RESALE
<i>INVENTORY FOR RESALE</i>									
609	49750	254	Soft Drinks/Mix For Resale	Liquor Store	31.80	0.00	406300	31.80	INVENTORY FOR RESALE
<i>INVENTORY FOR RESALE</i>									
609	49750	251	Liquor For Resale	Liquor Store	94.00	0.00	406300	94.00	INVENTORY FOR RESALE
<i>INVENTORY FOR RESALE</i>									
609	49750	251	Liquor For Resale	Liquor Store	105.20	0.00	406303	105.20	INVENTORY FOR RESALE
<i>INVENTORY FOR RESALE</i>									
609	49750	252	Beer For Resale	Liquor Store	202.00	0.00	405270	202.00	INVENTORY FOR RESALE
<i>INVENTORY FOR RESALE</i>									
609	49750	252	Beer For Resale	Liquor Store	845.75	0.00	406303	845.75	INVENTORY FOR RESALE
<i>INVENTORY FOR RESALE</i>									
609	49750	252	Beer For Resale	Liquor Store	3,204.80	0.00	406300	3,204.80	INVENTORY FOR RESALE
<i>INVENTORY FOR RESALE</i>									
609	49750	252	Beer For Resale	Liquor Store	5,317.35	0.00	405267	5,317.35	INVENTORY FOR RESALE
<i>INVENTORY FOR RESALE</i>									
Municipal Liquor Fund Totals					\$9,820.90	\$0.00		\$9,820.90	
Beverage Wholesalers, Inc Totals					\$9,820.90	\$0.00		\$9,820.90	

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Fund	Dept	Acct#	Account	Dept	Check Amount	Credits	Inv#	Amount	Notation
Clements, Tim									
General Fund									
100	42110	341	Personnel Expenses	Police Administration	2,000.00	0.00	202503	2,000.00	PRE-EMPLOYMENT
<i>PRE-EMPLOYMENT BACKGROUND INVESTIGATION - TYSDAL</i>									
General Fund Totals					\$2,000.00	\$0.00		\$2,000.00	
Clements, Tim Totals					\$2,000.00	\$0.00		\$2,000.00	
D-S Beverages Inc.									
Municipal Liquor Fund									
609	49750	251	Liquor For Resale	Liquor Store	0.00	396.00	1781-00638	(396.00)	INVENTORY FOR RESALE
<i>INVENTORY FOR RESALE CREDIT</i>									
609	49750	252	Beer For Resale	Liquor Store	0.00	80.85	918679	(80.85)	INVENTORY FOR RESALE
<i>INVENTORY FOR RESALE CREDIT</i>									
609	49750	254	Soft Drinks/Mix For Resale	Liquor Store	38.00	0.00	918680	38.00	INVENTORY FOR RESALE
<i>INVENTORY FOR RESALE</i>									
609	49750	254	Soft Drinks/Mix For Resale	Liquor Store	67.35	0.00	920443	67.35	INVENTORY FOR RESALE
<i>INVENTORY FOR RESALE</i>									
609	49750	251	Liquor For Resale	Liquor Store	555.35	0.00	920443	555.35	INVENTORY FOR RESALE
<i>INVENTORY FOR RESALE</i>									
609	49750	252	Beer For Resale	Liquor Store	1,276.45	0.00	918680	1,276.45	INVENTORY FOR RESALE
<i>INVENTORY FOR RESALE</i>									
609	49750	252	Beer For Resale	Liquor Store	2,516.70	0.00	920443	2,516.70	INVENTORY FOR RESALE
<i>INVENTORY FOR RESALE</i>									
Municipal Liquor Fund Totals					\$4,453.85	\$476.85		\$3,977.00	
D-S Beverages Inc. Totals					\$4,453.85	\$476.85		\$3,977.00	
DR JAY PHILLIPPI									
General Fund									
100	42110	341	Personnel Expenses	Police Administration	475.00	0.00	25-229	475.00	PSYCHOLOGICAL
<i>PSYCHOLOGICAL ASSESSMENT TYSDAL 10/16/25</i>									
General Fund Totals					\$475.00	\$0.00		\$475.00	
DR JAY PHILLIPPI Totals					\$475.00	\$0.00		\$475.00	
Drastic Measures Brewing									
Municipal Liquor Fund									
609	49750	252	Beer For Resale	Liquor Store	252.00	0.00	4225	252.00	INVENTORY FOR RESALE

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Fund	Dept	Acct#	Account	Dept	Check Amount	Credits	Inv#	Amount	Notation
<i>INVENTORY FOR RESALE</i>									
Municipal Liquor Fund Totals					\$252.00	\$0.00		\$252.00	
Drastic Measures Brewing Totals					\$252.00	\$0.00		\$252.00	
Ferguson Waterworks #2516									
Gas Fund									
605	49600	404	Repairs/Maint System/Equip	Gas Utilities	165.25	0.00	0537062	165.25	SNAKEPIT YELLOW GAS
<i>SNAKEPIT YELLOW GAS</i>									
Gas Fund Totals					\$165.25	\$0.00		\$165.25	
Ferguson Waterworks #2516 Totals					\$165.25	\$0.00		\$165.25	
Granite City Jobbing Co., Inc.,									
Municipal Liquor Fund									
609	49750	333	Freight And Express	Liquor Store	12.50	0.00	489145	12.50	INVENTORY FOR RESALE
<i>INVENTORY FOR RESALE</i>									
609	49750	259	Other Items For Resale	Liquor Store	73.64	0.00	489145	73.64	INVENTORY FOR RESALE
<i>INVENTORY FOR RESALE</i>									
609	49750	255	Tobacco for Retail	Liquor Store	445.68	0.00	489145	445.68	INVENTORY FOR RESALE
<i>INVENTORY FOR RESALE</i>									
Municipal Liquor Fund Totals					\$531.82	\$0.00		\$531.82	
Granite City Jobbing Co., Inc., Totals					\$531.82	\$0.00		\$531.82	
Great America Financial Svcs Corp									
Gas Fund									
605	49600	413	Office Equipment Rental	Gas Utilities	68.72	0.00	40410682	68.72	COPIER LEASE GAS FUND
<i>COPIER LEASE GAS FUND</i>									
Gas Fund Totals					\$68.72	\$0.00		\$68.72	
General Fund									
100	41500	413	Office Equipment Rental	Financial	351.70	0.00	40410682	351.70	COPIER LEASE GENERAL
<i>COPIER LEASE GENERAL USE</i>									
General Fund Totals					\$351.70	\$0.00		\$351.70	
Municipal Liquor Fund									
609	49750	413	Office Equipment Rental	Liquor Store	68.72	0.00	40410682	68.72	COPIER LEASE LIQUOR
<i>COPIER LEASE LIQUOR FUND</i>									
Municipal Liquor Fund Totals					\$68.72	\$0.00		\$68.72	

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Fund	Dept	Acct#	Account	Dept	Check Amount	Credits	Inv#	Amount	Notation
Sewer Fund									
602	49450	413	Office Equipment Rental	Sewer	68.72	0.00	40410682	68.72	COPIER LEASE SEWER
<i>COPIER LEASE SEWER FUND</i>									
Sewer Fund Totals					\$68.72	\$0.00		\$68.72	
Water Fund									
601	49400	413	Office Equipment Rental	Water	68.72	0.00	40410682	68.72	COPIER LEASE WATER
<i>COPIER LEASE WATER FUND</i>									
Water Fund Totals					\$68.72	\$0.00		\$68.72	
Great America Financial Svcs Corp Totals					\$626.58	\$0.00		\$626.58	
Jake's Johns LLC									
General Fund									
100	43200	410	Rentals/Leases	Sanitation	170.00	0.00	I18735	170.00	SAND BY PARK - DUNTON
<i>SAND BY PARK - DUNTON ST E</i>									
100	43200	410	Rentals/Leases	Sanitation	170.00	0.00	I18735	170.00	RR PARK - 100 HOLDT ST
<i>RR PARK - 100 HOLDT ST W</i>									
General Fund Totals					\$340.00	\$0.00		\$340.00	
Jake's Johns LLC Totals					\$340.00	\$0.00		\$340.00	
Jay Jensen									
General Fund									
100	45200	403	Repairs/Maint Park & Rec	Parks	675.92	0.00	10/1/25	675.92	SWIM BUOYS
<i>SWIM BUOYS</i>									
General Fund Totals					\$675.92	\$0.00		\$675.92	
Jay Jensen Totals					\$675.92	\$0.00		\$675.92	
KLM Engineering, Inc									
Water Fund									
601	49400	406	Rep/Maint-Service Contracts	Water	3,900.00	0.00	11091	3,900.00	DRY TANK CLEANOUT
<i>DRY TANK CLEANOUT</i>									
Water Fund Totals					\$3,900.00	\$0.00		\$3,900.00	
KLM Engineering, Inc Totals					\$3,900.00	\$0.00		\$3,900.00	
MN Dept of Public Safety.									
Municipal Liquor Fund									
609	49750	433	Dues And Subscriptions	Liquor Store	20.00	0.00		20.00	RENEW BUYERS CARD

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Fund	Dept	Acct#	Account	Dept	Check Amount	Credits	Inv#	Amount	Notation
<i>RENEW BUYERS CARD</i>									
Municipal Liquor Fund Totals					\$20.00	\$0.00		\$20.00	
MN Dept of Public Safety. Totals					\$20.00	\$0.00		\$20.00	
MN Pollution Control Agency									
Economic Development Authority									
240	46316	319	Other Professional Services	Hatchery Row	1,125.00	0.00	10000220178	1,125.00	FINAL MPCA BILL
<i>FINAL MPCA BILL</i>									
Economic Development Authority Totals					\$1,125.00	\$0.00		\$1,125.00	
MN Pollution Control Agency Totals					\$1,125.00	\$0.00		\$1,125.00	
OBERG FENCE CO									
Park Donor Fund									
802	45210	530	Improvements Other Than	Pickleball Courts	22,028.00	0.00	5326	22,028.00	PICKLE BALL FENCE &
<i>PICKLE BALL FENCE & GATES</i>									
Park Donor Fund Totals					\$22,028.00	\$0.00		\$22,028.00	
OBERG FENCE CO Totals					\$22,028.00	\$0.00		\$22,028.00	
Otter Tail Cty. Treasurer/Auditor									
Municipal Liquor Fund									
609	49750	437	Licenses & Permits	Liquor Store	200.00	0.00		200.00	TOBACCO LICENSE
<i>TOBACCO LICENSE APPLICATION</i>									
Municipal Liquor Fund Totals					\$200.00	\$0.00		\$200.00	
Otter Tail Cty. Treasurer/Auditor Totals					\$200.00	\$0.00		\$200.00	
Outdoor Renovations									
General Fund									
100	41940	319	Other Professional Services	City Hall	100.00	0.00	13282	100.00	BLOW OUT IRRIGATION-
<i>BLOW OUT IRRIGATION-CH</i>									
100	45200	319	Other Professional Services	Parks	125.00	0.00	13282	125.00	BLOW OUT IRRIGATION-
<i>BLOW OUT IRRIGATION-BEACH</i>									
General Fund Totals					\$225.00	\$0.00		\$225.00	
Outdoor Renovations Totals					\$225.00	\$0.00		\$225.00	

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Fund	Dept	Acct#	Account	Dept	Check Amount	Credits	Inv#	Amount	Notation
The American Bottling Company									
Municipal Liquor Fund									
609	49750	254	Soft Drinks/Mix For Resale	Liquor Store	146.00	0.00	4619209643	146.00	INVENTORY FOR RESALE
			<i>INVENTORY FOR RESALE</i>						
Municipal Liquor Fund Totals					\$146.00	\$0.00		\$146.00	
The American Bottling Company Totals					\$146.00	\$0.00		\$146.00	
Truebrands									
Municipal Liquor Fund									
609	49750	251	Liquor For Resale	Liquor Store	276.00	0.00	1648739	276.00	INVENTORY FOR RESALE
			<i>INVENTORY FOR RESALE</i>						
Municipal Liquor Fund Totals					\$276.00	\$0.00		\$276.00	
Truebrands Totals					\$276.00	\$0.00		\$276.00	
UP NORTH EQUIPMENT									
General Fund									
100	41950	401	Repairs/Maint Buildings	City Shop	1,784.00	0.00	4443	1,784.00	OPERATING SUPPLIES
			<i>OPERATING SUPPLIES</i>						
General Fund Totals					\$1,784.00	\$0.00		\$1,784.00	
UP NORTH EQUIPMENT Totals					\$1,784.00	\$0.00		\$1,784.00	
Utility Safety and Design, Inc.									
Gas Fund									
605	49600	404	Repairs/Maint System/Equip	Gas Utilities	688.62	0.00	IN20255511	688.62	OPERATING SUPPLIES
			<i>OPERATING SUPPLIES</i>						
Gas Fund Totals					\$688.62	\$0.00		\$688.62	
Utility Safety and Design, Inc. Totals					\$688.62	\$0.00		\$688.62	
Verizon Wireless									
General Fund									
100	42110	320	Communications (General)	Police Administration	47.97	0.00	6126476771	47.97	PD CELL
			<i>PD CELL</i>						
100	42110	321	Telephone	Police Administration	147.91	0.00	6126476771	147.91	PD CELL
			<i>PD CELL</i>						
General Fund Totals					\$195.88	\$0.00		\$195.88	
Verizon Wireless Totals					\$195.88	\$0.00		\$195.88	

10/28/2025
10:47 AM

Unposted Batch for Review

10-2025/2

Fund	Dept	Acct#	Account	Dept	Check Amount	Credits	Inv#	Amount	Notation
Viking Coca-Cola of Ferg Falls									
Municipal Liquor Fund									
609	49750	254	Soft Drinks/Mix For Resale	Liquor Store	177.70	0.00	3794553	177.70	INVENTORY FOR RESALE
			<i>INVENTORY FOR RESALE</i>						
Municipal Liquor Fund Totals					\$177.70	\$0.00		\$177.70	
Viking Coca-Cola of Ferg Falls Totals					\$177.70	\$0.00		\$177.70	
Vinocopia Inc									
Municipal Liquor Fund									
609	49750	333	Freight And Express	Liquor Store	2.50	0.00	0383184-IN	2.50	INVENTORY FOR RESALE
			<i>INVENTORY FOR RESALE</i>						
609	49750	251	Liquor For Resale	Liquor Store	225.50	0.00	0383184-IN	225.50	INVENTORY FOR RESALE
			<i>INVENTORY FOR RESALE</i>						
Municipal Liquor Fund Totals					\$228.00	\$0.00		\$228.00	
Vinocopia Inc Totals					\$228.00	\$0.00		\$228.00	
Report Totals					\$63,544.25	\$476.85		\$63,067.40	
Records included in total = 61									

All proposed changes should be highlighted. Anything underlined is additional language. Anything crossed out would be removed. Changes from the June Council meeting have been highlighted in turquoise.

6/10/2025



Personnel Policy

City of Battle Lake

Val Martin

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Discrimination: unfair treatment because of a protected class status.	38
Diversity: Recognizes the unique differences of all individuals. This includes the many apparent and non-apparent ways which people differ in their identity such as: age, gender and gender identity, race, ethnicity, national origin, language, religious beliefs, sexual orientation, veteran status, gender identity, mental or physical ability, marital status, family status, or educational background.....	38
Equity: the principle of fairness by seeking to remove barriers and increase access to services. This includes understanding and acknowledging historical and ongoing inequities between groups of people and a commitment to actions that challenge those inequities.	38
Harassment: unwelcome conduct that is based on a protected class status that is intimidating, hostile or abusive. This includes sexual harassment.	38
Inclusion: an environment that is built on respect and which creates a sense of belonging for all who live and work here. By being inclusive we acknowledge and value individual contribution as well as the background and identity of those with whom we work, partner, or serve.	38
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PURPOSE

- (1) The purpose of these policies is to establish a uniform and equitable system of personnel administration for employees of the City of Battle Lake.
- (2) This policy provides information to you, as an employee of the City of Battle Lake about certain terms and conditions of your employment. It is not, and should not be considered, an employment contract. Your continued employment, and the conditions of the employment, is solely within the discretion of the City of Battle Lake. The handbook summarizes major policies and programs related to your employment. Additional information about many of these policies and programs is available from the city's Administration office. Please take advantage of those resources to assure that you are fully aware of your rights and responsibilities as an employee of the City of Battle Lake.

Except as otherwise prohibited by law, the City Council has the right to terminate any employee at any time for any or no reason. Employees may similarly terminate employment at any time for any reason.

SCOPE

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

1. Elected officials
2. City attorney
3. Members of city boards, commissions, and committees
4. Consultants and contractors
5. Volunteers

Nothing in these policies is intended to modify or supersede any applicable provision of state or federal law.

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

EEO Policy Statement

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

Data Practices Advisory

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

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

Media Requests

All city employees have a responsibility to help communicate accurate and timely information to the public in a professional manner. Requests for private data or information outside of the scope of an individual's job duties should be routed to the appropriate department or to the data practices authority. Any employee who identifies a mistake in reporting should bring the error to the City Clerk or other appropriate staff. Regardless of

whether the communication is in the employee's official city role or in a personal capacity, employees must comply with all laws related to trademark, copyright, software use, etc.

With the exception of routine events and basic information that is readily available to the public, all requests for interviews or information from the media are to be routed through the City Clerk. Media requests include anything intended to be published or viewable to others in some form such as television, radio, newspapers, newsletters, social media postings, and websites. When responding to media requests, employees should follow these steps:

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

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

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

- Identify themselves as representing the city.
- Be respectful, professional, and truthful when providing information. In most cases, only factual information (not opinions or editorial comments) should be provided: "The city finished street cleaning on 16 streets in the northwest corner of the city this past week" instead of "The city is doing a great job with street cleaning this year!" Corrections must be issued when needed.
- Generally, not include personal opinions in official city statements. One exception is communications related to promoting a city service.
- Employees should be aware that the data transmitted or stored may be subject to the Minnesota Government Data Practices Act while using their personal technology such as cell phones, home computers, etc.

