



Minot Civil Service Commission Meeting

Monday, February 10, 2025, at 2:00 PM

City Council Chambers, City Hall (10 3rd Ave SW)

Any person needing special accommodation for the meeting is requested to notify the City Clerk's office at 857-4752.

1. CALL TO ORDER

2. NEW BUSINESS

2.1. RATIFICATION OF END OF 2024 EMPLOYMENT LISTS

At this time, we request ratification of 2024 employment lists that have been administratively approved.

2.2. BRIEF AND DISCUSSION OF HERRONPALMER ORGANIZATIONAL STRUCTURE EFFICACY PROJECT

At this time, we would like to review the scope of the Organizational Structure Efficacy Project.

2.3. REVIEW OF CURRENT CIVIL SERVICE PROCEDURES

At this time, we would like to review the City Employee Manual & Chapter 24 Personnel Code as it relates to Civil Service Procedures.

3. ADJOURNMENT

Administrative Clerk

August 2024

			50 points		50 points				100 points	
			(100 x .5)		(300 x .1666)					
Last Name	First Name	Test RS	Test CS	Interview RS	Interview CS	Subtotal	Vet Pref %	Vet Pref Points	Total	Placement
Feller	Taylor	67.7	33.85	245.1	40.8337	74.68		0.00	74.68	1
Skees	Tami	69.87	34.94	232.25	38.6929	73.63		0.00	73.63	2
Gann	Shelby	68.38	34.19	228.15	38.0098	72.20		0.00	72.20	3
Carlson	Jennifer	66.71	33.36	221.45	36.8936	70.25		0.00	70.25	4
Medrano	Timothy	63.69	31.85	210.40	35.0526	66.90		0.00	66.90	5
Christians	Brandie	67.87	33.94	192.55	32.0788	66.01		0.00	66.01	6
Nickelson	Cynthia	62.93	31.47	200.3	33.3700	64.83		0.00	64.83	4
Gravesen	Cole	63.78	31.89	181.55	30.2462	62.14		0.00	62.14	8
Marten	Brandi	61.03	30.52	179.05	29.8297	60.34		0.00	60.34	9
Houser	Hope	65.08	32.54	163.9	27.3057	59.85		0.00	59.85	10
Downing	Kristine	57.19	28.60		0.0000	28.60	5.00%	1.43	30.02	
McNicholas	Andrea	59.68	29.84		0.0000	29.84		0.00	29.84	
Dhuyvetter-Gil	Alexander	59.35	29.68		0.0000	29.68		0.00	29.68	
Kokot	Jamie	58.4	29.20		0.0000	29.20		0.00	29.20	
Peterson	Brooklyn	57.86	28.93		0.0000	28.93		0.00	28.93	
Carter	Katie	57	28.50		0.0000	28.50		0.00	28.50	
Kilichowski	Jessica	56.85	28.43		0.0000	28.43		0.00	28.43	
Dunnell	Kasey	56.71	28.36		0.0000	28.36		0.00	28.36	
Fulks	Nicole	56.59	28.30		0.0000	28.30		0.00	28.30	
Lansing	Angela	56.49	28.25		0.0000	28.25		0.00	28.25	
Englert	Brittani	54.02	27.01		0.0000	27.01		0.00	27.01	
Carrick	Pam	53.92	26.96		0.0000	26.96		0.00	26.96	
Suzuki	Erin	53.4	26.70		0.0000	26.70		0.00	26.70	
Hartman	Charity	52.95	26.48		0.0000	26.48		0.00	26.48	
Vollmer	Shayla	52.58	26.29		0.0000	26.29		0.00	26.29	
Gunsch	Paige	52.26	26.13		0.0000	26.13		0.00	26.13	
Kastner	Colleen	51.97	25.99		0.0000	25.99		0.00	25.99	
Hoffer	Sylvia	51.69	25.85		0.0000	25.85		0.00	25.85	
Riley	Donna	51.05	25.53		0.0000	25.53		0.00	25.53	
Boucher	Nicole	50.77	25.39		0.0000	25.39		0.00	25.39	
Coomer	Kaitlynn	50.45	25.23		0.0000	25.23		0.00	25.23	

