



# City of Blaine Anoka County, Minnesota

Blaine City Hall  
10801 Town Sq Dr NE  
Blaine MN 55449

## Legislation Details (With Text)

<b>File #:</b>	ORD 18-2420	<b>Version:</b>	2	<b>Name:</b>	Amending Chapter 58 - Vacation/Sick Leave
<b>Type:</b>	Ordinance	<b>Status:</b>	Passed		
<b>File created:</b>	12/20/2018	<b>In control:</b>	City Council		
<b>On agenda:</b>	12/20/2018	<b>Final action:</b>	12/20/2018		
<b>Title:</b>	SECOND READING  AMENDING CHAPTER 58 - PERSONNEL, ARTICLE II. - LEAVE, SEC. 58-52. - VACATION LEAVE. AND SEC. 58-53. - SICK LEAVE.				
<b>Sponsors:</b>	Terry Dussault				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Proposed Policy				

Date	Ver.	Action By	Action	Result
12/20/2018	1	City Council	Adopted	Pass
12/6/2018	1	City Council	Introduced, Read, and Placed on File for Second Reading	

**ADMINISTRATION** - *Terry Dussault, Human Resources Director*

## SECOND READING

### AMENDING CHAPTER 58 - PERSONNEL, ARTICLE II. - LEAVE, SEC. 58-52. - VACATION LEAVE. AND SEC. 58-53. - SICK LEAVE.

In August of this year department heads began a review of the City's vacation and sick leave ordinance to determine if Blaine was competitive in terms of compensation to other metro area cities of similar demographics with the goal of bringing forward a revised policy for your review. After a review of 13 peer cities, a draft policy was prepared and reviewed at a Council workshop on November 8; below is a summary of staff recommendations:

#### VACATION

- Removal of vacation and sick leave from the personnel ordinance and replacing this section of the code with an administrative policy;
- Increase the max accrual of vacation from 200 hours to 320 hours;
- Allow City Manager the discretion to award employees a lump sum of vacation at the start of their employment and/or accelerate an employee's accrual rate at the time of hire.
- Allows CM to award a lump sum or increase accrual rate for an employee hired within the last four years

## SICK LEAVE

- Align policy with Police Unions' language and allow for one-half of all sick leave hours earned/accumulated in excess of 960 hours be paid at the employee's current rate of pay and deposited into the employee's Post-Retirement Health Care Savings Plan account.

Adoption of this ordinance would result in removing the vacation and sick leave language from City Code and incorporating it into a Council policy instead. The corresponding policy was discussed at the December 13, 2018, workshop and will be presented to Council for consideration later in the meeting.

Hold second reading and adopt the proposed ordinance.

**THE CITY OF BLAINE DOES ORDAIN:** (Added portions are underscored and deleted portions are shown in brackets with overstrike.)

Sec. 58-52. - Vacation leave.

- (a) Vacation leave for personnel working under a negotiated agreement shall be specified by agreement between the city and the exclusive representative for each bargaining unit in the city.
- (b) Vacation leave for all other personnel not working under a negotiated agreement shall be specified by administrative policy as set forth by the city manager. ~~[No employee shall be entitled to vacation leave during the first three months of city employment. Vacation leave shall be granted at the end of this time as earned for the three-month period. Vacation leave shall not be earned by temporary or student employees.]~~
- (c) Vacation leave shall be accrued on a monthly basis for each calendar month or major fraction thereof by all regular and probationary employees pursuant to the following schedule:

Length of Employment	Leave Days
<del>1 year through 4 years</del>	Ten workdays
<del>5 years through 10 years</del>	15 workdays
<del>11 years</del>	16 workdays
<del>12 years</del>	17 workdays
<del>13 years</del>	18 workdays
<del>14 years</del>	19 workdays
<del>15 years</del>	20 workdays