Personal Communications and Use of Social Media

It is important for city employees to remember that the personal communications of employees may reflect on the city, especially if employees are commenting on city business. The following guidelines apply to personal communications, including various forms such as social media (Facebook, Twitter, blogs, YouTube, etc.), letters to the editor of newspapers, and personal endorsements:

- Remember that what you write or post is public and will be so for a long time. It may also be spread to large audiences. Use common sense when using email or social media sites.
- The City of Battle Lake expects its employees to be fair, courteous, and respectful to supervisors, co-workers, citizens, customers, and other persons associated with the city. Avoid using statements photographs, video or audio that reasonably viewed as malicious, obscene, threatening or intimidating, disparaging, or might constitute harassment or bullying.
- If you publish something related to city business, identify yourself and use a disclaimer such as, "I am an employee of the City of Battle Lake. However, these are my own opinions and do not represent those of the City of Battle Lake."
- City resources, working time, or official city positions cannot be used for personal profit or business interests, or to participate in personal political activity.
- Personal social media account name or email names should not be tied to the city (e.g., city name Cop).

CITYWIDE WORK RULES & CODE OF CONDUCT

Conduct as a City Employee

In accepting city employment, employees become representatives of the city and are responsible for assisting and serving the citizens for whom they work. An employee's primary responsibility is to serve the residents of

Battle Lake. Employees should exhibit conduct that is ethical, professional, responsive, and of standards becoming of a city employee. To achieve this goal, employees must adhere to established policies, rules, and procedures and follow the instructions of their supervisors.

The following are job requirements for every position at the City of Battle Lake. All employees are expected to:

- Perform assigned duties to the best of their ability at all times.
- Render prompt and courteous service to the public at all times.
- Read, understand, and comply with the rules and regulations as set forth in these personnel policies as well as those of their departments.
- Conduct themselves professionally toward both residents and staff and respond to inquiries and information requests with patience and every possible courtesy.
- Report any and all unsafe conditions to the immediate supervisor.
- Maintain good attendance while meeting the goals set by your supervisor.

Attendance & Absence

The operations and standards of service in the City of Battle Lake require that employees be at work unless valid reasons warrant absence or an employee has a position that has been approved to work remotely. In order for a team to function efficiently and effectively, employees must fully understand the goals that have been set for them and the time that is required to be on the job. Understanding attendance requirements is an essential function of every city position.

Employees who are going to be absent from work are required to notify their supervisor as soon as possible in advance of the absence. In case of an unexpected absence, employees should call their supervisor before the scheduled starting time and keep in mind the following procedures:

- If the supervisor is not available at the time, the employee should leave a message that includes a telephone number where he/she can be reached and/or contact any other individual who was designated by the supervisor.
- Failure to use the established reporting process will be grounds for disciplinary action.
- The employee must call the supervisor on each day of an absence extending beyond one (1) day unless arrangements otherwise have been made with the supervisor.
- Employees who are absent for three (3) days or more and who do not report the absence in accordance with this policy, will be considered to have voluntarily resigned not in good standing.
- The city may waive this rule if extenuating circumstances warranted such behavior.

This policy does not preclude the city from administering discipline for unexcused absences of less than three (3) days. Individual departments may establish more specific reporting procedures.

Access to and Use of City Property

Any employee who has authorized possession of keys, tools, cell phones, pagers, or other city-owned equipment must turn in such equipment prior to leaving employment with the city in order to resign in good standing.

Employees are responsible for the safekeeping and care of all such equipment. The duplication of keys owned by the city is prohibited unless authorized by the City Clerk. Any employee found having an unauthorized duplicate key will be subject to disciplinary action.

- The use of City property for personal gain is prohibited. Employees may be authorized by their Department Heads or Department Heads by the City Council, to have City property in their personal possession outside of regular work hours. Such property, while in the possession of the employee, is the employee's responsibility.
- Use of City Vehicles: The personal use of City owned vehicles is prohibited. An employee may be allowed to use and take home a City owned vehicle by the Department Head or Supervisor on the basis of the employee's job duties and location and as long as the employee resides in Battle Lake City limits. Permitted incidental personal use of the vehicle (such as stopping at a store on the way home) is permitted if not excessive.

Appearance

Departments may establish dress codes for employees as part of departmental rules. Personal appearance should be appropriate to the nature of the work and contact with other people and should present a positive image to the public. Clothing, jewelry, or other items that could present a safety hazard are not acceptable in the workplace. Dress needs to vary by function. Employees who spend a portion of the day in the field need to dress in a professional manner appropriate to their jobs, as determined by their supervisor. Employees may dress in accordance with their gender identity, within the constraints of the dress codes adopted by the city. City staff shall not enforce the city's dress code more strictly against transgender and gender diverse employees than other employees.

Conflict of Interest

City employees are to remove themselves from situations in which they would have to take action or make a decision where that action or decision could be a perceived or actual conflict of interest or could result in a personal benefit for themselves or a family member. If an employee has any question about whether such a conflict exists, he/she should consult with the City Clerk.

Falsification of Records

Any employee who makes false statements or commits, or attempts to commit, fraud in an effort to prevent the impartial application of these policies will be subject to immediate disciplinary action up to and including termination and potential criminal prosecution.

Personal Telephone Calls

Personal telephone calls are to be made or received only when necessary. They are not to interfere with city work and are to be completed as quickly as possible. Any personal long distance call costs will be paid for by the employee. Please refer to the cell phone policy for information on use of cellular phones.

Political Activity

City employees have the right to express their views and to pursue legitimate involvement in the political system. However, no city employee will directly or indirectly, during hours of employment, solicit or receive funds for political purposes. Further, any political activity in the workplace must be pre-approved by the city to avoid any conflict of interest or perception of bias such as using authority or political influence to compel another employee to apply for or become a member in a political organization.

Smoking

The City of Battle Lake observes and supports the Minnesota Clean Indoor Air Act. All city buildings and vehicles, in their entirety, shall be designated as tobacco free, meaning that smoking in any form (through the use of tobacco products such as pipes, cigars, and cigarettes) or "vaping" with e-cigarettes is prohibited while in a city facility or vehicle.

Smoking of any kind, including pipes, cigars, cigarettes, vaping with e-cigarettes, and the use of chewing tobacco, is prohibited for employees while on duty. Employees 18 and over are allowed to smoke only during their breaks and lunch, and only in areas designated for that purpose.

DEFINITIONS

For purposes of these policies, the following definitions will apply:

Authorized Hours

The number of hours an employee was hired to work. Actual hours worked during any given pay period may be different than authorized hours, depending on workload demands or other factors, and upon approval of the employee's supervisor.

Benefits

Privileges granted to qualified employees in the form of paid leave and/or insurance coverage.

Benefit Earning Employees

Employees who are eligible for at least a pro-rated portion of city-provided benefits. Such employees must be year-round employees who work at least 30 hours per week or 1,560 hours per year on a regular basis.

Demotion

The movement of an employee from one job class to another within the city, where the maximum salary for the new position is lower than that of the employee's former position.

Employee

An individual who has successfully completed all stages of the selection process, including the training period.

FICA (Federal Insurance Contributions Act)

FICA is the federal requirement that a certain amount be automatically withheld from employees' earnings. Specifically, The City of Battle Lake and employees each contribute an amount designated by federal regulations. Certain employees are exempt or partially exempt from these withholdings (e.g., police officers).

Fiscal Year

The period from Jan. 1 to Dec. 31.

Hours of Operation

The city's regular hours of operation are Monday through Friday, from 8 a.m. to 4:30 p.m.

Management Employee/Department Head

An employee who is responsible for managing a department or division of the city.

Full Time Employees

Full Time employees are regular employees appointed by the City Council and hired to work forty (40) or more hours per week, on a salaried basis or in the case of Police Officers, 80 hours in their designated two-week period.

Part-Time Employees

Part-time employees are regular employees appointed by the City Council who are scheduled to work less than 2080 hours per year. (Part-time employees who work 30 or more hours per week on a regular basis shall receive pro-rated health and dental insurance benefits and vacation, sick leave and holiday pay on a pro-rated basis and also may be eligible to participate in a flexible benefits program for medical expenses, dependent care or outside health insurance premiums.)

Supervisor

An employee who is responsible for the supervision of other employee(s).

Pay Period

Employees shall be paid every other week. Employees shall submit time sheets to Department Heads as directed and in an approved format. Department Heads shall review and sign departmental staff time sheets and submit the accumulated time sheets to the Clerk-Treasurer, or designee, monthly in a timely manner. Falsification of time sheets shall be considered a disciplinary offense. Employee pay checks will not be released to anyone other than the employee without express permission from the employee.

PERA (Public Employees Retirement Association)

Statewide pension program in which all city employees meeting program requirements must participate in accordance with Minnesota law. The city and the employee each contribute to the employee's retirement account.

Promotion

Movement of an employee from one job class to another within the city, where the maximum salary for the new position is higher than that of the employee's former position

Reclassify

Movement of a job from one classification to another classification because of a significant change in the position's duties and responsibilities.

Seasonal Employee

Employees who work only part of the year (100 days or less) to conduct seasonal work. Seasonal employees may be assigned to work a full-time or part-time schedule. Seasonal employees do not earn benefits or credit for seniority.

Service Credit

Time worked for the city. An employee begins earning service credit on the first day worked for the city. Some forms of leave will create a break in service.

Temporary Employee

Employees who work in temporary positions. Temporary jobs might have a defined start and end date or may be for the duration of a specific project. Temporary employees may be assigned to work a full-time or part-time schedule. Temporary employees do not earn benefits or credit for seniority.

Training Period

A **six-month** period at the start of employment with the city (or at the beginning of a promotion, reassignment, or transfer) that is designated as a period within which to learn the job. **The training period is twelve months for Department Heads and six months for other employees.** The training period is the last part of the selection process. Training begins on your first day of employment with an orientation process in which you will learn about city policies and procedures, take a tour of the city, and meet co-workers. Then you will begin to learn your job by training with your supervisor or a co-worker. In the first few months, you will meet with your supervisor frequently to discuss your progress and at six months, you will have a formal review.

Transfer

Movement of an employee from one city position to another of equivalent pay.

Weapons

Weapons are defined to include all legal or illegal firearms, switchblade knives, or any other object that has been modified to serve as a weapon or that has the primary purpose of serving as a weapon.

Workweek

A workweek is seven consecutive 24-hour periods. For most employees the workweek will run from Sunday through the following Saturday.

EMPLOYEE RECRUITMENT & SELECTION**Scope**

The City Clerk or a designee will manage the hiring process for positions within the city. While the hiring process may be coordinated by staff, the City Council is responsible for the final hiring decision and must approve all hires to city employment. All hires will be made according to merit and fitness related to the position being filled.

Features of the Recruitment System

The City Council will determine if a vacancy will be filled through an open recruitment or by promotion, transfer, or some other method. This determination will be made on a case-by-case basis. The majority of position vacancies will be filled through an open recruitment process.

Application for employment will generally be made online or by application forms provided by the city. Supplemental questionnaires may be required in certain situations. All candidates must complete and submit the required application materials by the posted deadline, in order to be considered for the position. The deadline for application may be extended by the employee relations committee. Unsolicited applications **will may not be kept on file and is dependent on the position.**

Position vacancies may be filled on an “acting” basis as needed. The City Council will approve all acting appointments. Pay rate adjustments, if any, will be determined by the City Council.

Testing and Examinations

Applicant qualifications will be evaluated in one or more of the following ways: training and experience rating; written test; oral test or interview; performance or demonstrative test; physical agility test; or other appropriate job-related exam.

Internal recruitments will be considered on a case-by-case basis.

Pre-Employment Medical Exams

For some positions, a pre-employment medical examination, which may include a psychological evaluation, is necessary to determine fitness to perform the essential functions of a city position. Where a medical examination is required, an offer of employment is contingent upon successful completion of the medical exam.

When required, the medical exam will be conducted by a licensed health care professional with the cost of the exam paid by the city. (Psychological/psychiatric exams will be conducted by a licensed psychologist or psychiatrist). The licensed health care professional will notify the city that a candidate either is or isn't medically able to perform the essential functions of the job, with or without accommodations, and whether the candidate passed a drug test, if applicable.

If a candidate is rejected for employment based on the results of the medical exam, he/she will be notified of this determination.

Employee Selection Process

1. After a job vacancy is established (either by termination or resignation of the previous employee or creation of a new position by the City Council), the Department Head and **Personnel Representative Clerk/Treasurer or Designee** shall prepare an advertisement for employment. Advertisements should include minimum qualifications, pay range, closing date/time and instructions for submitting an application. Packets including an application form, release of information form, job descriptions and any other necessary information will be prepared by Administrative staff.
2. Applications are received at the Administrative Office until the date and time designated for closing.
3. The Selection Committee shall be comprised of the two members of the Employee Relations Committee, one ~~Personnel Representative~~ **Clerk/Treasurer or Designee Representative** (Typically the ~~Clerk/Treasurer and/or Deputy Clerk~~), the Department Head and others that the Selection Committee may choose to invite.
4. The ~~Personnel Representative~~ **Personnel Representative Clerk/Treasurer or Designee** oversees screening and interviewing of applicants, assists in preparation for interviews, verifies scoring and assists the Committee in developing a consensus. The ~~Personnel Representative~~ **Clerk/Treasurer or Designee** does not score applicants.
5. The Selection Committee should first arrive at a consensus regarding the desired qualities of a prospective employee to fill the advertised position. Then questions and scoring procedures for interviews shall be formulated.
6. The Selection Committee screens applicants for minimum qualification requirements **as part of the scoring process.**
7. Qualified applicants are reviewed and scored on the basis of training and experience and awarded veterans preference points as appropriate **and required by law.**
8. The top-rated qualified applicants (number to be decided at time of ranking) are scheduled for oral interviews and testing, if deemed necessary. Any, all, or none of the candidates may be interviewed.
9. Background investigations. A final applicant for a City position will be subject to a criminal history investigation. The Battle Lake Police Department is authorized to conduct a criminal history background investigation on applicants who are finalists for city employment. In the case of a Police Officer, the Criminal Background History may be done by an outside agency. Before the investigation is undertaken the finalist must give authorization to the Police Department in writing to undertake the investigation and to release information to the ~~Personnel Representative~~ **Clerk/Treasurer or Designee** and other appropriate City staff. Upon the request of the ~~Personnel Representative~~ **Clerk/Treasurer or Designee**

~~or designee~~, the Police Department must obtain and provide additional background information about certain employment candidates, such as: (Amended, Bill No. 2000-10)

- a. Status and history of drivers' licenses for candidates who may be responsible for operating City vehicles or receiving City reimbursement for operating their own vehicles.
- b. Background check and criminal history check through fingerprints to determine whether a candidate who may have substantial contact with juveniles is the subject of any reported conviction of Child Protection Background Check Act crimes,
- c. Thorough background screening, investigation, state and national arrest and fugitive record checks, and state and national III record checks by fingerprints from candidates who would have access to operate, program, effectuate access to a National Crime Information Center (NCIC) terminal or initiate transmission of NCIC information. (Added, Bill No. 1995-10, Sec. 26; Amended, Bill No. 2000-10)
- d. Disqualification of applicant due to background investigation. No person shall be disqualified from employment with the City solely or in part because of prior conviction of a crime or crimes unless the crime or crimes for which convicted directly relate to the position of employment sought. In determining if a conviction directly related to the position of public employment sought, the hiring authority shall consider the requirements of Minnesota Statutes Chapter 364. Should the City reject the finalist's request for employment due, partially or solely, to the applicant's prior conviction of a crime, the Personnel Administrator shall notify the finalist in writing of the following:
 - (1) The grounds and reasons for the denial;
 - (2) The applicable complaint and grievance procedure set forth in Minnesota Statutes Section 364.06;
 - (3) The earliest date the applicant may reapply for employment, and;
 - (4) That all competent evidence of rehabilitation will be considered upon reapplication.

10. Applicants are interviewed orally, tested as needed, and scored. Skills and agility testing may be required for certain positions. Psychological and medical exams are required for all Police Officers.

11. The Selection Committee will determine the applicant most suitable for the position and will make a recommendation to the City Council for hiring.

12. The Selection Committee may recommend hiring/promoting from existing employees that have an interest in applying for a related position within the City when an opening occurs without advertising for the position. The employee must meet minimum qualifications and must also currently work in a related position to be considered. **The Employee must notify the Clerk/Treasurer or Designee of their interest in the position by filling out an inner City application.**

13. In the case of part-time, non-benefit eligible liquor store clerks and in lieu of the selection committee, the Liquor Store Manager will have the authority to advertise openings, review, and score applications along with conducting oral interviews. He will bring recommendations to the City Council for hiring.

Training Period

The training period is an integral part of the selection process and will be used for the purpose of closely observing the employee's work and for training the employee in work expectations. Training periods apply to new hires, transfers, promotions, and rehires. ~~Training periods are 12 months in duration.~~ **The training period is twelve months for Department Heads and six months for other employees.** The Employee Relations Committee will meet periodically (typically monthly) with newly hirely or promoted Department Heads during their training period. Permanent hire is dependent on the successful completion of the training period.

ORGANIZATION

Job Descriptions

The city will maintain job descriptions for each regular position. New positions will be developed as needed but must be approved by the City Council prior to the position being filled.