RS = Raw Score

CS = Converted Score

*** = no interview score**

Hope Houser Angela Lansing- Previous Exam Score within 6 Months

Administrative Clerk
August 2024

Sullivan	Carmen	50.43	25.22		0.0000	25.22		0.00	25.22	
Cabana	Antonette	47.53	23.77		0.0000	23.77	5.00%	1.19	24.95	
Dame	Jessica	48.06	24.03		0.0000	24.03		0.00	24.03	
Ramirez	Megan	47.34	23.67		0.0000	23.67		0.00	23.67	
Davis	Joanna	47.07	23.54		0.0000	23.54		0.00	23.54	
Surprenant	Margaret	46.61	23.31		0.0000	23.31		0.00	23.31	
Natwick	Deb	46.32	23.16		0.0000	23.16		0.00	23.16	
Boyd	Shawnee	46.3	23.15		0.0000	23.15		0.00	23.15	
Kraft	Christina	46.16	23.08		0.0000	23.08		0.00	23.08	
Hystad	Rose	45.92	22.96		0.0000	22.96		0.00	22.96	
Haroldson	Gabriella	45.89	22.95		0.0000	22.95		0.00	22.95	
Gilpin	Emily	45.35	22.68		0.0000	22.68		0.00	22.68	
Peterson	McKenzie	44.42	22.21		0.0000	22.21		0.00	22.21	
Chase	Sterling	41.84	20.92		0.0000	20.92		0.00	20.92	
Hauf	Dana	41.14	20.57		0.0000	20.57		0.00	20.57	
Lee	Rebecca	40.68	20.34		0.0000	20.34		0.00	20.34	
Boser	Macy	36.45	18.23		0.0000	18.23		0.00	18.23	
Brewley	Monica	30.22	15.11		0.0000	15.11		0.00	15.11	

RS = Raw Score

CS = Converted Score

* = no interview score

Hope Houser Angela Lansing- Previous Exam Score within 6 Months

Building and Grounds Worker - December 2024

		50 points		50 points				100 points	
		(82 x .6097)		(300 x .1666)					
Name	Test RS	Test CS	Interview RS	Interview CS	Subtotal	Vets Pref %	Vets Points	Total	Placement
Bret Pickering	65	39.6305	181.70	30.2712	69.9017		0.0000	69.9017	1
Eric Moss	58	35.3626	184.45	30.7294	66.0920		0.0000	66.0920	2
Shawn Thompson	65	39.6305	153.25	25.5315	65.1620		0.0000	65.1620	3
Amy Ciccarelli	47	28.6559	208.95	34.8111	63.4670		0.0000	63.4670	4
Jay Washek	68	41.4596	125.60	20.9250	62.3846		0.0000	62.3846	5
Keith Lemer	63	38.4111	133.00	22.1578	60.5689		0.0000	60.5689	6
<i>Josiah Bagwell*</i>	43	26.2171	0.00	0.0000	26.2171		0.0000	26.2171	7

RS = Raw Score

CS = Converted Score

* = no interview

Building and Grounds Worker - October 2024

		50 points		50 points				100 points	
		(82 x .6097)		(300 x .1666)					
Name	Test RS	Test CS	Interview RS	Interview CS	Subtotal	Vets Pref %	Vets Points	Total	Placement
Timothy Moulton	72	43.8984	234.55	39.0760	82.9744		0.0000	82.9744	1
Bailey Ellis	56	34.1432	219.30	36.5354	70.6786		0.0000	70.6786	2
Michael Owens	67	40.8499	145.65	24.2653	65.1152	5%	3.2558	68.3709	3
Randy Severson	58	35.3626	192.60	32.0872	67.4498		0.0000	67.4498	4
Klae Ryan*	65	39.6305		0.0000	39.6305		0.0000	39.6305	5
Pamela Miller*	55	33.5335		0.0000	33.5335		0.0000	33.5335	6

RS = Raw Score

CS = Converted Score

* = no interview

Building Inspector II
October 2024

	100				100 Points	
	(300 x .3333)					
Name	Interview rs	Interview CS	Vet Pref-%	Vet Pref Points	Total	Placement
David (Phuc Tran)	265.45	88.4745	5%	4.42	92.90	1
Stephen Belgarde	251.80	83.9249		0.00	83.92	2
Tony Stewart	227.9	75.9591		0.00	75.96	3
Shane Schestler	130.4	43.4623		0.00	43.46	4

RS = Raw Score

CS = Converted Score

* = no interview score

**Building Inspector
September 2024**

	100				100 Points	
	(300 x .3333)					
Name	Interview rs	Interview CS	Vet Pref-%	Vet Pref Points	Total	Placement
Jason McGinnis	243.70	81.2252		0.00	81.23	1
Veronica Viteri	235.00	78.3255		0.00	78.33	2
Devin Druse	224.05	74.6759		0.00	74.68	3
Joshua Cables	183.7	61.2272	5%	3.06	64.29	4
Zachary Smith	188.65	62.8770		0.00	62.88	5
Sam Smith	180.90	60.2940		0.00	60.29	6

RS = Raw Score

CS = Converted Score

* = no interview score

Bus Driver
October 2024

	100				100 Points	
	(300 x .3333)					
Name	Interview rs	Interview CS	Vet Pref-%	Vet Pref Points	Total	Placement
Amber Evano	273.5	91.1576	5.00%	4.56	95.72	1
Paul Bailey	260.70	86.8913		0.00	86.89	2
Stephen Lawrence	251.75	83.9083		0.00	83.91	3
Roscoe Tubman	174.6	58.1942		0.00	58.19	4
Mark Brekke	129.05	43.0124		0.00	43.01	5