After 21 years of service have been completed	25 workdays
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- ~~(d) Employees may accumulate vacation leave to a maximum of 17 working days, or in the case of employees with five or more years of service, 25 working days. If an employee has accumulated such employee's maximum vacation leave and has not utilized the vacation leave as earned, such employee may absent himself with notice to take vacation leave so as to prevent the loss of vacation leave beyond the maximum of 17 or 25 days, respectively.~~
- (e) Employees shall take vacations only with the approval of their immediate supervisor. Requests for vacation leave shall be approved in writing by the department head and the designated supervisory employee, as prescribed by administrative procedure.
- (f) Vacations may be taken with concurrence of department heads at any time during the calendar year, to a maximum of three days beyond the accrued leave. Should an employee leave the employ of the city before accruing vacation leave equal to that used, such deficit will be withheld from any monies due such employee, at the rate of one hour's pay for each hour of vacation leave deficit, computed on the employee's current hourly pay rate. Advance payment for vacation leave to employees may not exceed the total vacation pay earned.
- (g) Where vacations are specified in days, it shall be construed to mean the normal eight-hour working day, and where any employee works other hours or shifts, adjustments shall be made accordingly.
- (h) As vacation leave is granted to employees for a period of recreation, no such employee shall be permitted to waive such leave for the purpose of receiving double pay.
- (i) Any 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 prior to the date of termination.]

(Code 1963, § 112.12; Code 1980, § 16-14; Ord. No. 427, 2-6-1975; Ord. No. 83-808, 10-20-1983; Ord. No. 92-1274, 2-6-1992; Ord. No. 97-1646, 3-20-1997)

Sec. 58-53. - Sick leave.

- (a) Sick leave shall be a benefit provided to all regular and probationary city employees and shall be specified by administrative policy as set forth by the city manager. [which shall be accrued at the rate of one working day for each calendar month of employment or major fraction thereof. Sick leave pay shall be computed at the regular rate of pay to which such employee is entitled. Sick leave shall not be granted to temporary employees.
- ~~(b) Sick leave may be accumulated to a maximum of 120 workdays.~~
- (c) Sick leave may be granted only for absence from duty because of personal illness or serious illness in the immediate family. Up to three days' leave with pay may be granted in case of illness in the family, i.e., spouse, parents, spouse's parents, children, brothers and sisters, brothers-in-law and sisters-in-law, grandparents, step children or other blood relatives

residing in the household. Bereavement leave: Up to four days' leave with pay in the case of death for spouse, parents, spouse's parents, children, brothers and sisters, brothers-in-law and sisters-in-law, grandparents, stepchildren, or other blood relatives residing in the household. Other use of sick leave for serious illness or death may be granted in special circumstances by the city manager.

~~(d) Sick leave may be granted in conjunction with the Family and Medical Leave Act for:~~

- ~~(1) Disabilities related to pregnancy, childbirth, or related medical conditions;~~
- ~~(2) To care for an immediate family member (spouse, child or parent) if such immediate family member has a serious health condition; or~~
- ~~(3) The employee's own serious health condition that makes the employee unable to perform the essential functions of his position.~~

~~(e) In order to be eligible for sick leave with pay, an employee shall:~~

- ~~(1) Report promptly to such employee's department head the reason for absence.~~
- ~~(2) Keep such employee's department head informed of such employee's condition, if the absence is more than three days' duration.~~
- ~~(3) Complete request for family medical leave per section 58-55.~~
- ~~(4) Submit a medical certificate for any absence exceeding three days and may be required to submit a medical certificate for any length of absence if required by the department head or the city manager.~~

~~(f) Claiming sick leave when physically fit, except as permitted in this article, may be cause for disciplinary action, including transfer, suspension, demotion, or dismissal. It is the responsibility of employees to demonstrate that sick leave usage was responsible and necessary.~~

~~(g) Termination pay shall be as follows:~~

- ~~(1) Thirty-three and one-third percent of unused accumulated sick leave shall be paid upon honorable separation after five years of continuous employment.~~
- ~~(2) Forty percent of unused accumulated sick leave shall be paid upon honorable separation after ten years of continuous employment.~~
- ~~(3) Fifty percent of unused accumulated sick leave shall be paid upon honorable separation after 15 years of continuous employment.~~
- ~~(4) Failure to provided proper notice of resignation may be grounds for withholding termination pay.]~~

(Code 1963, § 112.13; Code 1980, § 16-15; Ord. No. 427, 2-6-1975; Ord. No. 83-808, 10-20-1983; Ord. No. 88-1064, 2-4-1988; Ord. No. 92-1274, 2-6-1992; Ord. No. 93-1325, 4-1-1993; Ord. No. 94-1518, 4-21-1994; Ord. No. 97-1646, 3-20-1997)

**INTRODUCED AND READ** in full the 6<sup>th</sup> day of December, 2018.

**PASSED** by the City Council of the City of Blaine this 20<sup>th</sup> day of December, 2018.