A job description is prepared for each position within the city. Each job description will include: position title, department, supervisor's title, FLSA status (exempt or non-exempt), primary objective of the position, essential functions of the position, examples of performance criteria, minimum requirements, desirable training and experience, supervisory responsibilities (if any), and extent of supervisory direction or guidance provided to position. Good attendance and compliance with work rules and policies are essential functions of all city positions.

Prior to posting a vacant position the existing job description is reviewed by the department head or designee and the hiring supervisor, and approved by the council to ensure the job description is an accurate reflection of the position and that the stated job qualifications do not present artificial barriers to employment.

A current job description is provided to each new employee. Supervisors are responsible for revising job descriptions as necessary to ensure that the position's duties and responsibilities are accurately reflected. All revisions are reviewed and must be approved by the City Council.

Assigning and Scheduling Work

Assignment of work duties and scheduling work is the responsibility of the supervisor.

Job Descriptions and Classifications

Assignment of job titles and establishment of minimum qualifications is the responsibility of the City Council and the maintenance of job descriptions and related records is the responsibility of the City Clerk or Designee.

Layoff

In the event it becomes necessary to reduce personnel, temporary employees and those serving a probationary period in affected job classes will be terminated from employment with the city before other employees in those job classes. Within these groups, the selection of employees to be retained will be based on merit and ability as determined by the supervisor, subject to approval of the City Council. When all other considerations are equal, the principle of seniority will apply in layoffs and recall from layoffs.

HOURS OF WORK

Work Hours

Employee work schedules and opportunities to work remotely will be established by supervisors. The regular workweek for employees is five eight-hour days in addition to a lunch period, Monday through Friday, except as otherwise approved by the department head in accordance with the customs and needs of the individual departments.

Adverse Weather Conditions

City facilities will generally be open during adverse weather. Due to individual circumstances, each employee will have to evaluate the weather and road conditions in deciding to report to work (or leave early). Employees not reporting to work for reasons of personal safety will not normally have their pay reduced as a result of this absence. Employees will be allowed to use accrued vacation time or compensatory time, or with supervisor approval, may modify the work schedule or make other reasonable schedule adjustments.

In the event the city closes due to weather or other public emergency, see Earned Safe and Sick Time Policy: Leaves of Absence for Earned Sick and Safe Leave.

Sworn police officers and public works maintenance employees will generally be required to report to work regardless of conditions.

Decisions to cancel departmental programs (special events, recreation programs, etc.) will be made by the respective supervisor, the Clerk/Treasurer, or the mayor.

COMPENSATION

Under the Minnesota Wage Disclosure Protection Law, employees have the right to tell any person the amount of their own wages. While the Minnesota Government Data Practices Act (Minn. Stat. §13.43), specifically lists an employee's actual gross salary and salary range as public personnel data, Minnesota law also requires wage disclosure protection rights and remedies to be included in employer personnel handbooks. To that end and in accordance with Minn. Stat. §181.172, employers may not:

- Require nondisclosure by an employee of his or her wages as a condition of employment.
- Require an employee to sign a waiver or other document which purports to deny an employee the right to disclose the employee's wages.
- Take any adverse employment action against an employee for disclosing the employee's own wages or discussing another employee's wages which have been disclosed voluntarily.
- Retaliate against an employee for asserting rights or remedies under Minn. Stat. §181.172, subd. 3.

The city cannot retaliate against an employee for disclosing his/her own wages. An employee's remedies under the Wage Disclosure Protection Law are to bring a civil action against the city and/or file a complaint with the Minnesota Department of Labor and Industry at (651) 284-5070 or (800) 342-5354.

Amount

Employees of the city shall be compensated according to the schedule established by the City Council. Any wage or salary so established is the total remuneration for employment, but shall not be considered as reimbursement for official travel or other expenses which may be allowed for the conduct of official business. Unless approved by the Council, no employee shall receive pay from the City in addition to the salary authorized for the position to which he or she has been appointed.

Overtime/Compensatory Time

The City of Battle Lake has established this overtime policy to comply with applicable state and federal laws governing accrual and use of overtime. Authorized overtime work may be compensated for by allowing the employee paid time-off or paid out as overtime. Overtime must be authorized and approved by the Department Head unless the overtime is considered an emergency or essential situation. Overtime shall accrue only after the employee has worked forty hours in any one-week period or in the case of Police Officers, 80 hours in their designated two-week period unless the overtime is required for an emergency or essential situation. In either case, the employee will be compensated at the rate of 1 ½ hours for each full hour worked. This would include the extension of a normal work shift or an actual call into work. A minimum of two hours of compensation at the 1 ½ hours rate will be calculated whether the employee is called out or their shift is extended. Examples of an emergency or essential situation include snow removal, work on water, sewer or natural gas utilities, extension of a shift due to a call for service, a community emergency, etc. Compensatory time shall be earned at the rate of one and one-half (1-1/2) hours of compensatory time for each full hour of overtime worked. Year end, compensatory time over 60 hours may not be carried forward to the next fiscal year. Any excess will be paid out at year-end.

Comparable Worth

Subject to Minn. Stat. § 179A.25 notwithstanding any other law to the contrary, the City of Battle Lake has established equitable compensation relationships known as the "Comp Worth Plan" as prescribed by Minn. Stat. Section 471.991 to 471.999. Compensation of each class of city positions shall be fixed in compliance with the provisions of those statutes. Job descriptions shall be established for each current position and each new position created should be evaluated using the State Job Match System. Job descriptions shall be updated on a regular basis and re-evaluated using the State Job Match system. Periodic review of job description evaluations shall be carried out by an independent human resources consultant.

Step-Pay Plan

A Step-Pay Plan was adopted by the City Council effective January 1, 2000. Upon appointment, an employee shall be assigned a step placement commensurate with his/her qualifications for the position as set out in the job description. The hourly dollar amount assigned to each step shall be amended to reflect annual cost-of-living wage adjustments granted by the City Council. Each employee shall advance one step per year

according to the Plan in recognition of the employee's increased proficiency in his or her job area, except if an employee should begin employment or change job classifications after mid-year. A step-pay increase may be denied by the City Council as a result of a disciplinary infraction or if an employee's job performance is determined to be sub-standard. Following completion of the tenth step in the Plan, the employee shall become eligible for longevity incentive compensation. The City of Battle Lake recognizes the value of retaining experienced employees and has adopted the Longevity Incentive Program for that purpose. The Step-Pay Plan and Longevity Incentive Program may be revised from time-to-time by the City Council.

Employee Performance Evaluations.

Annual performance evaluations shall be carried out for each employee by the supervising Department Head or in the case of a Department Head, by the Employee Relations Committee or the City Council.

The function of the employee performance evaluation is to provide employees with timely reports of their progress and allow for correction of deficiencies; to provide employees with positive recognition of strengths and special abilities and an opportunity to improve deficiencies; to provide an ongoing performance record which may become part of documentation used in making personnel and salary actions; to provide employees with an opportunity to discuss ways and means for improvement and to communicate expected performance for the next performance period; to cause current job descriptions to be formulated and/or maintained; and to evaluate employee potential for future growth within the City along with the ability to determine needed training. Performance evaluations are an important part of the relationship between employee and supervisor and should also be recognized as an opportunity for measurement of an employee's job satisfaction.

Performance evaluations shall be reviewed with the employee and the employee shall acknowledge in writing that the he/she has seen the evaluation and had an opportunity to discuss it with his/her supervisor.

FOR DISCUSSION:

Final decisions need to be made on this – does it make sense for anyone getting paid out of job class to get approval from the full City Council? It seems too difficult to accommodate all departments with one policy.

Working Out of Job Class

Employees temporarily transferred to a **required to work a position of** higher classification for a period of more than ~~fifteen (15)~~ **5 (five) working days with payment or an event that require an employee move to the higher classification role** will receive the rate for the higher classification for the period of transfer, **At what step? Payment at the higher classification rate begins either on the 6th business day or when a triggering event occurs. When qualifying events last fewer than 5 business days, the acting employee must exercise decision-making authority that would typically fall under the Department Head's responsibilities. Department Heads are obligated to identify their designated replacement if one has not already been specified. This selection should take into account both seniority and the skills required for the position.** provided that ~~they are responsible for all tasks and duties of that higher job classification are performed.~~ **This will only apply to times when the higher classification employee is out on an extended leave. Examples include during the time of an injury or illness or if the higher classification is out and using ESST. It does not apply to the times when the higher classification employee is out on vacation. Payment for the higher classification under 5 (five) working days must be approved by the Employee Relations Committee. City Council.** When employees are temporarily assigned to lower paid classification, they will receive their regular rate of pay until the transfer has been made permanent. A transfer to a lower classification is considered permanent after thirty (30) calendar days.

Time Reporting

Full-time, non-exempt employees are expected to work the number of hours per week as established for their position. In most cases, this will be 40 hours per workweek or in the case of Police Officers, 80 hours in their designated two-week period. They will be paid according to the time reported on their time sheets. To comply with the provisions of the federal and state Fair Labor Standards Acts, hours worked and any leave time used by non-exempt employees are to be recorded daily and submitted to payroll on a ~~monthly basis.~~ **Bi-weekly basis.** Each time reporting form must include the signature of the employee and immediate supervisor. Reporting false information on a time sheet may be cause for immediate termination.

BENEFITS

Benefit Accrual

Employees who qualify for vacation and sick leave and whose start date is between the first day and the fifteenth day of the month will accrue benefits from the beginning of that month. Employees who begin work after the sixteenth day of the month will accrue benefits beginning the first day of the following month.

Employees who qualify for group insurance coverage shall become eligible for benefits on the nearest first day of the month, but at least thirty (30) days after employment begins.

Benefit Eligibility

Full-time regular employees are eligible for vacation, sick leave and holiday pay as clarified in that section of this policy and are also eligible for group health and dental insurance coverage on the nearest first day of the month, but at least thirty (30) days after employment begins. Full-time regular employees compensated on the basis of a monthly salary must work a total of 40 hours per week or in the case of Police Officers, 80 hours in their designated two-week period in order to remain eligible for benefits. The work week total may consist of vacation, sick leave, holiday or compensatory time. If a 40-hour work week or in the case of Police Officers, 80 hours in their designated two-week period total cannot be met in any month, an employee will be liable for a pro-rated share of health and dental insurance benefits for each month involved. Part-time employees who are benefit eligible on the basis of the definition are subject to the same eligibility requirements on a pro-rated basis.

Continuation of Coverage

Upon termination or retirement, benefit eligible employees will receive group benefits until the end of the month in which they have completed employment. Upon termination or retirement, employees covered by group benefits may be allowed to continue coverage under the group plan according to state and federal law.

Police Department Night Shift Differential Pay

Night Shift Differential Pay is part of the current salary structure at an hourly rate as established by the City Council.

Public Works Employees On-Call Policy

The City of Battle Lake recognizes that Public Works Department employees must be available in case of emergencies during non-business hours, weekends and holidays. A rotating on-call schedule of Public Works employees shall be established to respond during such times.

On-Call duties will be rotated among Public Works Department employees on a 7-day schedule beginning and ending on Thursday at 8:00 am. The on-call employee shall respond as quickly as possible to all calls with a maximum response time of no more than 30 minutes to report to the City Shop. On-call employees will be compensated for 128 hours per week at the rate established. (On call hours include for each weekday-**4:30 pm to 8am, 3:30 p.m. to 7:00 a.m.** including a 12-12:30 lunch period and Saturday/Sunday-24 hours each). On-call pay shall also include holidays and shall also include days when all Public Works staff has left for the day. i.e. Friday afternoons Public Works staff may all leave early in order to avoid overtime.

In addition, all Public Works employees shall be given a monthly cell phone stipend for use of personal cell phones to be contacted in emergencies. The employee's cell phone number must be approved for release to the public for work purposes.

Police Department On-Call Policy

Police Officers will be scheduled on call-as needed and at the discretion of the Police Chief and will be regulated within the budget established. Guidelines for on-call shall include:

- During a split shift
- Daytime hours when no one else is available to work such as:
 - Vacation day

- Paid holidays
- Sick day
- When other officer is at training
- Or as otherwise needed/scheduled

The Police Chief is required to live within a 15-minutes response time to a call within the City limits.

Police Department Uniform Allowance

- Full-time Police Officers will initially be furnished with the following: 2 long sleeved shirts, 2 short sleeved shirts, 2 pairs pants, 1 uniform jacket, 1 tie, 2 name plates, 2 pair collar brass, 1 winter jacket, 1 light-weight jacket and 1 body armor vest.
- Part-time Police Officers will initially be furnished with the following: 1 long sleeved shirt, 1 short sleeved shirt, 1 pair pants, 1 uniform jacket, 1 tie, 1 name plate, 1 pair collar brass and 1 body armor vest.
- New uniforms, boots and duty equipment shall be provided by the City of Battle Lake as addressed for full and part time officers. If the need arises that uniforms become worn, torn, or in a state of disrepair they may be replaced or repaired at the discretion of the Police Chief and covered under the police department budget. Officers must obtain authorization from the police chief prior to any purchases being made. Equipment for officer's duty belts shall also be handled in this same matter.
- Officer's that provide their own equipment **and or firearms** for duty purposes are responsible for maintaining their own property. Any officer's providing their own property must obtain authorization from the police chief first along with the property being identified and documented as being provided by that officer.
- Off-duty attire may be purchased with the use of the uniform budget provided by the city with the authorization of the police chief. These items are described as t-shirts, sweatshirts, polos, etc. that are to be used for attending trainings and classes when wearing a full uniform may not be practical. These items shall have the name of the department along with the name of the officer and or title of the officer.
- All officer's leaving service from the Battle Lake Police Department are required to turn in all items that are provided or paid for by the city and signed off by the police chief and the officer.
- Part-time Officers will not receive an annual uniform allowance. The need for additional uniforms, boots or equipment will be at the discretion of the Chief of Police.
- Each officer will sign a receipt for their initial issue of uniform/equipment items, with a copy to be placed in the personnel file. Should an officer leave employment with the City of Battle Lake, the initial issue items shall be turned in on the last day of employment. Although body armor vests issued by the Battle Lake Police Department are the property of the City of Battle Lake, Officers who discontinue employment will be allowed to purchase vests from the City on the basis of depreciated value. The value of the vest will be depreciated on a straight line basis over three years with the starting value being the actual cost to the City after reimbursements from other sources.
- It shall be the responsibility of the Chief of Police to monitor expenditures of uniform allowance monies and account balances.

Public Works Department Uniform Allowance

- Each employee of the Public Works Department shall be allowed \$350 per year, subject to annual budget approval, in order to purchase shirts, jackets, boots or similar types of clothing items to be used for work or work-related activities only. All clothing items shall be embroidered or marked in similar fashion to identify the wearer as a City employee.
- Uniforms must be kept neat, clean and in good repair. When this is no longer possible, uniforms must be destroyed or discarded in an appropriate manner. Discarded uniforms may not be given away for use by non-authorized persons.
- It shall be the responsibility of the City Clerk or Designee to monitor expenditures of uniform allowance monies and account balances.

Administrative Employees Uniform Allowance

- Administrative full-time employees shall be allowed \$250 per year, and part-time administrative employees shall be allowed \$100 per year, subject to annual budget approval, for the purchase of shirts, sweaters, blouses, or similar types of clothing items to be used for work or work-related activities only. The nature of the clothing items shall be such that will promote a professional appearance and shall be embroidered or marked in similar fashion, to identify the wearer as a City employee.
- Uniforms must be kept neat, clean and in good repair. When this is no longer possible, uniforms must be destroyed or discarded in an appropriate manner. Discarded uniforms may not be given away for use by non-authorized persons.
- It shall be the responsibility of the Clerk-Treasurer **or designee** to monitor expenditures of uniform allowance monies and account balances.

Liquor Store Employees Uniform Allowance

- To ensure that the Battle Lake Municipal Liquor Store image is projected favorably, each employee shall be provided with store-logo shirts to be worn at all times while on duty.
 - Full-time staff will received 3 shirts at time of hire and shall be allowed \$150 allowance each year thereafter.
 - Part-time staff will receive 2 shirts after they have completed 6 months of employment.
 - Floater staff will receive 1 shirt after they have completed 6 months of employment.
- Shirts must be kept neat, clean and pressed **and in good repair** and if stained, damaged or destroyed during laundering, shirts must be replaced by the employee. If employment is terminated within six months of receiving uniforms, the shirt(s) must be returned to the Store.
- It shall be the responsibility of the Liquor Store Manager to monitor expenditures of uniform allowance monies and account balances.

Retirement/PERA

The city participates in the Public Employees Retirement Association (PERA) to provide pension benefits for its eligible employees to help plan for a successful and secure retirement. Participation in PERA is mandatory for most employees, and contributions into PERA begin immediately. The city and the employee contribute to PERA each pay period as determined by state law. Most employees are also required to contribute a portion of each pay check for Social Security and Medicare (the city matches the employee's Social Security and Medicare withholding). For information about PERA eligibility and contribution requirements, contact the City Clerk.

HOLIDAYS

All Holiday days described within this section shall be based upon an eight (8) hour day.

Holidays

The following calendar days and such other holidays as the City Council may determine are paid holidays, based on 8 hour days:

- New Year's Day, January 1;
- Martin Luther King's Birthday, the third Monday in January;
- President's Day, the third Monday in February;
- Memorial Day, the last Monday in May;
- Juneteenth – June 19;
- Independence Day, July 4;
- Labor Day, the first Monday in September;
- Veteran's Day, November 11;
- Thanksgiving Day, the fourth Thursday in November;
- The Day after Thanksgiving Day in lieu of Columbus Day
- Christmas Day, December 25
- **and one "floating holiday" per year to be used at any time during the year (cannot be carried over).
Employee must be employed on January 1st to receive the floating holiday.**

When New Year's Day, Independence Day, Veteran's Day, or Christmas Day falls on Sunday, the following Monday is a paid Holiday, and if such day falls on Saturday, the preceding Friday is a paid Holiday. The administrative offices will be closed on Christmas Eve and Good Friday, full-time staff will need to utilize comp-time or vacation to cover the hours.