RS = Raw Score

CS = Converted Score

* = no interview score

Contract Compliance Officer Coordinator
December 2024

	100				100 Points	
	(300 x .3333)					
Name	Interview rs	Interview CS	Vet Pref-%	Vet Pref Points	Total	Placement
David (Phuc) Tran	248.85	82.9417	5.00%	4.15	87.09	1
Laurie Nishek	260.9	86.9580		0.00	86.96	2
Neil Gush	234.6500	78.2088	5.00%	3.91	82.12	3
Tammy Caldwell	224.9	74.9592		0.00	74.96	4
Heather Summers	199.2	66.3934		0.00	66.39	5
Jacqueline Clark Dodd	181.9000	60.6273		0.00	60.63	6
Joy Smith	179.2500	59.7440		0.00	59.74	7

RS = Raw Score

CS = Converted Score

* = no interview score

Heavy Equipment Operator- December 2024

		45 points		45 points		10 points	100 points	
		(90 x .50)		(300 x .15)				
Name	Test RS	Test CS	Interview RS	Interview CS	Service Time	Service Time Points	Total	Placement
Darin Opperrude	63	31.50	254.15	38.1225	2yr 9mo	2	71.6225	1
Leo Sanchez	68	34.00	230.6	34.5900	2yr 6mo	2	70.5900	2
Earnest Dickson	60	30.00	218.65	32.7975	5ys 3mo	5	67.7975	3
Richard Gruse	63	31.50	162.90	24.4350	1yr 6mo	1	56.9350	4
Jacob Sloboden	61	30.50	161.85	24.2775	1yr 10mo	1	55.7775	5
Ronald Archer	55	27.50	148.35	22.2525	1mo	0	49.7525	6

RS = Raw Score

CS = Converted Score

Heavy Equipment Operator- September 2024

		45 points		45 points		10 points	100 points	
		(90 x .50)		(300 x .15)				
Name	Test RS	Test CS	Interview RS	Interview CS	Service Time	Service Time Points	Total	Placement
Richard Gruse	56	28.00		0.0000	1.4	1	29.0000	1
Jon Votava	52	26.00		0.0000	0.5	0	26.0000	2

RS = Raw Score

CS = Converted Score

**Light Equipment Operator
October 2024**

	100				100 Points	
	(300 x .3333)					
Name	Interview rs	Interview CS	Vet Pref-%	Vet Pref Points	Total	Placement
Jeffrey Erck	246.5	82.1585		0.00	82.16	1
Gregory Surpris	209.10	69.6930	10%	6.97	76.66	2
Ronald Archer	212.55	70.8429		0.00	70.84	3
Lyle Lueck	204.50	68.1599		0.00	68.16	4
Tony Stewart	204.20	68.0599		0.00	68.06	5

RS = Raw Score

CS = Converted Score

* = no interview score

Mechanic October 2024

October 2024

	100				100 Points	
	(300 x .3333)					
Name	Interview rs	Interview CS	Vet Pref-%	Vet Pref Points	Total	Placement
Gage Fulton	145.65	48.5451		0.00	48.55	1
Tayt Henning *		0.0000	5%	0.00	0.00	
Andrew Stockard *		0.0000		0.00	0.00	

RS = Raw Score

CS = Converted Score

* = no interview score

Police Officer- July 2024

(80 Questions) 100 pts				100 pts			200 pts			
NAME	MPAT	POA Cognitive Exam	Exam %	Interview Total	Avg. Interview	Subtotal	Veteran	Points	Total	Ranking
Jayden Luck	4:12 LRSC	66	83%	273	91	157		0.00	157.00	1
Jersey Rynestad	6:30	70	88%	254	84.66666667	154.6666667		0.00	154.67	2
Charles Agwa	5:35	30	38%		0	30		0.00	30.00	Written Fail

Notes:

Applicants must have a minimum score of **65 %** to pass the written exam

Applicants must pass MPAT with a time of 6:30

Average Interview Score is used for composite ranking. Total Score documented for reference.

Cutoff Score for testing is **52/80** for 65% minimum

IPMA-HR -POA Cognitive Series, v1 was utilized for written exam

Utility Operator I
August 2024

	100				100 Points	
	(300 x .3333)					
Name	Interview rs	Interview CS	Vet Pref-%	Vet Pref Points	Total	Placement
Adam Leys	210.1	70.0263	5%	3.50	73.53	1
Brenden Bourdage	216.35	72.1095		0.00	72.11	2
Antoine Cunningham	185.10	61.6938		0.00	61.69	3
Jordan Tillia	177.9	59.2941		0.00	59.29	4
Nathan Brooke	146.15	48.7118		0.00	48.71	5