Full-time regular employees are entitled to 8 hours off work with full pay on Holidays. Part-time employees who are benefit eligible based on the definitions found in Section 2, Sudb.2 shall receive Holiday Pay on a pro-rated basis. A benefit eligible employee assigned to work on a Holiday shall receive additional regular hourly compensation for each hour actually worked. Accrued Holiday hours must be used by year-end. At year end, Holiday time accrued shall be paid to the employee at the employee's regular pay rate.

VACATION LEAVE

Vacation Day

All vacation leave described within this section shall be based upon an eight (8) hour day and 40 hours per week or in the case of Police Officers, 80 hours in their designated two-week period. Benefit eligible employees that work between 30 and 40 hours per week will have vacation accrue on a pro-rated basis.

Vacation Amount

Employee vacation time shall accrue on the basis of the definitions according to the following schedule:

Years of Service	Vacation Time Accrual
1 year	4 hours per month or employment or major fraction thereof (48 hours/year)
1-4 years	8 hours per month of employment or major fraction thereof (96 hours/year)
5-9 years	10 hours per month of employment or major fraction thereof (120 hours/year)
10+years	13.33 hours per month of employment or major fraction thereof (160 hours/year)

Vacation Accrual

An employee may accrue vacation leave to a maximum of 192 hours. In no event shall vacation leave hours be in excess of the maximum allowable number on January 1st.

Use of Vacation

Vacation leave may be used as earned, subject to approval by the Department Head as to when the leave may be taken. If requesting more than 2 consecutive days of vacation leave, an employee should submit a Leave Request Form to the Department Head before the 15th of the month prior to the requested time off. For more information, employees should contact the Department Head or the City Clerk. In the case of a Department Head, if more than ~~two (2) weeks~~ **80 hours** of vacation leave be requested, the consent of ~~the Mayor or the Council is required.~~ **Employee Relations Committee is required.**

Leave Compensation Upon Termination

An employee leaving the municipal service in good standing after giving proper notice of such termination of employment, shall be compensated for vacation leave accrued and unused to the date of separation.

EARNED SAFE AND SICK TIME

"Earned Sick and Safe Time" (ESST) is paid time off earned at one hour of Earned Safe and Sick Time for every 30 hours worked by **any part-time employee**, up to a maximum of 48 hours of sick and safe leave per year **with a maximum accrual of 80 hours for part-time employees. For full-time employees, ESST leave shall be accumulated at 8 hours per month, based on an 8-hour day with a maximum accumulation of up to 760 hours and may be granted in units of not less than fifteen (15) minutes. Earned Safe and Sick Time will replace "Sick Leave." All accrued sick leave will be combined with the employee's ESST.**

~~employees, these hours will be subtracted from their normal sick leave bank which is 8 hours per month. Once the Earned Safe and Sick leave has been calculated, the balance will be put into their normal sick leave bank. Once employees have reached the maximum towards their Earned Safe and Sick Leave, the 8 hours or fractions thereof will go into their normal sick leave bank.~~ The hourly rate of Earned Sick and Safe Leave is

the same hourly rate an employee earns from employment with the city. This specific leave applies to all employees (including temporary and part-time employees) performing work for at least 80 hours in a year for the city.

The following positions are not eligible for leave under this policy:

1. Volunteer firefighter or paid on-call firefighter;
2. Volunteer ambulance attendant as defined in Minn. Stat. § 144E.001, subdivision 15;
3. On-call ambulance service personnel as defined in Minn. Stat. § 144E.001, subdivision 3a;
4. Elected officials or a person who is appointed to fill a vacancy in an elected office.

Earned Sick and Safe Time Use

The leave may be used as it is accrued in the same increment of time for which employees are paid for the following circumstances:

- An employee's own:
 - Mental or physical illness, injury or other health condition
 - Need for medical diagnosis, care or treatment, of a mental or physical illness injury or health condition
 - Need for preventive medical or health care, or
 - Need to make arrangements for or attend funeral services or a memorial, or address financial or legal matters that arise after the death of a family member
- Care of a family member:
 - With mental or physical illness, injury or other health condition
 - Who needs medical diagnosis, care or treatment of a mental or physical illness, injury or other health condition, or
 - Who needs preventative medical or health care
- Absence due to domestic abuse, sexual assault or stalking of the employee or employee's family member provided the absence is to:
 - Seek medical attention related to physical or psychological injury or disability caused by domestic abuse, sexual assault, or stalking
 - Obtain services from a victim services organization
 - Obtain psychological or other counseling
 - Seek relocation or take steps to secure an existing home due to domestic abuse, sexual assault or stalking
 - Seek legal advice or take legal action, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from domestic abuse, sexual assault, or stalking
- Closure of the employee's place of business due to weather or other public emergency or an employee's need to care for a family member whose school or place of care has been closed due to weather or other public emergency
- The employee's inability to work or telework because the employee is prohibited from working by the city due to health concerns related to the potential transmission of a communicable illness related to a public emergency, or seeking or awaiting the results of a diagnostic test for, or a medical diagnosis of, a communicable disease related to a public emergency and the employee has been exposed to a communicable disease or the city has requested a test or diagnosis.
- When it has been determined by health authorities or a health care professional that the presence of the employee or family member in the community would jeopardize the health of others because of the

exposure of the employee or family member of the employee to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease.

(b) For Earned Sick and Safe Time purposes, family member includes an employee's:

1. Spouse or registered domestic partner
2. Child, foster child, adult child, legal ward, child for whom the employee is legal guardian, or child to whom the employee stands or stood in loco parentis
3. Sibling, step sibling or foster sibling
4. Biological, adoptive or foster parent, stepparent or a person who stood in loco parentis when the employee was a minor child
5. Grandchild, foster grandchild or step grandchild
6. Grandparent or step grandparent
7. A child of a sibling of the employee
8. A sibling of the parent of the employee or
9. A child-in-law or sibling-in-law
10. Any of the above family members of a spouse or registered domestic partner
11. Any other individual related by blood or whose close association with the employee is the equivalent of a family relationship
12. Up to one individual annually designated by the employee

Advance Notice for use of Earned Sick and Safe Time

With respect to ESST accrued on or after January 1, 2024, if the need for the leave is foreseeable, the city requires seven days' advance notice. However, if the need is unforeseeable, employees must provide notice of the need for ESST **as soon as practicable, as reasonably required by the employer.** When an employee uses ESST for more than **three two** consecutive scheduled work days, the city may require appropriate supporting documentation (such as medical documentation supporting medical leave, court records or related documentation to support safety leave). However, if the employee or employee's family member did not receive services from a health care professional, or if documentation cannot be obtained from a health care professional in a reasonable time or without added expense, then reasonable documentation may include a written statement from the employee indicating that the employee is using, or used, ESST for a qualifying purpose. The city will not require an employee to disclose details related to domestic abuse, sexual assault, or stalking or the details of the employee's or the employee's family member's medical condition. In accordance with state law, the city will not require an employee using ESST to find a replacement worker to cover the hours the employee will be absent. **Employees may voluntarily seek a replacement or trade shifts to cover their ESST absence.**

Accrual and Carry Over of Earned Sick and Safe Time

(e) Retaliation prohibited

The city shall not discharge, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for asserting Earned Sick and Safe Time rights, requesting an Earned Sick and Safe Time absence, or pursuing remedies. Further, use of Earned Sick and Safe Time will not be factored into any attendance point system the city may use. Additionally, it is unlawful to report or threaten to report a person or a family member's immigration status for exercising a right under Earned Sick and Safe Time.

(f) Benefits and return to work protections

During an employee's use of Earned Sick and Safe Time absence, an employee will continue to receive the city's employer insurance contribution as if they were working, and the employee will be responsible for any share of their insurance premiums.

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

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

Earned Sick and Safe Leave Use

The leave may be used as it is accrued in the smallest increment of time tracked by the city's payroll system at ¼ hour for the following circumstances:

- An employee's own:
 - Mental or physical illness, injury or other health condition
 - Need for medical diagnosis, care or treatment, of a mental or physical illness
 - injury or health condition
 - Need for preventative care
 - Closure of the employee's place of business due to weather or other public emergency
 - The employee's inability to work or telework because the employee is prohibited from working by the city due to health concerns related to the potential transmission of a communicable illness related to a public emergency, or seeking or awaiting the results of a diagnostic test for, or a medical diagnosis of, a communicable disease related to a public emergency and the employee has been exposed to a communicable disease or the city has requested a test or diagnosis.
 - Absence due to domestic abuse, sexual assault, or stalking of the employee provided the absence is to:
 - Seek medical attention related to physical or psychological injury or disability caused by domestic abuse, sexual assault, or stalking
 - Obtain services from a victim services organization
 - Obtain psychological or other counseling
 - Seek relocation or take steps to secure an existing home due to domestic abuse, sexual assault or stalking
 - Seek legal advice or take legal action, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from domestic abuse, sexual assault, or stalking
 - Care of a family member:
 - With mental or physical illness, injury or other health condition Who needs medical diagnosis, care or treatment of a mental or physical illness, injury or other health condition Who needs preventative medical or health care Whose school or place of care has been closed due to weather or other public emergency When it has been determined by health authority or a health care professional that the presence of the family member of the employee in the community would jeopardize the health of others because of the exposure of the family member of the employee to a communicable disease, whether or not the family member has actually contracted the communicable disease
 - Absence due to domestic abuse, sexual assault or stalking of the employee's family member provided the absence is to:
 - Seek medical attention related to physical or psychological injury or disability caused by domestic abuse, sexual assault, or stalking
 - Obtain services from a victim services organization
 - Obtain psychological or other counseling
 - Seek relocation or take steps to secure an existing home due to domestic abuse, sexual assault or stalking

- Seek legal advice or take legal action, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from domestic abuse, sexual assault, or stalking

For Earned Sick and Safe Leave purposes, family member includes an employee's:

- Spouse or registered domestic partner
- Child, foster child, adult child, legal ward, child for whom the employee is legal guardian, or child to whom the employee stands or stood in loco parentis
- Sibling, step sibling or foster sibling
- Biological, adoptive or foster parent, stepparent or a person who stood in loco parentis when the employee was a minor child
- Grandchild, foster grandchild or step grandchild
- Grandparent or step grandparent
- A child of a sibling of the employee
- A sibling of the parent of the employee or
- A child-in-law or sibling-in-law
- Any of the above family members of a spouse or registered domestic partner
- Any other individual related by blood or whose close association with the employee is the equivalent of a family relationship
- Up to one individual annually designated by the employee

Advance Notice for use of Earned Sick and Safe Leave

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

Carry Over of Earned Sick and Safe Leave

Employees are eligible for carry over accrued but unused Earned Sick and Safe time into the following year, but the total of Earned Sick and Safe Leave carry over hours shall not exceed 80 hours.

Retaliation prohibited

The city shall not discharge, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for asserting Earned Sick and Safe Leave rights, requesting an Earned Sick and Safe Leave absence, or pursuing remedies. Further, use of Earned Sick and Safe Leave will not be factored into any attendance point system the city may use. Additionally, it is unlawful to report or threaten to report a person or a family member's immigration status for exercising a right under Earned Sick and Safe Leave.

Benefits and return to work protections

During an employee's use of Earned Sick and Safe Leave, an employee will continue to receive the city's employer insurance contribution as if they were working, and the employee will be responsible for any share of their insurance premiums.

An employee returning from time off using accrued Earned Sick and Safe Leave is entitled to return to their city employment at the same rate of pay received when their leave began, plus any automatic pay adjustments that

may have occurred during the employee's time off. Seniority during Earned Sick and Safe Leave absences will continue to accrue as if the employee has been continually employed.

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

SICK LEAVE

Sick Leave Day

Each sick leave day described in this section shall be based upon an eight (8) hour day.

Sick Leave Amount

Full-time regular employees are entitled to combined Earned Safe and Sick Leave along with sick leave with pay at the rate of eight (8) hours per each calendar month of full-time service or major fraction thereof. For all other employees, sick leave shall accrue on the basis of the definitions found in Section 2, Subd. 2. Sick leave shall be accumulated up to 760 hours combined Earned Safe and Sick Leave and Sick Leave and may be granted in units of not less than fifteen (15) minutes.

Sick Leave – Purposes

Sick leave shall be granted to employees when unable to perform work duties due to illness, disability, necessity of medical, dental or chiropractic care, childbirth (including father of the child), pregnancy disability or exposure to contagious disease where such exposure may endanger the health of others with whom the employee would come into contact in the course of performing work duties. Employees may also use accumulated sick leave for medical, dental or optometric appointments for regular preventative care for themselves or dependent children. In the event that an employee must attend to a member of the employee's immediate family, accumulated sick leave may be used for that purpose. Up to 3 working days of sick leave may be used for death in the employee's immediate family, or in the immediate family of the employee's spouse. Immediate family is defined as the employee's spouse, child including stepchildren or foster children, father, mother, brother, sister, father-in-law, mother-in-law, grandparents, grandchildren or one living in the same household as a member of the family.

Sick Leave – Proof

To be eligible for sick leave with pay, an employee shall: report as soon as possible to their department head the reasons for the absence; keep their department head informed of their condition; if the absence is for more than 5 days in duration, the department head may require a medical certificate for the absence and for a return to work.

Sick Leave – Penalty

Using or claiming sick leave for a purpose not authorized by the above (Sick Leave – Purposes) may be cause for disciplinary action.

Sick Leave ESST Accrual during leave

For the purpose of accumulating additional vacation or sick leave, ESST an employee using earned vacation leave or sick leave is considered to be working.

Sick Leave ESST and Termination of Employment

Upon termination of employment no employee shall receive compensation for accrued Safe and sick leave or sick leave, ESST with the following exceptions: a full-time employee in good standing who leaves employment after five (5) years (must be 5 years of 30 or more hours per week) shall receive thirty percent (30%) of the balance of their accumulated sick leave and Earned Safe and Sick Leave combined as a contribution to their post-employment health care savings plan; an employee in good standing who leaves employment after ten (10)

years of employment shall receive sixty (60%) of the balance of their accumulated ~~sick leave and~~ Earned Safe and Sick Leave combined as a contribution to their post-employment health care savings plan). No employee shall receive compensation on accumulated ~~sick leave and~~ Earned Safe and Sick Leave combined of more than 760 hours.

Post-employment Health Savings Plan

The City shall establish a post-employment Health Care Savings Plan (HCSP) through the Minnesota State Retirement System (MSRS). The City will make contributions on behalf of eligible employees as follows:


- A. An eligible employee's severance pay per Leave and Termination of Employment Section shall be deposited into their HCSP upon termination (in good standing).
- B. An employee who has accumulated a total of 760 hours of ~~sick leave and~~ Safe and Sick Leave combined will have four (4) hours per month, for each month the 760 hours are maintained, deposited into their HCSP. This amount shall be paid to the Plan annually at the current rate of pay. This benefit shall be pro-rated for eligible part-time employees.
- C. The council may choose to make an employer contribution to benefit-eligible employee's Health Savings Accounts. When an employee is Medicare age, a contribution to a Health Savings Account is not allowed. In this case, the City will make that contribution to their Health Care Savings Plan.


Sick Leave ESST Donation Policy

Purpose: To establish a procedure through which eligible employees may voluntarily donate a portion of their accrued ~~sick leave~~ ESST balance, to be used on an hour-for-hour basis to financially assist any other employee who has exhausted ~~sick leave~~, ESST, vacation and holiday hours due to his/her extended illness or disability or that of a member of his/her immediate family.

- Policy: All full-time regular employees who have completed the probation period will be considered eligible to participate in this program.
- Procedures: Donations of accrued ~~sick leave~~ ESST must be in whole hours, with a minimum of 1-hour per donation and a maximum of 40-hours per employee per year.
- **All requests for donation of ESST must be approved by the Employee Relations Committee.**
- The donating employee shall specify the employee to receive the donation. Prior to processing the first donation to an employee, the City will verify the eligibility of the named recipient (i.e., employee status and exhaustion of paid leave) and request that individual's written consent to receive donations. No donations will be processed until this written authorization is received. The authorization will remain valid until the individual revokes it or he/she becomes ineligible to participate in the program. The donated ~~sick leave~~ ESST will be converted to dollars by the City, multiplying the number of hours donated, by the recipient's hourly base pay rate at the time of processing. The resulting amount, less mandatory withholding (specified below) will be paid to the designated recipient.
- Under a similar program, the IRS has ruled that these payments are to be considered wages, and therefore taxable income to the recipient. As a result, the payments will be included in the annual Form W-2 prepared for the recipient and State and Federal income tax and FICA/Medicare tax and Supplemental Retirement contributions depending on the eligibility of the recipient, will be withheld by the City at the time of payment. The IRS has also ruled that the donating employee realizes no income and incurs no tax deductible expense or loss, either upon donation or payment to the recipient.
- The donations processed for a recipient each pay period shall be limited to the amount equal to that individual's regular gross earnings per pay period. In the event donations exceed this limit, they will be processed in order of the date on the donation authorization form, with the earliest date processed first. Excess donations will be held until the following pay period (s) and processed at that time. Once a donation has been processed, neither the donor nor the recipient may revoke the transaction, even if it has not yet been paid. Program information maintained by the City shall be handled in accordance with the Government Data Practices Act, M.S., 13.43, subd.2.
- Administrative Responsibility: The City Clerk-Treasurer, as personnel administrator, shall be responsible for implementing and maintaining this program.

Section 12.01 Minnesota Paid Leave

 *Important note: Remember cities have the option to comply with Minnesota Paid Leave Law (MNPL) by either: participating in the State’s MNPL Program or seeking approval from the state to provide an equivalent self-insured plan or equivalent plan through an approved private insurance carrier. Given the wide variety of different options associated with seeking an equivalent plan outside of the state’s program, this model policy is drafted as if the city is participating in the MNPL program administered by the State.*

 *Nearly all employers are covered by MNPL. Exemptions exist for: federal government, tribal nations, railroad workers; self-employed and contractors may opt in. Other options include covering employees with what the state defines as “Optional Equivalency Plans.” Some notes on opting out:*

- *Employers may opt-out of state premiums by offering a state-approved private plan matching or exceeding benefits via:

 - *Insurance Carrier Plans*
 - *Self-Insured Plans**
- *Regardless, wage reporting and notification requirements still apply.*
- *For more information on this, please see <https://mn.gov/deed/paidleave/employers/equivalent/>*


Overview

The city provides time off to eligible employees who qualify for Minnesota Paid Leave (MNPL) benefits under Minnesota law. The city of Battle Lake is a participant in the State of Minnesota’s Paid Leave program. MNPL benefits are funded through premium contributions payable to ShelterPoint. The premium cost will be split between the city and employee as follows: The city of Battle Lake will pay 50% of the required premium and employees will pay 50% of the premium cost through payroll deductions starting January 1, 2026.

Eligibility

Eligibility determinations for MNPL benefits are made by the State of Minnesota. Generally, to be eligible for MNPL, you must:

- *Work at least 50% of the time from a location in Minnesota, including employees who work from home or spend time in other states occasionally.*
- *Meet the financial eligibility requirements by having earned over a specific amount of wages as defined by under Minnesota law at the time of your requested leave.*

 *For reference, the current standard of wages is 5.3% of the state’s average annual wage amounting to about \$3,900 in wages for the start of MNPL in 2026. Generally, all jobs count towards this wage requirement, it is not just wages earned at the city.*

Benefit Amount

An employee’s weekly MNPL benefits are calculated and determined by the Minnesota Department of Employment and Economic Development (DEED).


Leave Entitlement and Usage

The State of Minnesota may approve MNPL leave for the following conditions in a benefit year:

- *Up to 12 weeks of medical leave (for yourself) to take care of yourself for a serious health condition, including pregnancy, childbirth, recovery, or surgery.*


- Up to 12 weeks of family leave to:
 - Bond with a child through birth, adoption, or foster placement
 - Care for a family member with a serious health condition
 - Support a military family member called to active duty
 - Receive covered types of care for yourself or a family member because of domestic abuse, sexual assault, or stalking

You can take both types of leave in the same year, but you cannot exceed 20 weeks total within a single benefit year. For example, an employee may be entitled to 12 weeks of family leave to bond with a child and another 8 weeks of medical leave for their serious health condition. Your benefit year starts the first day you take Paid Leave. There is no waiting period for MNPL if you are granted the benefit.

 *The benefit year is defined by the state of Minnesota as the first day the employee takes Paid Leave. This does not necessarily match what the city may have for FMLA's measurement period (where the most common is the rolling-method). The way the state has this defined is going to be the "12-month measured forward" method as seen here: <https://www.dol.gov/agencies/whd/fact-sheets/28h-fmla-12-month-period> A decision on whether to have these aligned may need to be made.*

MNPL Intermittent Leave

Employees may apply for intermittent leave in most cases, provided the leave is reasonable and appropriate to the needs of the individual requiring care.

 *Regarding intermittent leave: Generally, MNPL requires an event to be a seven-day qualifying event unless intermittent. Intermittent leave results in a pro-rated benefit paid from the state and provides employers the option to cap intermittent leave at 480 hours in a 12-month period. Additionally, the minimum increment of leave must be taken in "increments consistent with the established policy of the employer to account for use of other forms of leave, so long as such employer's policy permits a minimum increment of at most one calendar day of intermittent leave. An applicant is not permitted to apply for payment for benefits associated with intermittent leave until the applicant has eight hours of accumulated leave time, unless more than 30 calendar days have lapsed since the initial taking of the leave."*

<https://www.revisor.mn.gov/statutes/cite/268B/full#:~:text=Subd.%206a..of%20the%20leave>


A) Eligibility

In addition to the other eligibility requirements under the MN Paid Leave law, employees seeking intermittent leave must have at least eight hours of accumulated leave (unless more than 30 days have lapsed since taking the initial leave).

B) Notice

In situations where employees seek MNPL on an intermittent basis, employees must make a reasonable effort to provide written notice to the Clerk/Treasurer or Designee of the need for intermittent leave *before* applying for MNPL benefits through the State program. As part of the notice, employees must provide the city with the following: 1) proposed intermittent leave schedule; and 2) a completed certification from a health care provider

identifying the leave as necessary and a reasonable estimate of the frequency and duration and treatment schedule for the leave.

 *In the DEED's final published administrative rules enforcing the MN Paid Leave law, [Minnesota Rule 3317.4700, Subp. 3](#), provides employers an option to file a dispute with the commissioner in situations where an employee fails to provide notice and a proposed leave schedule with the employer before applying for MNPL benefits.*

C) Increments of Leave & Maximum Number of Hours

Consistent with other forms of leave provided by the city, employees may take intermittent leave in increments of **one** calendar day *[or replace with smaller amounts if allowed in other policies]*. If eligible for intermittent leave, the city allows a maximum of 480 hours of intermittent leave in any 12-month period. After reaching the maximum amount of allowed intermittent leave, employees may request continuous MNPL provided the continuous leave does not exceed the maximum amount of MNPL allowed by law.

Definitions

- **Family member** includes:
 - Spouse or partner
 - Child (including biological, adopted, step, or foster children, or a child you raise even if you are not legally related)
 - Parent or person who raised you
 - Sibling
 - Grandchild or grandparent
 - In-laws (including son, daughter, father, or mother)
 - Anyone close to you who depends on you like family, even if not related by blood
- A **serious health condition** means a physical or mental illness, injury, impairment, condition, or substance use disorder. Taking care of yourself for this serious condition may involve evaluation, treatment, inpatient care, recovery, or not being able to perform regular work, attend school, or do regular daily activities. This includes childbirth, conditions related to pregnancy, or surgery.

Notice

Prior to starting a claim with the State, employees should reach out to the Clerk/Treasurer or Designee to notify your intention to take leave. *[[Optional: If the need is foreseeable, we ask that you provide at least two-weeks notice prior to taking leave. If the leave is not foreseeable you will still be able to take leave under MNPL and we ask that you provide as much notice as possible.]]*

How to Apply for Minnesota Paid Leave

After your leave has been discussed you may apply for MNPL through *[CHOOSE ONE: the Minnesota Paid Leave's portal online or via their phone provided <https://mn.gov/deed/paidleave/employees/faq/> our third party administrator, [vendor name here]*

Interaction with Other Laws and Benefits

MNPL will run concurrently with any leave and/or wage supplement for which you may be eligible for under local, state, or federal law.

The city offers a short-term disability (STD) policy (paid by employees) that may run concurrently and require its own filing requirement pursuant to the terms of the STD policy. Contact the Clerk/Treasurer and/or Designee for more information. STD payments may be reduced, pursuant to the terms of the STD policy, as a result of receiving state-paid benefits.]]

Supplementing MNPL Benefits with Accrued Paid Leave

If you are receiving MNPL benefits, the city allows you to supplement, or "top off," your MNPL benefits with any accrued but unused paid leave. If you choose to supplement your MNPL benefits in this way, the combined weekly sum of MNPL benefits and city-provided paid leave benefits cannot exceed your Individual Average Weekly Wage (IAWW). For more information, contact the Clerk/Treasurer and/or Designee.



Employers are not required to allow employees to supplement MNPL benefits with accrued employer-provided leave benefits but many might choose to do so. However, it remains an employee's choice whether to use accrued leave with MNPL benefits. In other words, the city cannot require employees to use accrued leave with MNPL benefits.

Maintaining Health Coverage During Leave

Unless the employee revokes coverage while on MNPL, the city will continue to provide group health insurance coverage for an employee on MNPL under the same conditions as the coverage was provided before the employee took leave. You must continue to make timely payments of your share of the premiums for such coverage. If you are not using paid time off to cover part or all of the leave, you will be responsible for remitting your portion of health premiums to the city in order to ensure continuation of benefits.

Group health insurance may be cancelled if an employee's premium payment is 30 days late. Before terminating coverage, the city will provide written notice to the employee at least 15 days before the coverage is terminated listing the final date payment is due (30 days past the due date) to avoid cancellation and the date coverage will end if payment is not received.



Each city may have a different method of collecting the employee's share of the insurance premium. This should be addressed with employees. The MNPL FAQs state that coverage must continue with the same employer/employee split for health benefits. The notification timeline above is borrowed from FMLA notification timelines if an employee is delinquent in payment since MN Paid leave law is silent on this process. As a result, cities should consult legal counsel for advice before terminating an employee's benefits while they are receiving MNPL benefits.

An employee's share of premium payments for their group health insurance coverage may, at the employee's option, be:

1. prepaid at or before the start of the leave in which your health deductions may be modified to accept the agreed upon amounts and cadence of premium deductions;
2. arranged to write a check every 2 week weeks for the duration that the employee may be out;



Note that option #2 above is paid by an employee's post-tax money. Many benefit premiums are paid pre-tax, so the incentive is to have an arrangement before the employee goes out. This also allows employers to recoup costs in the event that an employee quits on a leave of absence. Also note: an agreement like this should include a timely signed wage deduction authorization form where an employee is agreeing to the deduction changes.

Coverage that lapses due to nonpayment of premiums will be reinstated immediately upon return to work without a waiting period.

Reinstatement

Upon return from covered MNPL, you will be reinstated to your previous position or to an equivalent position, with the same status, pay, employment benefits, length-of-service credit, and seniority credit as of the date of leave as long as you have worked for the city for a minimum of 90 calendar days.

Upon return to work, if it becomes evident that the employee is unable to perform the key essential functions of their position (with or without reasonable accommodation), the city may engage in an interactive process, consistent with the American with Disability Act (ADA) and/or Minnesota Human Rights Act (MHRA) and other applicable workplace policies, including workplace safety protocols, to determine appropriate next steps.

Retaliation

The city will not interfere or retaliate against employees who request or take leave in accordance with the MN Paid Leave law.

LEAVES OF ABSENCE

Depending upon an employee's situation, more than one form of leave may apply during the same period of time (e.g., the Family and Medical Leave Act is likely to apply during a workers' compensation absence). An employee will need to meet the requirements of each form of leave separately. Leave requests will be evaluated on a case-by-case basis.

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

Jury or Witness Duty

Regular full-time and part-time employees will be granted paid leaves of absence for required jury duty. ~~Such employees will be required to turn over any compensation they receive for jury duty, minus mileage reimbursement, to the city in order~~ **Such employees will have the compensation they receive for jury duty subtracted from their wages (minus mileage)** to receive their regular wages for the period. Time spent on jury duty will not be counted as time worked in computing overtime.

Employees excused or released from jury duty during their regular working hours will report to their regular work duties as soon as reasonably possible or will take accrued vacation or compensatory time to make up the difference.

Employees are required to notify their supervisor as soon as possible after receiving notice to report for jury duty. The employee will be responsible for ensuring that a report of time spent on jury duty and pay form is completed by the clerk of court so the city will be able to determine the amount of compensation due for the period involved.

Temporary and seasonal employees are generally not eligible for compensation for absences due to jury duty but can take a leave without pay subject to department head approval. However, if a temporary or seasonal employee is classified as exempt, they will receive compensation for the jury duty time.

Court Appearances

Employees will be paid their regular wage to testify in court for city-related business. Any compensation received for court appearances (e.g., subpoena fees) arising out of or in connection with city employment, minus mileage reimbursement, must be turned over to the city.

Victim or Witness Leave

An employer must allow a victim or witness, who is subpoenaed or requested by the prosecutor to attend court for the purpose of giving testimony to attend criminal proceedings related to the victim's case. Additionally, a victim of a violent crime, as well as the victim's spouse or immediate family member (immediate family member includes parent, spouse, child or sibling of the employee) may have reasonable time off from work to attend criminal proceedings related to the victim's case. An employee must give 48 hours advance notice to the city of their need to be absent unless it is impracticable, or an emergency prevents them from doing so. The city may request verification that supports the employee's reason for being absent from the workplace. See also: Safety Leave for additional information on leave benefits available to employees and certain family members.

Leaves Without Pay

The City Council may grant any regular employee a leave of absence without pay for a period not exceeding 90 days except that the Council may extend such leaves to a maximum period of one year in case the employee is disabled or where extraordinary circumstances, in its judgment, warrant such extension. An employee will not receive any type of compensation including benefits during such a leave of absence. No vacation benefits shall accrue during a leave of absence without pay, nor shall sick leave be granted to individuals on unpaid leave.

Military Leave

State and federal laws provide protections and benefits to city employees who are called to military service, whether in the reserves or on active duty. Such employees are entitled to a leave of absence without loss of pay, seniority status, efficiency rating, or benefits for the time the employee is engaged in training or active service not exceeding a total of 15 days in any calendar year.

The leave of absence is only in the event the employee returns to employment with the city as required upon being relieved from service, or is prevented from returning by physical or mental disability or other cause not the fault of the employee, or is required by the proper authority to continue in military or naval service beyond the fifteen (15) day paid leave of absence. Employees on extended unpaid military leave will receive fifteen (15) days paid leave of absence in each calendar year, not to exceed five years.

Where possible, notice is to be provided to the city at least ten (10) working days in advance of the requested leave. If an employee has not yet used his/her fifteen (15) days of paid leave when called to active duty, any unused paid time will be allowed for the active duty time, prior to the unpaid leave of absence.

Employees returning from military service will be reemployed in the job that they would have attained had they not been absent for military service and with the same seniority, status and pay, as well as other rights and benefits determined by seniority. Unpaid military leave will be considered hours worked for the purpose of vacation leave and sick leave accruals.

Eligibility for continuation of insurance coverage for employees on military leave beyond fifteen (15) days will follow the same procedures as for any employee on an unpaid leave of absence.

Military Leave for Family Members

The city will not discharge from employment or take adverse employment action against an employee because an immediate family member is in the military forces of the United States or Minnesota.

Nor will the city discharge from employment or take adverse employment action against an employee because they attend departure or homecoming ceremonies for deploying or returning personnel, family training or readiness events or events held as part of official military reintegration programs. Employees may substitute paid leave if they choose to do so.

Unless the leave would unduly disrupt the operations of the city, employees whose immediate family member, as a member of the United States armed forces has been ordered into active service in support of a war or other national emergency, will be granted an unpaid leave of absence, not to exceed one day's duration in any calendar year, to attend a send-off or homecoming ceremony for the mobilized service member.

Section 12.06 Military Leave for Family Member Injured or Killed in Active Service

Employees will be granted up to ten working days of unpaid leave whose immediate family member (defined as a person's parent, child, grandparents, siblings or spouse) is a member of the United States armed forces who has been injured or killed while engaged in active service. The 10 days may be reduced if an employee elects to use appropriate accrued paid leave.

Job Related Injury or Illness

All employees are required to report any job-related illnesses or injuries to their supervisor immediately (no matter how minor) **and must report to the City's Human Resource representative to fill out the appropriate paperwork.** If a supervisor is not available and the nature of injury or illness requires immediate treatment, the employee is to go to the nearest available medical facility for treatment and, as soon as possible, notify his/her supervisor of the action taken. In the case of a serious emergency, 911 should be called.

If the injury is not of an emergency nature, but requires medical attention, the employee will report it to the supervisor and make arrangements for a medical appointment.

Workers' compensation benefits and procedures to return to work will be applied according to applicable state and federal laws.

Pregnancy and Parenting Leave

All employees are entitled to take an unpaid leave of absence under the Pregnancy and Parenting Leave Act of Minnesota. Female employees for prenatal care, or incapacity due to pregnancy, childbirth, or related health conditions as well as a biological or adoptive parent in conjunction with after the birth or adoption of a child as eligible for up to 12 weeks of unpaid leave and must begin within twelve months of the birth or adoption of the child. In the case where the child must remain in the hospital longer than the mother, the leave must begin within 12 months after the child leaves the hospital. Employees should provide reasonable notice, which is at least [30] days. If the leave must be taken in less than three days, the employee should give as much notice as practicable.

Employees are required to use accrued leave (i.e., sick leave, vacation leave, etc.) during Parenting Leave. If the employee has any FMLA eligibility remaining at the time this leave commences, this leave will also count as FMLA leave. The two leaves will run concurrently. The employee is entitled to return to work in the same position and at the same rate of pay the employee was receiving prior to commencement of the leave. Group insurance coverage will remain available while the employee is on leave pursuant to the Pregnancy and Parenting Leave Act, but the employee will be responsible for the entire premium unless otherwise provided in this policy (i.e., where leave is also FMLA qualifying). For employees on an FMLA absence as well, the employer contributions toward insurance benefits will continue during the FMLA leave absence.

Effective July 1, 2023, the city will inform employees of their parental leave rights at the time of hire and when an employee makes an inquiry about or requests parental leave.

An employer shall not discharge, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for asserting parental leave rights or remedies.

Administrative Leave

Under special circumstances, an employee may be placed on an administrative leave pending the outcome of an internal or external investigation. The leave may be paid or unpaid, depending on the circumstances, with the approval of the City Council.

Adoptive Parents

Adoptive parents will be given the same opportunities for leave as biological parents (see provisions for Parenting Leave). The leave must be for the purpose of arranging the child's placement or caring for the child after placement. Such leave must begin before or at the time of the child's placement in the adoptive home.