RS = Raw Score

CS = Converted Score

* = no interview score

**Utility Operator I
October 2024**

	100				100 Points	
	(300 x .3333)					
Name	Interview rs	Interview CS	Vet Pref-%	Vet Pref Points	Total	Placement
Damion Higgins	243.60	81.1919	5.00%	4.06	85.25	1
Riley Racine	247.35	82.4418		0.00	82.44	2
Garrett Erhardt	242.20	80.7253		0.00	80.73	3
Jerry Duvisien	213.15	71.0429	10.00%	7.10	78.15	4
Milton Harris	202.6	67.5266	10.00%	6.75	74.28	5
Michael Owens	205.15	68.3765	5.00%	3.42	71.80	6
Paul Bailey	212.90	70.9596		0.00	70.96	7
William Alley	179.05	59.6774	10.00%	5.97	65.65	8
Roscoe Tubman	73.3	24.4309		0.00	24.43	9

RS = Raw Score

CS = Converted Score

* = no interview score

**Water Plant Foreman
September 2024**

		45 points		45 points		10 points				100 points	
	(128x.35156)			(300 x .15)							
Name	Test RS	Test CS	Interview RS	Interview CS	Service Time	Service Time Points	Subtotal	Vets Pref %	Vets Points	Total	Placement
Kittelson, Collin	95	33.3982	253.85	38.0775	5.7	0	71.4757		0	71.4757	1
Walker, James	91	31.9920	216.65	32.4975	3.4	0	64.4895		0	64.4895	2
O'Keefe, Kevin	84	29.5310	213.00	31.9500	6.9	0	61.4810		0	61.4810	3
Brandt, Kelly	72	25.3123	236.60	35.4900	9.7	0	60.8023		0	60.8023	4
Plesuk, Sara	87	30.5857	140.95	21.1425	0.58	0	51.7282		0	51.7282	5
Marsh, Timothy*	63	22.1483	0.00	0.0000	5.1	0	22.1483		0	22.1483	6

RS = Raw Score
CS = Converted Score
* = no interview

Water Plant Instrument Tech
August 2024

	100				100 Points	
	(300 x .3333)					
Name	Interview rs	Interview CS	Vet Pref-%	Vet Pref Points	Total	Placement
James Walker	242.7	80.8919		0.00	80.89	1
Zachery Renaud	238.05	79.3421		0.00	79.34	2
Richard Fuller	139.3	46.4287		0.00	46.43	3
Timothy Kopp	124.40	41.4625		0.00	41.46	4
Michael Taggart	116.05	38.6795		0.00	38.68	5

RS = Raw Score

CS = Converted Score

* = no interview score

Water Plant Operator I
August 2024

		50 points		50 points					
		(160 x .3125)		(300 x .1666)				100 points	
Name	Test RS	Test CS	Interview RS	Interview CS	Subtotal	Vet Pref %	Vet Pref Points	Total	Placement
John Parsons	119	37.1875	204.60	34.0864	71.2739		0.0000	71.2739	1
Zachery Renaud	86	26.8750	227.25	37.8599	64.7349		0.0000	64.7349	2
Lexi Iglehart	93	29.0625	203.35	33.8781	62.9406		0.0000	62.9406	3
Braden St Claire	87	27.1875	192.40	32.0538	59.2413		0.0000	59.2413	4
Trevor Larson	74	23.1250	186.10	31.0043	54.1293		0.0000	54.1293	5
Dana Solberg	86	26.8750	150.20	25.0233	51.8983		0.0000	51.8983	6
Donovan Lingelbach*	73	22.8125	0	0.0000	22.8125		0.0000	22.8125	7

RS = Raw Score

CS = Converted Score

* = interview no show

Water Plant Operator I
October 2024

		50 points		50 points					
		(160 x .3125)		(300 x .1666)				100 points	
Name	Test RS	Test CS	Interview RS	Interview CS	Subtotal	Vet Pref %	Vet Pref Points	Total	Placement
Kevin Meland	113	35.3125	247.10	41.1669	76.4794	10.00%	7.6479	84.1273	1
Ben Knight	80	25.0000	229.40	38.2180	63.2180		0.0000	63.2180	2
Douglas Belfiore	69	21.5625	212.40	35.3858	56.9483	5.00%	2.8474	59.7958	3
Ashley May	70	21.8750	192.55	32.0788	53.9538		0.0000	53.9538	4
Jacob Brandt	74	23.1250	174.75	29.1134	52.2384		0.0000	52.2384	5
<i>Richard Fuller*</i>	<i>78</i>	<i>24.3750</i>	<i>0.00</i>	<i>0.0000</i>	<i>24.3750</i>		<i>0.0000</i>	<i>24.3750</i>	<i>6</i>