School Conference Leave

Any employee who has worked half-time or more may take unpaid leave for up to a total of sixteen (16) hours during any 12-month period to attend ~~school conferences or classroom activities~~ school related activities related to the employee's child (under 18 or under 20 and still attending secondary school), provided the conference or classroom activities cannot be scheduled during non-work hours. When the leave cannot be scheduled during non-work hours and the need for the leave is foreseeable, the employee must provide reasonable prior notice of the leave and make a reasonable effort to schedule the leave so as not to disrupt unduly the operations of the city. Employees may choose to use vacation leave hours for this absence, but are not required to do so.

Bone Marrow Donation Leave

Employees working an average of 20 or more hours per week may take paid leave, not to exceed 40 hours unless agreed to by the city, to undergo medical procedures to donate bone marrow.

The city may require a physician's verification of the purpose and length of the leave requested to donate bone marrow. If there is a medical determination that the employee does not qualify as a bone marrow donor, the paid leave of absence granted to the employee prior to that medical determination is not forfeited.

Elections / Voting

An employee selected to serve as an election judge pursuant to Minnesota law, will be allowed time off with pay for purposes of serving as an election judge, provided the employee gives the city at least twenty days written notice, including a certification from the appointing authority stating the hourly compensation to be paid the employee for service as an election judge and the hours during which the employee will serve. The city may reduce the wages of an employee serving as an election judge by the amount paid to the election judge by the appointing authority during the time the employee was absent from the place of employment.

Thus, employees will be paid the difference between their pay as an election judge and their regular rate of pay for their normal workday.

The city reserves the right to restrict the number of employees absent from work for the purpose of serving as an election judge to no more than 20 percent of the total work force at any single worksite.

All employees eligible to vote at a State general election, at an election to fill a vacancy in the office of United States Senator or Representative, or in a Presidential primary, will be allowed time off with pay to vote on the election day. Employees wanting to take advantage of such leave are required to work with their supervisors to avoid coverage issues. Effective July 1, 2023, employees may be absent from work for the time necessary to vote to include voting during the period allowed for voting in person before election day.

Delegates to Party Conventions

An employee may be absent from work to attend any meeting of the state central committee or executive committee of a major political party if the employee is a member of the committee. The employee may attend any convention of a major political party delegate, including meetings of official convention committees if the employee is a delegate or an alternate delegate to that convention.

Per the statutory requirement, the employee must give at least ten days written notice of their planned absence to attend committee meetings or conventions. Time away from work for this purpose will be considered unpaid unless the employee chooses to use vacation/ PTO leave during their absence.

Regular Leave without Pay

The City Council may authorize leave without pay for up to thirty (30) days. Leave without pay for greater periods may be granted by the City Council to a maximum of one (1) year.

Normally employee benefits will not be earned by an employee while on leave without pay. However, the city's contribution toward health, dental and life insurance may be continued, if approved by the City Council, for leaves of up to ninety (90) days when the leave is for medical reasons and FMLA has been exhausted.

If an employee is on a regular leave without pay and is not working any hours, the employee will not accrue (or be paid for) holidays, sick leave, or vacation leave (*annual leave*). Employees who are working reduced hours while on this type of leave will receive holiday pay on a prorated basis and will accrue sick leave and vacation leave (*annual leave*) based on actual hours worked.

Leave without pay hours will not count toward seniority and all accrued vacation leave and compensatory time must normally be used before an unpaid leave of absence will be approved.

To qualify for leave without pay, an employee need not have used all sick leave earned unless the leave is for medical reasons. (An employee absent for Parenting Leave is not required to use sick leave). Leave without pay for purposes other than medical leave or work-related injuries will be at the convenience of the city.

Employees returning from a leave without pay for a reason other than a qualified Parenting Leave or FMLA, will be guaranteed return to the original position only for absences of thirty (30) calendar days or less.

Employees receiving leave without pay in excess of thirty (30) calendar days, for reasons other than qualified Parenting Leave or FMLA, are not guaranteed return to their original position. If their original position or a position of similar or lesser status is available, it may be offered at the discretion of the City Council.

The FMLA applies to all public agencies, including state, local and federal employers, and local education agencies (schools). To be eligible for FMLA leave, an employee must work for a covered employer and:

- have worked for that employer for at least 12 months; and
- have worked at least 1,250 hours during the 12 months prior to the start of the FMLA leave; and
- work at a location where at least 50 employees are employed at the location or within 75 miles of the location.

Given the employee eligibility requirements, even though all cities are covered by the FMLA, only employees in cities with more than 50 employees have the potential to qualify for FMLA protected leave. Thus, only cities with 50 or more employees generally include an FMLA policy in their personnel policies.

Reasonable Unpaid Work Time for Nursing Mothers

Nursing mothers and lactating employees will be provided reasonable paid break times (which may run concurrently with already provided break times) to express milk.

The city will provide a clean, private and secure room (other than a bathroom) as close as possible to the employee's work area, that is shielded from view and free from intrusion from coworkers and the public and includes access to an electrical outlet, where the nursing mother can express milk in private.

An employer shall not discharge, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for asserting nursing rights or remedies.

LIGHT DUTY/MODIFIED DUTY ASSIGNMENT

This policy is to establish guidelines for temporary assignment of work to temporarily disabled employees who are medically unable to perform their regular work duties. Light duty is evaluated by the department head or Employee Relations Committee on a case-by-case basis. This policy does not guarantee assignment to light duty.

Such assignments are for short-term, temporary disability-type purposes; assignment of light duty is at the discretion of the department head or Employee Relations Committee. The department head or Employee Relations Committee reserves the right to determine when and if light duty work will be assigned.

When an employee is unable to perform the essential requirements of his/her job due to a temporary disability, he/she will notify the supervisor in writing as to the nature and extent of the disability and the reason why he/she 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. The notice must include the expected time frame regarding return to work with no restrictions, meeting all essential requirements and functions of the city's job description along with a

written request for light duty. Upon receipt of the written request, the supervisor is to forward a copy of the report to the Personnel Administrator.

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

It is at the discretion of the department head or Employee Relations Committee whether or not to assign light duty work to the employee. Although this policy is handled on a case-by-case basis, light duty will not generally be approved beyond six months.

If the city offers a light duty assignment to an employee who is out on workers' compensation leave, the employee may be subject to penalties if he/she refuses such work. The city will not, however, require an employee who is otherwise qualified for protection under the Family and Medical Leave Act to accept a light duty assignment.

The circumstances of each disabled employee performing light duty work will be reviewed regularly. Any light duty/modified work assignment may be discontinued at any time.

Reasonable Accommodations to an Employee for Health Conditions Relating to Pregnancy

The city will attempt to provide a female employee who requests reasonable accommodation with the following for her health conditions related to her pregnancy or childbirth without advice of a licensed health care provider or certified doula:

- More frequent or longer restroom, food, and water breaks.
- Seating; and/or
- Limits on lifting over 20 pounds.

Additionally, an employer must provide reasonable accommodations, including, but not limited to, temporary leaves of absence, modification in work schedule or job assignments, seating, more frequent or longer break periods and limits to heavy lifting to an employee for health conditions related to pregnancy or childbirth upon request, with the advice of a licensed health care provider or certified doula, unless the employer demonstrates the accommodation would impose an undue hardship on the operation of the employer's business. In accordance with state law, no employee is required to take a leave of absence for a pregnancy nor accept a pregnancy accommodation.

An employer shall not discharge, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for asserting reasonable accommodations pregnancy rights or remedies.

DIVERSITY, EQUITY AND INCLUSION

General

The city of Battle Lake is committed to fostering, cultivating, and preserving a culture of diversity, equity and inclusion. Our policy is to be welcoming, safe, and equitable to all employees and members of the community. By embracing the diversity of our workforce and community, the city seeks to not only meet, but also exceed, our obligations under federal and state law. The goal of our policy is for the work environment to be free of harassment, discrimination, and retaliation.

Furthermore, it is our belief that:

- We are more efficient when all are valued and included.
- We are more effective when we leverage our different ideas, backgrounds and identities.
- We are more responsive when we acknowledge and reflect the identity and experience of our residents and colleagues.

Definitions within this section

Cultural Competence: the ability to interact effectively across difference. We acknowledge that a 'one size fits all' approach is not effective and actively seek ways to make our services accessible and culturally relevant.

Discrimination: unfair treatment because of a protected class status.

Diversity: Recognizes the unique differences of all individuals. This includes the many apparent and non-apparent ways which people differ in their identity such as: age, gender and gender identity, race, ethnicity, national origin, language, religious beliefs, sexual orientation, veteran status, gender identity, mental or physical ability, marital status, family status, or educational background.

Equity: the principle of fairness by seeking to remove barriers and increase access to services. This includes understanding and acknowledging historical and ongoing inequities between groups of people and a commitment to actions that challenge those inequities.

Harassment: unwelcome conduct that is based on a protected class status that is intimidating, hostile or abusive. This includes sexual harassment.

Inclusion: an environment that is built on respect and which creates a sense of belonging for all who live and work here. By being inclusive we acknowledge and value individual contribution as well as the background and identity of those with whom we work, partner, or serve.

Policy Statement

It is the city's policy to respect culture and reduce bias in our workplace and service delivery.

The commitment to inclusion, diversity, and equity influences the work that is performed by the city, the workplace environment, relationships between employees, and relationships between the city and community. While individual employees have their own beliefs and values, performing work on behalf of the city requires upholding cultural competence and respect to ensure work occurs that not only meets, but also exceeds, our obligations under federal and state law.

The city of Battle Lake values all diversity and recognizes individual protected-class status as defined under state and federal law and seeks to ensure equal opportunities in all phases of employment. The city expects each employee to cooperate to achieve this goal and personally stand behind the principles as defined within this policy.

All employees of the city are expected to act and perform their work professionally, including respecting cultural differences. Pursuant to the city's Respectful Workplace Policy, discrimination, including harassment, will not be tolerated. Any employee found to have exhibited any inappropriate conduct or behavior may be subject to disciplinary action.

Employees who believe they have been subjected to any kind of discrimination that conflicts with this policy should follow the reporting procedures within the city's policy.

SEXUAL HARASSMENT PREVENTION

General

The City of Battle Lake is committed to creating and maintaining a work place free of harassment and discrimination. Such harassment is a violation of Title VII of the Civil Rights Act of 1964 and the Minnesota Human Rights Act.

In keeping with this commitment, the city maintains a strict policy prohibiting unlawful harassment, including sexual harassment. This policy prohibits harassment in any form, including verbal and physical harassment.

This policy statement is intended to make all employees sensitive to the matter of sexual harassment, to express the city's strong disapproval of unlawful sexual harassment, to advise employees against this behavior and to inform them of their rights and obligations. The most effective way to address any sexual harassment issue is to bring it to the attention of management.

Definitions

To provide employees with a better understanding of what constitutes sexual harassment, the definition, based on Minnesota Statute § 363.01, subdivision 41, is provided: sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, or other verbal or physical conduct or communication of a sexual nature, when:

- Submitting to the conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- Submitting to or rejecting the conduct is used as the basis for an employment decision affecting an individual's employment; or
- Such conduct has the purpose or result of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Examples of inappropriate conduct include but are not limited to: unwanted physical contact; unwelcome sexual jokes or comments; sexually explicit posters or pinups; repeated and unwelcome requests for dates or sexual favors; sexual gestures or any indication, expressed or implied, that job security or any other condition of employment depends on submission to or rejection of unwelcome sexual requests or behavior. In summary, sexual harassment is the unwanted, unwelcome and repeated action of an individual against another individual, using sexual overtones as a means of creating stress.

Expectations

The City of Battle Lake recognizes the need to educate its employees on the subject of sexual harassment and stands committed to providing information and training.

All employees are expected to treat each other and the general public with respect and to assist in fostering an environment that is free from unwanted harassment. Violations of this policy may result in discipline, including possible termination. Each situation will be evaluated on a case-by-case basis.

Employees who feel that they have been victims of sexual harassment, or employees who are aware of such harassment, should immediately report their concerns to any of the following:

1. Immediate supervisor;
2. Mayor or City Councilmember.

In addition to notifying one of the above persons and stating the nature of the harassment, the employee is also encouraged to take the following steps:

1. Make it clear to the harasser that the conduct is unwelcome and document that conversation.
2. Document the occurrences of harassment.
3. Submit the documented complaints to your Supervisor, City Clerk, Mayor, or any member of the City Council. Employees are strongly encouraged to put the complaint in writing.
4. Document any further harassment or reprisals that occur after the initial complaint is made.

The city urges that conduct which is viewed as offensive be reported immediately to allow for corrective action to be taken through education and immediate counseling, if appropriate.

Management has the obligation to provide an environment free of sexual harassment. The city is obligated to prevent and correct unlawful harassment in a manner which does not abridge the rights of the accused. To accomplish this task, the cooperation of all employees is required.

The city will take action to correct any and all reported harassment to the extent evidence is available to verify the alleged harassment and any related retaliation. All allegations will be investigated. Strict confidentiality is not possible in all cases of sexual harassment as the accused has the right to answer charges made against them; particularly if discipline is a possible outcome. Reasonable efforts will be made to respect the confidentiality of the individuals involved, to the extent possible.

Any employee who makes a false complaint or provides false information during an investigation may be subject to disciplinary action, up to and including termination.

Retaliation

The City of Battle Lake will not tolerate retaliation or intimidation directed towards anyone who makes a complaint. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment. Any

individual who retaliates against a person who testifies, assists, or participates in an investigation may be subject to disciplinary action up to and including termination.

RESPECTFUL WORKPLACE POLICY

The intent of this policy is to provide general guidelines about the conduct that is and is not appropriate in the workplace. The city acknowledges that this policy cannot possibly predict all situations that might arise, and also recognizes that some employees are exposed to disrespectful behavior, and even violence, by the very nature of their jobs.

Applicability

Maintaining a respectful public service work environment is a shared responsibility. This policy is intended to express to all employees, volunteers, members of boards and commissions, applicants, contractors/vendors, elected officials and members of the public the expectations by the City of Battle Lake for respectful workplace conduct both in the workplace and other city-sponsored social events.

Abusive Customer Behavior

While the city has a strong commitment to customer service, the city does not expect that employees accept verbal abuse from any customer. An employee may request that a supervisor intervene when a customer is abusive, or they may defuse the situation themselves, including ending the contact.

If there is a concern over the possibility of physical violence, a supervisor should be contacted immediately. When extreme conditions dictate, 911 may be called. Employees should leave the area immediately when violence is imminent unless their duties require them to remain. Employees must notify their supervisor about the incident as soon as possible.

Types of Disrespectful Behavior

The following types of behaviors cause a disruption in the workplace and are, in many instances, unlawful:

Violent Behavior:

Includes the use of physical force, harassment, bullying or intimidation.

Discriminatory Behavior:

includes inappropriate remarks about or conduct related to a person's race, color, creed, religion, national origin, disability, sex, marital status, age, sexual orientation, gender identity, or gender expression, familial status, or status with regard to public assistance.

Offensive Behavior:

May include such actions as: rudeness, angry outbursts, inappropriate humor, vulgar obscenities, name calling, disparaging language, or any other behavior regarded as offensive to a reasonable person based upon violent or discriminatory behavior as listed above. It is not possible to anticipate in this policy every example of offensive behavior. Accordingly, employees are encouraged to discuss with their fellow employees and supervisor what is regarded as offensive, taking into account the sensibilities of employees and the possibility of public reaction.

Although the standard for how employees treat each other and the general public will be the same throughout the city, there may be differences between work groups about what is appropriate in other circumstances unique to a work group. If an employee is unsure whether a particular behavior is appropriate, the employee should request clarification from their supervisor or the Employee Relations Committee.

Sexual Harassment:

can consist of a wide range of unwanted and unwelcome sexually directed behavior such as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submitting to the conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- Submitting to or rejecting the conduct is used as the basis for an employment decision affecting an individual's employment; or
- Such conduct has the purpose or result of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Sexual Harassment includes, but is not Limited to, the Following:

- Unwelcome or unwanted sexual advances. This means stalking, patting, pinching, brushing up against, hugging, cornering, kissing, fondling or any other similar physical contact considered unacceptable by another individual.
- Verbal or written abuse, kidding, or comments that are sexually-oriented and considered unacceptable by another individual. This includes comments about an individual's body or appearance where such comments go beyond mere courtesy, telling "dirty jokes" or any other tasteless, sexually oriented comments, innuendos or actions that offend others.
- Requests or demands for sexual favors. This includes subtle or obvious expectations, pressures, or requests for any type of sexual favor, along with an implied or specific promise of favorable treatment (or negative consequence) concerning one's current or future job.

Names and Pronouns:

Every employee will be addressed by a name and by pronouns that correspond to the employee's gender identity. A court-ordered name or gender change is not required.

Possession and Use of Dangerous Weapons

Possession or use of a dangerous weapon (see attached definitions) is prohibited on city property, in city vehicles, or in any personal vehicle, which is being used for city business. This includes employees with valid permits to carry firearms.

The following exceptions to the dangerous weapons prohibition are as follows:

- Employees legally in possession of a firearm for which the employee holds a valid permit, if required, and said firearm is secured within an attended personal vehicle or concealed from view within a locked unattended personal vehicle while that person is working on city property.
- A person who is showing or transferring the weapon or firearm to a police officer as part of an investigation.
- Police officers and employees who are in possession of a weapon or firearm in the scope of their official duties.
- Public Works employees who are in possession of a weapon in the scope of their official duties. Weapon must be cased and unloaded when transported in a city vehicle. Public Works employees must have a Firearm's Safety Certificate in order to use a firearm in the scope of their official duties.