RS = Raw Score

CS = Converted Score

* = no interview

Water Plant Operator Lead
September 2024

		45 points		45 points		10 points				100 points	
		(150 x .3)		(300 x .15)							
Name	Test RS	Test CS	Interview RS	Interview CS	Service Time	Service Time Points	Subtotal	Vets Pref %	Vets Points	Total	Placement
O'Keefe, Kevin	105	31.5000	277.80	41.6700	6	7	80.1700		0	80.1700	1
Reisenauer, Dave	99	29.7000	283.40	42.5100			72.2100		0	72.2100	2
Plesuk, Sara	111	33.3000	237.70	35.6550	0.58	1	69.9550		0	69.9550	3
Marsh, Timothy	79	23.7000	236.30	35.4450	5	6	65.1450		0	65.1450	4
Owens, Michael	93	27.9000	121.00	18.1500			46.0500	5%	2.3025	48.3525	5

RS = Raw Score

CS = Converted Score

* = did not test

Welder-Fabricator
September 2024

	100				100 Points	
	(300 x .3333)					
Name	Interview rs	Interview CS	Vet Pref-%	Vet Pref Points	Total	Placement
Jonathan Garcia	230.85	76.9423		0.00	76.94	1
Emil Bradford	176.40	58.7941		0.00	58.79	2
Brian Hughbanks	140.50	46.8287		0.00	46.83	3

RS = Raw Score

CS = Converted Score

* = no interview score



City of Minot

Compensation Consulting Proposal

Compensation Structure Project

December 23, 2024

Objective

The objective of this project is to provide a streamlined, market-based compensation structure that provides consistency, supports compliance, and has enough flexibility to support individualized internal pay decisions. This includes reviewing the existing base pay structure in place with the goal of supporting City of Minot (CoM) in their ability to attract, engage, retain the right talent by leveraging a structure that is not only market-competitive and sustainable, but also administratively feasible.

To begin, herronpalmer, a Division of Strategic Non-Medical Solutions, LLC, will conduct interviews with up to 13 organization leaders, so that we can seek-out and understand challenges and insights that impact the employee experience. herronpalmer will also conduct up to 5 Focus Groups to collect feedback from different audiences to understand what parts of the Total Rewards offerings are most valuable and appreciated, compared to offerings that might be undervalued or lacking employee awareness.

herronpalmer will conduct an in-depth review of the existing compensation structure and process, and provide suggested modifications to the compensation structure for approval. Upon approval, the updated structure will be used to conduct an in-dept competitive analysis including identifying any employees outside of the range or below market. Results will be presented to the Project Team and Leadership. An additional meeting will be facilitated to all Employees to share high-level outcomes and next steps.

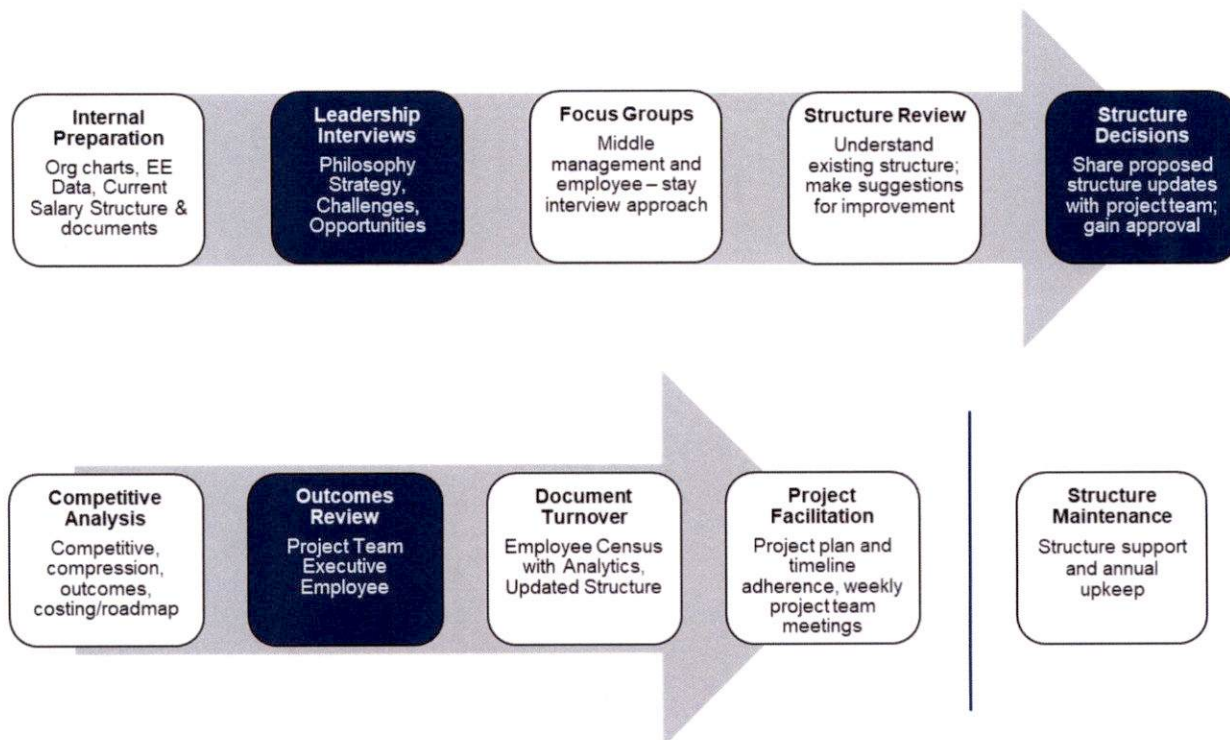
It is highly recommended that the structure be captured within CoM's HR system once it is completed. The system implementation is not part of this proposal, but a separate proposal can be provided for these services. As part of this work, herronpalmer will be happy to offer system architecture suggestions and speak with system administrators to ensure the structure can ultimately be integrated.