Employee Response to Disrespectful Workplace Behavior

Employees who believe that disrespectful behavior is occurring are encouraged to deal with the situation in one of the ways listed below. However, if the allegations involve violent behavior, sexual harassment, or discriminatory behavior, then the employee is responsible for taking one of the actions below. If employees see or overhear a violation of this policy, they are encouraged to follow the steps below.

Step 1(a). Politely, but firmly, tell whoever is engaging in the disrespectful behavior how you feel about their actions. Politely request the person to stop the behavior because you feel intimidated, offended, or uncomfortable. If practical, bring a witness with you for this discussion.

Step 1(b). If you fear adverse consequences could result from telling the offender or if the matter is not resolved by direct contact, go to your supervisor or City Clerk. The person to whom you speak is responsible for documenting the issues and for giving you a status report on the matter no later than ten business days after your report.

Step 1(c). In the case of violent behavior, all employees are required to report the incident immediately to their supervisor, City Clerk, and Police Department. Any employee who observes sexual harassment or

discriminatory behavior, or receives any reliable information about such conduct, must report it within two business days to a supervisor or the City Clerk.

Step 2(a). If, after what is considered to be a reasonable length of time (for example, 30 days), you believe inadequate action is being taken to resolve your complaint/concern, the next step is to report the incident to the Employee Relations Committee.

Supervisor's Response to Allegations of Disrespectful Workplace Behavior

Employees who have a complaint of disrespectful workplace behavior will be taken seriously.

In the case of sexual harassment or discriminatory behavior, a supervisor must report the allegations within two business days to the City Clerk, who will determine whether an investigation is warranted. A supervisor must act upon such a report even if requested otherwise by the victim. In situations other than sexual harassment and discriminatory behavior, supervisors will use the following guidelines when an allegation is reported:

Step 1. If the nature of the allegations and the wishes of the victim warrant a simple intervention, the supervisor may choose to handle the matter informally. The supervisor may conduct a coaching session with the offender, explaining the impact of his/her actions and requiring that the conduct not reoccur. This approach is particularly appropriate when there is some ambiguity about whether the conduct was disrespectful.

Step 2 If a formal investigation is warranted, the individual alleging a violation of this policy will be interviewed to discuss the nature of the allegations. The person being interviewed may have someone of his/her own choosing present during the interview. The investigator will obtain the following description of the incident, including date, time and place:

- Corroborating evidence.
- A list of witnesses.
- Identification of the offender.

Step 3 The supervisor must notify the City Clerk about the allegations.

Step 4 As soon as practical after receiving the written or verbal complaint, the alleged policy violator will be informed of the allegations. The alleged violator will have the opportunity to answer questions and respond to the allegations.

Step 5 After adequate investigation and consultation with the appropriate personnel, a decision will be made regarding whether or not disciplinary action will be taken.

Step 6 The alleged violator and complainant will be advised of the findings and conclusions as soon as practicable.

Step 7. The city will take reasonable and timely action, depending on the circumstances of the situation.

The city is not voluntarily engaging in a dispute resolution process within the meaning of Minn. Stat. § 363A.28, subd. 3(b) by adopting and enforcing this policy. The filing of a complaint under this policy and any subsequent investigation does not suspend the one-year statute of limitations period under the Minnesota Human Rights Act for bringing a civil action or for filing a charge with the Commissioner of the Department of Human Rights.

Special Reporting Requirements

When the supervisor is perceived to be the cause of a disrespectful workplace behavior incident, a report will be made to the employee relations committee who will assume the responsibility for investigation and discipline.

If the City Clerk is perceived to be the cause of a disrespectful workplace behavior incident, a report will be made to the city attorney who will confer with the Mayor and City Council regarding appropriate investigation and action.

If a councilmember is perceived to be the cause of a disrespectful workplace behavior incident involving city personnel, the report will be made to the City Clerk and referred to the city attorney who will undertake the necessary investigation. The city attorney will report his/her findings to the City Council, which will take the action it deems appropriate.

Pending completion of the investigation, the city will take appropriate action to protect the alleged victim, other employees, or citizens.

Confidentiality

A person reporting or witnessing a violation of this policy cannot be guaranteed anonymity. The person's name and statements may have to be provided to the alleged offender. All complaints and investigative materials will be contained in a file separate from the involved employees' personnel files. If disciplinary action does result from the investigation, the results of the disciplinary action will then become a part of the employee(s) personnel file(s).

Retaliation

Retaliation is strictly prohibited. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment. Individuals who report harassing conduct, participate in investigations, or take any other actions protected under federal or state employment discrimination laws will not be subject to retaliation.

Retaliation is broader than discrimination and includes, but is not limited to, any form of intimidation, reprisal or harassment. While each situation is very fact dependent, generally speaking retaliation can include a denial of a promotion, job benefits, or refusal to hire, discipline, negative performance evaluations or transfers to less prestigious or desirable work or work locations because an employee has engaged or may engage in activity in furtherance of EEO laws.

It can also include threats of reassignment, removal of supervisory responsibilities, filing civil action, deportation or other action with immigration authorities, disparagement to others or the media and making false report to government authorities because an employee has engaged or may engage in protected activities. Any individual who retaliates against a person who testifies, assists, or participates in an investigation may be subject to disciplinary action up to and including termination.

If you feel retaliation is occurring within the workplace, please report your concern immediately to any of the following:

1. Immediate supervisor;
2. City Clerk/Treasurer
3. Employee Relations Committee
4. Mayor or city councilmember
5. In the event an employee feels retaliation has occurred by the city council, then reporting may be made to the city attorney.

Supervisors who have been approached by employees with claims of retaliation will take the complaint seriously and promptly report the allegations promptly to the City Clerk/Treasurer, or if the complaint is against the City Clerk/Treasurer, to the city attorney, who will decide how to proceed in addressing the complaint.

Consistent with the terms of applicable statutes and city personnel policies, the city may discipline any individual who retaliates against any person who reports alleged violations of this policy. The city may also discipline any individual who retaliates against any participant in an investigation, proceeding or hearing relating to the report of alleged violations.

SEPARATION FROM SERVICE

Resignations

Part-time employees wishing to leave the city service in good standing must provide a written resignation notice to their supervisor, at least ten (10) working days before leaving.

Full-time employees must give thirty (30) calendar days' notice. The written resignation must state the effective date of the employee's resignation.

Unauthorized absences from work for a period of three consecutive work days may be considered as resignation without proper notice.

Failure to comply with this procedure may be cause for denying the employee's severance pay and any future employment with the city.

RETIREMENT POLICY

General Rule

Every law enforcement officer employed by the city shall automatically be retired upon reaching the age of sixty five years. No other city employee shall be required to retire at any specific age.

Retention after Age Sixty-Five

If the council finds that the interests of the City will best be served by allowing a police officer to remain in the employ of the City after reaching sixty five years of age because of his or her services are specially needed or his or her replacement would be especially difficult, the City Clerk may recommend to the council no later than sixty days before the employees retirement date that the employee be retained after his or her sixty fifth birthday.

DISCIPLINE

General Policy

Supervisors are responsible for maintaining compliance with city standards of employee conduct. The objective of this policy is to establish a standard disciplinary process for employees of the City of Battle Lake. City employees will be subject to disciplinary action for failure to fulfill their duties and responsibilities at the level required, including observance of work rules and standards of conduct and applicable city policies.

Discipline will be administered in a non-discriminatory manner. An employee who believes that discipline applied was either unjust or disproportionate to the offense committed may pursue a remedy through the grievance procedures established in the city's personnel policies. **The supervisor and/or the employee relations committee will investigate any allegation on which disciplinary action might be based before any disciplinary action is taken.** CURRENT LANGUAGE

No Contract Language Established

This policy is not to be construed as contractual terms and is intended to serve only as a guide for employment discipline.

Process

The city may elect to use progressive discipline, a system of escalating responses intended to correct the negative behavior rather than to punish the employee. There may be circumstances that warrant deviation from the suggested order or where progressive discipline is not appropriate. Nothing in these personnel policies imply that any city employee has a contractual right or guarantee (also known as a property right) to the job he/she performs.

Documentation of disciplinary action taken will be placed in the employee's personnel file with a copy provided to the employee. **The documentation shall include the general description of the misconduct including which policy or the section of their job description that was violated.**

I had a conversation with the LMC after requesting through the Clerks' Listserve if anyone has more details in the personnel policy when it comes to discipline. She suggested that we may want to keep it vague as you cannot possibly cover every type of infraction. She also suggested that, without breaking the open meeting law, the clerk could inform the council via email if there has been an oral reprimand. It is ultimately up to the council to determine what disciplinary actions go to the council. I think that we need to change our form for reprimands and add a process for complaints coming from the public that involve employees. Val

The following are descriptions of the types of disciplinary actions:

Oral Reprimand

This measure will be used where informal discussions with the employee's supervisor have not resolved the matter. All supervisors have the ability to issue oral reprimands without prior approval **and are required to share this information with the Employee Relations Committee. In the case of a Department Head, the Employee Relations Committee issues oral reprimands.**

Oral reprimands are normally given for **first infractions on** minor offenses to clarify expectations and put the employee on notice that the performance or behavior needs to change, and what the change must be. The supervisor will document the oral reprimand including date(s) and a summary of discussion and corrective action needed. Summary of the oral reprimands will be kept in the employee's personnel file and removed after 1 year if there are no subsequent reprimands. The employee will receive a copy of the summary.

Written Reprimand

A written reprimand is more serious and may follow an oral reprimand when the problem is not corrected or the behavior has not consistently improved in a reasonable period of time. Serious infractions may require skipping either the oral or written reprimand, or both. Written reprimands are issued by the supervisor and reviewed by the employee relations committee.

Any written reprimand will be presented to the City Council for approval of the formal action.

A written reprimand will: (1) state what did happen; (2) state what should have happened; (3) identify the policy, directive or performance expectation that was not followed; (4) provide history, if any, on the issue; (5) state goals, including timetables, and expectations for the future; and (6) indicate consequences of recurrence.

Employees will be given a copy of the reprimand to sign acknowledging its receipt. Employees' signatures do not mean the employee agrees with the reprimand. Written reprimands will be placed in the employee's personnel file.

Suspension With or Without Pay

The City Council may suspend an employee without pay for disciplinary reasons. Suspension without pay may be followed with immediate dismissal as deemed appropriate by the City Council, except in the case of veterans. Qualified veterans will not be suspended without pay in conjunction with a termination.

The employee will be notified in writing of the reason for the suspension either prior to the suspension or shortly thereafter. A copy of the letter of suspension will be placed in the employee's personnel file.

An employee may be suspended or placed on involuntary leave of absence pending an investigation of an allegation involving that employee. The leave may be with or without pay depending on a number of factors including the nature of the allegations. If the allegation is proven false after the investigation, the relevant written documents will be removed from the employee's personnel file and the employee will receive any compensation and benefits due had the suspension not taken place.

Wages

An employee's wage increase may be withheld or the wages may be decreased due to performance deficiencies.

Dismissal

The City Council, may dismiss an employee for substandard work performance, serious misconduct, or behavior not in keeping with city standards.

If the disciplinary action involves the removal of a qualified veteran, the appropriate hearing notice will be provided and all rights will be afforded the veteran in accordance with Minnesota law.

GRIEVANCE PROCEDURE

Any dispute between an employee and the city relative to the application, meaning or interpretation of these personnel policies will be settled in the following manner:

Step 1: The employee must present the grievance in writing, stating the nature of the grievance, the facts on which it is based, the provision or provisions of the personnel policies allegedly violated and the remedy requested, to the proper supervisor within twenty-one (21) days after the alleged violation or dispute has occurred. The supervisor will respond to the employee in writing within seven (7) calendar days.

Step 2: If the grievance has not been settled in accordance with Step 1, it must be presented in writing, stating the nature of the grievance, the facts on which it is based, the provision or provisions of the Personnel Policies allegedly violated, and the remedy requested, by the employee to the Employee Relations Committee within seven (7) days after the supervisor's response is due. The Employee Relations Committee or his/her designee will respond to the employee in writing within seven (7) calendar days. The decision of the Employee Relations Committee is final for all disputes with exception of those specific components in a performance evaluation subject to a challenge through the Minnesota Department of Administration.

Waiver

If a grievance is not presented within the time limits set forth above, it will be considered "waived." If a grievance is not appealed to the next step in the specified time limit or any agreed extension thereof, it will be considered settled on the basis of the city's last answer. If the city does not answer a grievance or an appeal 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.

The following actions are not grievable:

1. While certain components of a performance evaluation, such as disputed facts reported to be incomplete or inaccurate are challengeable, other performance evaluation data, including subjective assessments, are not.
2. Pay increases or lack thereof; and

EMPLOYEE EDUCATION & TRAINING

The city promotes staff development as an essential, ongoing function needed to maintain and improve cost effective quality service to residents. The purposes for staff development are to ensure that employees develop and maintain the knowledge and skills necessary for effective job performance and to provide employees with an opportunity for job enrichment and mobility.

Policy

The city will pay for the costs of an employee's participation in training and attendance at professional conferences, provided that attendance is approved by the supervisor and is within budgetary guidelines under the following criteria and procedures:

Job-Related Training & Conferences

The subject matter of the training session or conference is directly job-related and relevant to the performance of the employee's work responsibilities. Responsibilities outlined in the job description, annual work program requirements and training goals and objectives that have been developed for the employee will be considered in determining if the request is job-related.

CLE or similar courses taken by an employee in order to maintain licensing or other professional accreditation will not be eligible for payment under this policy unless the subject matter relates directly to the employee's duties, even though the employee may be required to maintain such licensing or accreditation as a condition of employment with the city.

The supervisor is responsible for determining job-relatedness and approving or disapproving training and conference attendance.

Out of State Travel

Attendance at training or conferences out of state is approved only if the training or conference is not available locally. All requests for out of state travel are reviewed for approval/disapproval by the City Council.

Compensation for Travel & Training Time

Time spent traveling to and from, as well as time spent attending a training session or conference, will be compensated in accordance with the federal Fair Labor Standards Act.

Travel and other related training expenses will be reimbursed subject to the employee providing necessary receipts and appropriate documentation.

Memberships and Dues

The purpose of memberships to various professional organizations must be directly related to the betterment of the services of the city. Normally, one city membership per agency, as determined by the Department Head is allowed, providing funds are available.

Upon separation of employment, individual memberships remain with the city and are transferred to another employee by the supervisor.

Travel & Meal Allowance

If employees, including elected officials are required to travel outside of the area in performance of their duties as a city employee, they will receive reimbursement of expenses for meals, lodging and necessary expenses incurred. However, the city will not reimburse employees for meals connected with training or meetings within city limits, unless the training or meeting is held as a breakfast, lunch or dinner meeting.

Employees who find it necessary to use their private automobiles for city travel and who do not receive a car allowance will be reimbursed at the prevailing mileage rate as established by the City Council, not to exceed the allowable IRS rate.

Meals –

Expenses for meals, including sales tax and gratuity, will be reimbursed according to this policy. No reimbursement will be made for alcoholic beverages. Meal expenses of ~~\$40.00~~ **up to \$50.00** per day will be allowed. Detailed receipts must be turned into administrative offices. Meals will be reimbursed under the following conditions: Breakfast - when an employee is required to leave home before 6:00 am or is away overnight. Lunch - when an employee is out of the city on **and involved in an approved**, work related, lunch meeting **or training**. Supper - when an employee is unable to return home from out of the city travel until 7:00 pm or later, or is away on business overnight. Reimbursements will be allowed for actual costs, ~~up to a maximum of \$10.00 for breakfast, \$12.00 for lunch and \$ 18.00 for dinner or a daily total not to exceed \$40,~~ with an attached receipt. No reimbursement is allowed for alcoholic beverages. If a specific meal is included in a conference cost, no other meal reimbursement will be made for that meal. Reimbursements must have departmental approval before submission.

A full reimbursement, over the maximum defined, may be authorized if a lower cost meal is not available when attending banquets, training sessions, or meetings of professional organizations.

OUTSIDE EMPLOYMENT

The potential for conflicts of interest is lessened when individuals employed full-time by the City of Battle Lake regard the city as their primary employment responsibility. If a part-time position is considered to be in conflict with the employee's city job, the employee will be required to resign from the outside employment or may be subject to discipline up to and including termination.

For the purpose of this policy, outside employment refers to any non-city employment or consulting work for which an employee receives compensation, except for compensation received in conjunction with military service or holding a political office or an appointment to a government board or commission that is compatible with city employment. The following is to be considered when determining if outside employment is acceptable:

- Outside employment must not interfere with a full-time employee's availability during the city's regular hours of operation or with a part-time employee's regular work schedule.

- Outside employment must not interfere with the employee's ability to fulfill the essential requirements of his/her position.
- The employee must not use city equipment, resources or staff in the course of the outside employment.
- The employee must not violate any city personnel policies as a result of outside employment.
- The employee must not receive compensation from another individual or employer for services performed during hours for which he/she is also being compensated by the city. Work performed for others while on approved vacation or compensatory time is not a violation of policy unless that work creates the appearance of a conflict of interest.
- No employee will work for another employer, or for his/her own business, while using paid sick leave ESST from the city for those same hours.
- Departments may establish more specific policies as appropriate, subject to the approval of the City Council.

City employees are not permitted to accept outside employment that creates either the appearance of or the potential for a conflict with the development, administration or implementation of policies, programs, services or any other operational aspect of the city.