It is our intention to work closely with the Project Team to make sure that the project is communicated along the way and can be maintained internally. A detailed list of project activities is outlined on the following pages based upon the process flow pictured on the next page. An overview of our Maintenance Offerings can be found on page 5 and 6, which we can discuss post project completion.

Objective *(continued)*



Compensation Structure Project Process



 Leadership involvement is critical



herronpalmer
Market intelligence. Agile sourcing.

herronpalmer Project Team:

- Associate Consultant, Compensation
- Consultant, Compensation Project Manager
- Consultant, Compensation Practice Leader

Project Activities

Activity	Owner	Timing
Internal Preparation & Job Descriptions		
Develop detailed project plan and identify roles & responsibilities	hp	FEB
Prepare and facilitate Project Kick-off meeting	CoM/hp	
Provide all current plan documents or materials related to Compensation offerings	CoM	
Provide organizational charts	CoM	
Provide employee census report; hp to provide template; hp to prepare EE census database (data QC)	CoM/hp	
Develop leadership interview & focus group facilitation guides and corresponding email communications	hp	
Provide current job descriptions	CoM	
Review and identify missing or incomplete job descriptions; create inventory	hp	
Project Team to research job description inventory concerns; provide answers	CoM	
DELIVERABLE: Job Description inventory	hp	
Leadership Interviews & Focus Groups		
Review and approve facilitation guides with Project Team; incorporate feedback	CoM/hp	FEB-MAR
Project Team to distribute to leaders & focus group attendees	CoM	
Facilitate leadership interviews organization current & desired state compensation	hp	
DELIVERABLE: Project Team report-out; incorporate feedback	CoM/hp	
DELIVERABLE: Interview guide; Executive Summary: notes and trends	CoM/hp	
Facilitate Focus Groups positives opportunities general feedback	hp	
DELIVERABLE: Project Team report-out; incorporate feedback	CoM/hp	
DELIVERABLE: Interview guide; Focus Group Summary: notes and trends	CoM/hp	
Structure Review & Decisions		
Review & understand salary ranges and overall base salary grade structure	CoM/hp	MAR
Leverage project team meetings to ask questions, gain understanding	hp	
Provide suggestions to revise structure, modify approach	hp	
Review suggestions with project team; incorporate feedback & gain approval	hp	
DELIVERABLE: Updated Compensation Structure with base salary ranges	hp	
Competitive Analysis		
Draft Compensation Philosophy	hp	APR
Confirm TLP guidelines	CoM/hp	
Conduct competitive analysis	hp	
Develop recommended approach & costing for employees	hp	
Paid under min, over max, compression (time in position)	hp	
Outcomes Review		
Prepare Project Team Results Presentation	hp	APR-MAY
Review with Project Team; incorporate feedback & gain approval	CoM/hp	
Prepare Leadership Presentation (philosophy, structures & results)	hp	
Review with Project Team; incorporate feedback & gain approval	CoM/hp	
Facilitate Leadership Review meeting	CoM/hp	
Prepare Employee Presentation	hp	
Review with Project Team; incorporate feedback & gain approval	CoM/hp	
Facilitate Employee Review meeting	CoM/hp	
DELIVERABLE: Project Team presentation	hp	
DELIVERABLE: Leadership presentation	hp	
DELIVERABLE: Employee presentation	hp	
Transition all project materials and source documents to Project Team	hp	
DELIVERABLE: Employee Census report for Project Team	hp	
Project Facilitation		
Assist with setting up interviews and Project Team/Executive approval meetings	CoM/hp	FEB-MAY
Prepare and facilitate project team updates/meetings	hp	



COMPENSATION PRACTICE

Compensation Maintenance Offerings

Overview

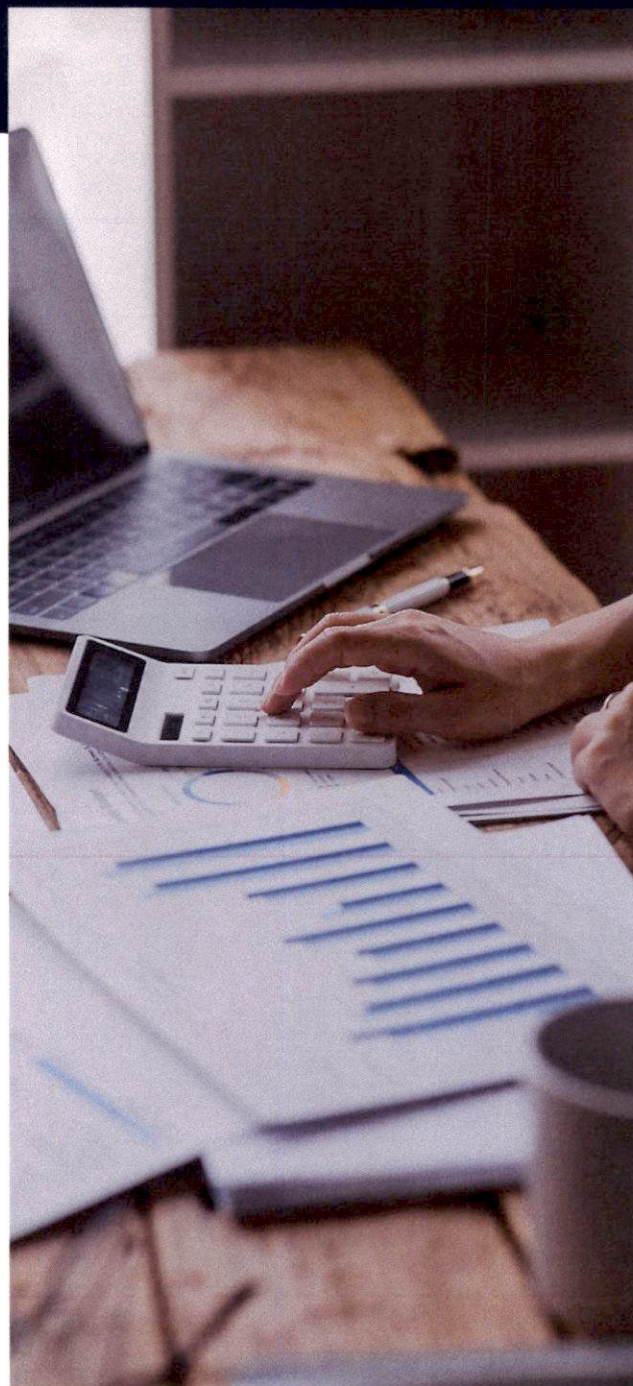
Through herronpalmer's Compensation Maintenance Offerings, our team can help you build on the solid foundation laid in our initial project. Together, we can help maintain your compensation structure by offering ongoing support to keep your structure market competitive for years. From pricing new and hot jobs to helping ensure your structures are current and evolving your analytics to demonstrate the impact year-over-year, our team will be with you every step of the way.

Why herronpalmer?

Our Compensation team has already invested in learning your organization's specific culture, challenges and developed your compensation philosophy - we understand the ins and outs of your structure. Additionally, our team has the experience, knowledge, and capacity beyond what any single compensation position could provide. Our team will maintain the tools and processes we developed with you to help streamline your compensation decision-making and provide ongoing, customized consultation unique to your organization.

What We Offer

Our offerings come in different tiers with various levels of involvement and support. We can work with you to determine which Maintenance Offering and timeline work best for you.



MAINTENANCE OFFERINGS

Annual Structure Maintenance

YEAR 1 | STRUCTURE REFRESH

- Employee Factors
- Cost of Labor Updates
- Salary Range Updates
- Analytics & Budget Prep

YEAR 2 | STRUCTURE REFRESH

- Employee Factors
- Cost of Labor Updates
- Salary Range Updates
- Analytics & Budget Prep

YEAR 3 | STRUCTURE REBUILD

- Employee Factors
- Cost of Labor Updates
- New Market Data Pull
- Salary Range Rebuild
- Analytics & Budget Prep

MAINTENANCE OFFERINGS

On-Going Consultation

	Platinum	Gold	Silver	Bronze
New Jobs – Job matched, validated, market priced and mapped into base pay structure and job architecture (if applicable)				
Hot Jobs – Job matches reviewed, validated, re-market priced and re-mapped into base pay structure and job architecture (if applicable)				
Training, Education & Communication Support	Monthly	Quarterly	Semi-Annual	Annual
Consultation on Market Trends & Best Practices				
Census Refresh				
Analysis, Compensation Dashboard & Recommendations				
Cost of Labor Tracking				



Chelsea Hamilton

*Consultant, Compensation
Practice Leader*

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OVERVIEW

Chelsea is the Consultant, Compensation Practice Leader for herronpalmer. She is responsible for partnering with clients on a wide array of Compensation projects including base pay structure design, job architecture, incentive plan design, and compensation analytics.

Chelsea began her career in Human Resources in early 2014 as part of an in-house HR team. Her in-house experience included system administration, benefit plan design and administration, compliance, HR operations, change management and more. Later in her career, Chelsea accepted a role with Innovative TR Solutions and began specializing in Compensation. Chelsea went onto become the Compensation Consulting Manager and eventually the Compensation Consulting Director at Brown & Brown, and now serves as the Compensation Practice Leader at herronpalmer, a division of Brown & Brown.