DRUG FREE WORKPLACE – Please see separate policy

In accordance with federal law, the City of Battle Lake has adopted the following policy on drugs in the workplace:

- A. Employees are expected and required to report to work on time and in appropriate mental and physical condition. It is the city's intent and obligation to provide a drug free, safe and secure work environment.
- B. The unlawful manufacture, distribution, possession, or use of a controlled substance on city property or while conducting city business is absolutely prohibited. Violations of this policy will result in disciplinary action, up to and including termination, and may have legal consequences.
- C. Reporting for work under the influence of illegal drugs is prohibited.
- D. The illegal use, possession, manufacture, sale attempted sale or transfer to others of a controlled substance by City employees is prohibited while using machinery or equipment owned by the City or while working on City property, or anywhere on behalf of the City of Battle Lake.
- E. The illegal use of prescription drugs by any employee is prohibited. This policy does not preclude the appropriate use of legally prescribed medications.
- F. Reporting for work under the influence of alcohol is prohibited. "Under the influence" of alcohol is defined by the legal standard used by law enforcement as they relate to driving under the influence (DUI) or driving while intoxicated (DWI).
- G. Consumption of alcohol by City employees is prohibited while using machinery or equipment owned by the City and while working on City property or anywhere on behalf of the City of Battle Lake. An exception to this policy is that City employees may consume alcoholic beverages at City sanctioned banquets, receptions, and other events, provided they use good judgment in their use of alcohol and uphold a positive public image of the City. Liquor Store employees may participate in sampling events held at the Municipal Liquor Store while on duty. Limits and definition of "sampling" must follow MN Statute 340A.510. The Liquor Store Manager and Assistant Manager may also participate in "sampling" new products from prospective vendors in order to determine if the product is suitable for Battle Lake's Municipal Liquor Store.
- H. Employees must, as a condition of employment, abide by the terms of the above policy and must report any conviction under a criminal drug statute for violations occurring on or off work premises while conducting City business. A report of the conviction must be made to the City Clerk within five (5) days after the conviction as required by the Drug Free Workplace Act of 1988.

CITY DRIVING POLICY

This policy applies to all employees who drive a vehicle on city business at least once per month, whether driving a city-owned vehicle or their own personal vehicle. It also applies to employees who drive less frequently but whose ability to drive is essential to their job due to the emergency nature of the job. The city expects all employees who are required to drive as part of their job to drive safely and legally while on city business and to maintain a good driving record.

The city will examine driving records once per year for all employees and volunteers who are covered by this policy to determine compliance with this policy. Employees who lose their driver's license or receive restrictions on their license are required to notify their immediate supervisor on the first workday after any temporary, pending or permanent action is taken on their license and to keep their supervisor informed of any changes thereafter.

The city will determine appropriate action on a case-by-case basis.

CELLULAR PHONE USE

This policy is intended to define acceptable and unacceptable uses of city issued cellular telephones. Its application is to ensure cellular phone usage is consistent with the best interests of the city without unnecessary restriction of employees in the conduct of their duties. This policy will be implemented to prevent the improper use or abuse of cellular phones and to ensure that city employees exercise the highest standards of propriety in their use.

General Policy

Cellular telephones are intended for the use of city employees in the conduct of their work for the city. Supervisors are responsible for the cellular telephones assigned to their employees and will exercise discretion in their use. Nothing in this policy will limit supervisor discretion to allow reasonable and prudent personal use of such telephones or equipment provided that:

- Its use in no way limits the conduct of work of the employee or other employees.
- No personal profit is gained, or outside employment is served.
- **All employees are expected to follow applicable local, state, and federal laws and regulations regarding the use of cellphones at all times.** ~~Employees whose job responsibilities include regular or occasional driving and who are issued a cellphone for business use are expected to refrain from using their phone while driving. Safety must come before all other concerns. Regardless of the circumstances and in accordance with Minnesota law, employees are required to use hands free operations or pull off into a parking lot and safely stop the vehicle before placing or accepting a call. Employees are encouraged to refrain from discussion of complicated or emotional matters and to keep their eyes on the road while driving at all times.~~

Special care should be taken in situations where there is traffic or inclement weather, or the employee is driving in an unfamiliar area. Hands-free equipment will be provided with city-issued phones to facilitate the provisions of this policy. Reading/sending text messages, making or receiving phone calls, emailing, video calling, scrolling/typing, accessing a webpage, or using non-navigation applications while driving is strictly prohibited.

- In accordance with State law, there is an exception to hands free cell phone operations to obtain emergency assistance to report a traffic accident, medical emergency or serious traffic hazard or prevent a crime from being committed. There is also a state law exception for authorized emergency vehicles while in the performance of official duties.
- Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions.

Use of public resources by city employees for personal gain and/or private use including, but not limited to, outside employment or political campaign purposes, is prohibited and subject to disciplinary action which may include termination and/or criminal prosecution, depending on the circumstances. Incidental and occasional personal use may be permitted with the consent of the supervisor.

Personal calls will be made or received only when absolutely necessary. Such calls must not interfere with working operations and are to be completed as quickly as possible. In cases where the city does not regard accounting for personal calls to be unreasonable or administratively impractical due to the minimal cost involved, personal calls made by employees on a city-provided cellular phone must be paid for by the employee through reimbursement to the city based on actual cost listed on the city's phone bill.

Procedures

It is the objective of the City of Battle Lake to prevent and correct any abuse or misuse of cellular telephones through the application of this policy. Employees who abuse or misuse such telephones may be subject to disciplinary action.

Employee-owned phones:

Employees whose work requires the use of a cell phone and who have been designated to receive a cell phone stipend will receive a monthly stipend set by the City Council. If the employee's monthly cost for work-related charges frequently exceeds the stipend, the department head may request an increase in the monthly allowance to cover a plan with more airtime or reevaluate the employee's use of the cell phone. The cell phone stipend is intended to cover most of the costs of the employee's cell phone expenses related to work duties. The employee's cell phone number must be approved for release to the public for work purposes. Initial purchase or lease of the cell phone, accessory equipment, and activation fees will be the responsibility of the employee. The employee will pay any costs exceeding the amount of the cell phone stipend. No stipend will be paid when an employee is on unpaid leave status. -Employees receiving a cell phone stipend must notify their Department Head immediately if they terminate their phone service.

RESPONSIBILITY

The City Clerk and council or designee, will have primary responsibility for implementation and coordination of this policy. All supervisors will be responsible for enforcement within their departments.

Privacy: Personal cell phone statements are considered private data. If an employee submits a bill to substantiate business use, all or part of the employee's cell phone bill may become public data. Billings associated with the City-purchased cell phone service are considered public data.

*Department Heads may prohibit employees from carrying their own personal cell phones during working hours if it interferes with the performance of their job duties.

*When using cell phones in a vehicle, **employees must follow state, federal and local regulations.** the following guidelines will be followed: Dial whenever possible when the vehicle is stopped; if necessary, pull over to the side of the road (legally stopped) to dial or answer the phone.

SAFETY

The health and safety of each employee of the city and the prevention of occupational injuries and illnesses are of primary importance to the city. To the greatest degree possible, management will maintain an environment free from unnecessary hazards and will establish safety policies and procedures for each department. Adherence to these policies is the responsibility of each employee. Overall administration of this policy is the responsibility of each supervisor.

Reporting Accidents and Illnesses

Both Minnesota workers' compensation laws and the state and federal Occupational Safety and Health Acts require that all on the job injuries and illnesses be reported as soon as possible by the employee, or on behalf of the injured or ill employee, to his/her supervisor. The administrative office is required to complete a First Report of Injury and any other forms that may be necessary related to an injury or illness on the job.

Safety Equipment/Gear

Where safety equipment is required by federal, state, or local rules and regulations, it is a condition of employment that such equipment be worn by the employee.

Unsafe Behavior

Supervisors are authorized to send an employee home immediately when the employee's behavior violates the city's personnel policies, department policies, or creates a potential health or safety issue for the employee or others.

Environmental Health & Safety Program

The personal safety and health of each employee of the City and the prevention of occupational injuries and illnesses are of primary importance to the City. To this end the City of Battle Lake contracts with Lakes Country Service Cooperative for management of the City's Environmental Health & Safety Program. Policies adopted under this program include: A Workplace Accident & Injury Reduction (AWAIR); Blood borne Pathogens Exposure Control;

Compressed Gas Safety; Confined Space Entry; Lockout/Tagout Safety; Drug & Alcohol Free Workplace Safety; Electrical Safety; Employee Right-to-Know; Ergonomics Safety; Storage and Dispensing of Flammable & Combustible Liquids Safety; Hearing Conservation; Ladder Safety; Personal Protective Equipment; Respiratory Protection; Tools & Equipment Safety; Vehicle Safety; Chainsaw & Logging Safety; Earthmoving & Heavy Equipment; Traffic Work Zone Safety; Trenching & Excavating Safety. All employees are required to attend training sessions regarding these policies when notified by Department Heads and/or LCSC trainers. Employees are also encouraged to attend staff meetings and safety meetings as notified.

GUIDELINES

City employees and appointed/elected officials should not:

- have a pecuniary interest in or derive profit from any matter during the discharge of official duties;
- use their position to secure special privileges or exemptions for themselves or others to intentionally jeopardize the position or employment of others;
- exercise or directly influence the recruitment, employment, salary, or performance review of a family member;
- engage in private employment or conduct a private business when such employment or business creates a conflict with or impairs the proper discharge of their official duties;
- use any person, funds or property under their official control, direction or custody for a purpose which is, or would appear to be, for the private benefit of the employee;
- disclose to others or use to further their personal interest confidential information acquired by them in the course of their official duties; (nothing shall prohibit the disclosure or use of information which is a matter of public knowledge or which is available to the public upon request)
- act as agent or attorney for another in any matter before the Council or any Board or Commission or before any court or administrative board in any matter in which the City is a party;
- directly or indirectly receive any compensation, gift, reward or gratuity as an inducement to support or influence any matter or proceeding connected with, or related to, their official duties except those permitted by law; (permitted exceptions include food or beverage given at a reception or meeting; a trinket or item of insignificant monetary value; a plaque or similar item; information or services of insignificant monetary value and lawful campaign contributions)
- accept a gift or gratuity except as allowed by MN Statute 471.895, Sub. 3; (nothing shall prohibit contributions which are reported in accordance with applicable law or which are accepted on behalf of the City)

Honoraria received by employees or officials for programs, workshops or speeches which were prepared or conducted on City time will be returned to the City.

All original work products generated or obtained by an employee or official on City time shall be the property of the City of Battle Lake and shall remain so after the person is no longer employed or serving in an official capacity. Examples include, but are not limited to, research, reports, legal briefs, official letters and memoranda.

Amended 5/13/2025

Richard Bullard, Mayor

Valerie Martin, Clerk/Treasurer



League of Minnesota Cities

145 University Avenue West, St. Paul, MN 55103-2044
 (651) 281-1200 • (800) 925-1122
 Fax: (651) 281-1299 • TDD: (651) 281-1290
 www.lmnc.org

SAMPLE DISCIPLINE NOTICE

TO:

FROM:

DATE:

RE: Written Warning

This memorandum is a Written Warning regarding your performance in the position of _____ with the City of _____.

- ✓ **State the problem**
 - what did the employee do (or not do)
 - when and where did the employee do it
 - note date and/or time of occurrence
 - note any witnesses to situation or other documentation as appropriate
- ✓ **Explain why said behavior is a problem**
 - indicate which policies, practices, laws or expectations (job description) were violated, if any
- ✓ **Clarify what the City expects from an employee in that situation / state what he or she should have done**
- ✓ **Describe the consequences of the employee's behavior**
 - describe the consequences (disciplinary action, etc.) to the employee
 - describe the impact the employee's behavior had on others
- ✓ **Clearly indicate what the consequences will be to the employee if another violation takes place**

A copy of this document will be placed in your personnel file. If you disagree with this information you have the right to file a grievance per _____ (city policy, union contract, etc.) Questions regarding this matter should be directed to the _____ (City Administrator, HR Director, other as appropriate).

Red indicates follow up suggestions/idea

**Battle Lake Workshop
Monday, September 15, 2025
6:00 – 8:30 PM
Battle Lake City Office**

Meeting Notes

What are your goals for updating/documenting council policies?

Council members and staff are on the same page

- Community members trust our process, even if the decision is not what they wanted
- Staff and council members support each other
 - Staff support council decisions
 - Council members support staff

Process fairness

- Policy applies to everyone equally
- Community members know what to expect, process is clear

Procedural justice

- People have an opportunity to be heard
- Decisions are transparent and consistent
- People are treated with respect

What policy issues/topics are highest priority?

- Committees and other independent advisory bodies (e.g., planning commission, EDA)
- Public comment/engagement
- **Consider adding an Open Forum to Council Agenda - Yes**
- **Review the code and consider bylaws for council/staff and Planning Commission (EDA already has Bylaws) Yes, Work with the ordinance committee**
- **Discuss the operation of committees – does council want to have more community members on certain committees? Continue with the same committees that have community members but formalize the process. Possible recruitment through an application process especially for Planning Commission**

To be completed at the October 28th council meeting:

Other topics which were discussed

- Responding to questions/concerns from members of the public
- Council meeting management
- Council and staff roles and responsibilities
- Information sharing between council, staff and independent/advisory bodies and committees

Ideas Generated for Committee Policies

- Council liaison on each committee updates the full council **this is being done**
- Share minutes from committee meetings in council packet **this is being done**
- Committee members participate with the city's best interests in mind
- Consider committee member terms, ensuring continuity and succession planning
- **Is there an interest in setting term limits for council members on committees?**

- Provide clear directions to each committee in policies
 - Role and tasks, committee members understand their role
 - Document expectations for meeting flow and agenda setting
 - Expectations for reporting and making recommendations to the council
 - Internal (staff/council) committees and independent advisory bodies with outside representatives (EDA, planning, parks) may follow different policies
 - **Review and amend committee job descriptions along with meeting protocol.**
 - **Set guidelines for committee meetings – agenda, minutes, reporting, setting meeting dates, etc.**
 - Outside committees
 - Identify chairs for committees with outside representation (discussed a council member chairing)
 - Ensure consistency with regulations, city ordinance – **Review City code related to committees, council and staff**
 - Consider developing a conflict-of-interest policy for committee members
 - Consider policy for appointing outside representative – discuss criteria, including residency **Consider recruiting methods and criteria**
 - Internal committees
 - Consider efficiency – balance committees doing the work, developing expertise and council role in deciding on committee recommendations
 - Discuss/define expectations for meetings (frequency, sharing information, communication)
 - Personnel committee
 - Define role, employee privacy **Define the role of the Employee Relations committee within the Personnel Policy especially when it comes to Department Heads and discipline.**

Ideas Generated for Public Comment

- Develop structure and document clear policy for public comment during council meetings
- Consider a time limit for comments
- Have rules for public comment available to the public in the meeting room

- Discuss alternative methods for people to make comments (in addition to public comments at meetings)

- **The following statement is on all council agendas:**

- *Persons in the audience but not on the agenda may be acknowledged by the Mayor. At that time, the person (or spokes-person for a group) so recognized, may address the Council for no longer than 5 minutes.*
- *Under no circumstances will disturbances or interference with the Council Meeting be tolerated.*

- **Consider using a timer**
- **Alternative methods for public comment – the website could state these methods. i.e. signed letter or email.**

Ideas Generated for Responding to Questions from Members of the Public

- Ensure that the appropriate person (staff or council member) responds to questions from the public **Should questions be specifically directed to City Hall so there is a process generated?**
- Keep each other informed
 - Avoid “surprises” when a community members knows about a concern (or committee discussion) before council members do. **Consider informing the council on situations of importance in between meetings without breaking the open meeting law. i.e. council gets email from staff but does not respond to it.**
- Ensure communication and support among staff/council as a team
- Consider a process for community members to ask a question, voice an opinion or concern (addition to public comment as stated above) **Is it important to have a specific protocol for questions by community members?**

Ideas Generated for Meeting Management

- Policies to ensure efficient agenda management **Part of bylaws?**

Next Steps

- Josie will provide written information and samples, Aimee will provide meeting notes
- Council and staff will work together to develop the ideas above
- Contact facilitators to schedule an additional meeting to discuss items if necessary



City of Battle Lake
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218-864-0424
E-mail: CityClerk@BattleLakeMN.org
www.BattleLakeMN.org

APPLICATION FOR APPOINTMENT TO PLANNING COMMISSION

NAME: _____

ADDRESS: _____

PHONE NUMBER: _____

EMAIL: _____

APPLICANT INFORMATION

Members of the Planning Commission are required to be Battle Lake residents. Please fill out the following information

Length of Battle Lake Residency: _____

Education: _____

Employer/Occupation: _____

List Experience or Skills You Have Relating to the Appointment of Planning Commission:

List Prior Civic & Service Organization Involvement (Here or Elsewhere):

Why Are You Interested in Being Appointed to the Planning Commission?

DATA PRACTICES ADVISORY

Your name, address, current employment position, previous work history, education and training are public data under the Minnesota Data Practices Act (Minn. Stat. Sect. 13.43, subd. 2 & 3) and must be provided to anyone who requests its. Other information is considered private; however all information in this application will be provided to the City Council in a public forum and will be reviewed in public. It will therefore be part of the public record. Although you are not legally required to provide any of the information requested in this application, the information is needed to determine your suitability for appointment to a board or commission and failure to provide it may result in you not being considered for a position.

EQUAL OPPORTUNITY NOTICE

The City of Battle Lake does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its services, programs and activities. Upon request, accommodations will be provided to allow individuals with disabilities to participate in all City of Battle Lake Services, programs, and activities.

The City of Battle Lake does not discriminate on the basis of race, color, creed, religion, national origin, gender, sexual orientation, disability, age, marital status with regard to public assistance in employment, appointment, or provision of its services.

 Signature of Applicant

 Date
RETURN THIS APPLICATION TO:

CITY OF BATTLE LAKE
 Val Martin, Clerk/Treasurer
 108 East Main St.
 PO Box 386
 Battle Lake, MN 56515
cityclerk@battlelakemn.org