Chelsea brings experience in designing customized compensation and job architecture outlines, conducting in-depth analytics (including competitive, compression, cost of labor, equal pay), and providing tailored recommendations that combine market data and best practices. She also has experience in developing internal communication strategies, designing benefit and time off plans, HR process optimization, and project planning.

AREAS OF EXPERTISE

- Base Pay Structure and Job Architecture Design
- Analytics
 - Competitive Analysis
 - Compression Analysis
 - Equal Pay Analysis
- Incentive Plan Design
- Project Management



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CLIENT EXPERIENCE

Chelsea Hamilton

*Consultant, Compensation
Practice Leader*

CONTACT

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Cell: 336.698.5424

In-House	• Black Creek Group • DCT Industrial • Prologis	
Client Work	• Acceleration Partners • Accruit • Adapt America • American Health Information Management Association • American Regent • Arapahoe Library District • Asian Americans Advancing Justice – Southern California • Avow • Axlerator • Borrego Solar • Boulder Associates • Central Coast Agriculture • Charlotte's Web • Child Crisis Arizona • Citizen's State Bank • Colorado Public Radio • Community Care, Inc. • Coordinated Care Services, Inc. • CORE Electric Cooperative • Creekstone Farms Premium Beef • David Lawrence Centers for Behavioral Health • Denver Art Museum • Denver Rescue Mission • Denver Scholarship Foundation • Doctors Care • Douglas County Libraries • Dumb Friends League • Everbridge • FCCS • Food Bank of the Rockies • Frasier Meadows • Global Health Exchange • Gopher Resource • Guild Education	• Haynes Mechanical Systems • Heaven Hill • Holiday Inn Club Vacations • Labouré College • Martin/Martin • Metropolitan State University of Denver • Mercy Housing • National Housing Trust • National Information Solutions Cooperative • Nevada HAND • New Hampshire Ball Bearings • OakLeaf Surgical Hospital • Oswego County Opportunities • Particle Measuring Systems • Phoenix Rescue Mission • Potawatomi Business Development Corporation • Potawatomi Hotel & Casino • Red River • Rose Community Foundation • Royal Credit Union • Swallow Hill Music • Tang & Company • The Hilliard Corporation • The Imagine Group • The Michaels Organization • THK America, Inc. • Toyon Associates • UDC • UDR • Veterans United Home Loans • Volunteers of America • Way Finders • WSB Engineering • WVU Hospitals

Jes Ward

*Consultant, Compensation
Project Manager*

CONTACT

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OVERVIEW

Jes Ward is a Consultant, Compensation Project Manager for herronpalmer, a division of Brown & Brown. Jes is responsible for managing projects in various areas of Compensation, such as base salary structures and incentive plans. She advises clients on industry best practices and provide them with powerful business tools and solutions to assist them to transform their organization as a result of the project work.

Jes began her career in Human Resources in early 2007 in the U.S. Army. This unique experience took her all over the world ensuring mission readiness for her unit by being responsible for system administration, compliance, HR operations, and more. Later in her career, Jes accepted an in-house role with Metropolitan State University of Denver as a Senior Compensation Program Manager. In this role she was responsible for the administration of the compensation program, partnering with leaders on organizational structure changes and compensation related matters, diversity and inclusion initiatives and internal equity analysis.

Jes prides herself on being approachable and a collaborative professional to clients. She takes the utmost integrity in her approach to her work and is focused on delivering a high-quality service to clients.

AREAS OF EXPERTISE

- Base Pay Structure Design
- Job Architecture Design
- Employee Factors
- Analytics
 - Compression Analysis
 - Competitive Analysis
 - Equal Pay Analysis
- FLSA
- Short-term and Long-term Incentive Development
- Facilitating Executives Interviews & Presentations
- Project Management

Jes Ward

*Consultant, Compensation
Project Manager*

CONTACT

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CLIENT EXPERIENCE

In-House	MSU Denver US Military
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Non-Profit	American Health Information Management Association Asian Americans Advancing Justice Southern California Community Care Inc. Denver Lawrence Centers Denver Rescue Mission Denver Scholarship Foundation Food Bank of the Rockies Oswego County Opportunities
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Business	Acceleration Partners Adapt of America Axlerator Boulder Associates Architects Central Coast Agriculture CORE Creekstone Farms Premium Beef Douglas County Libraries Gopher Resource Haynes Mechanical Systems Holiday Inn Club Vacations The Hilliard Corporation WSB Engineering
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Education	Regis University
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Hannah Hargrave

*Consultant, Compensation
Project Manager*

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OVERVIEW

Hannah Hargrave is a Consultant, Compensation Project Manager for herronpalmer and is in Colorado. Hannah is responsible for managing projects in various areas of Compensation and Total Rewards. This includes conducting research and maintaining market awareness across various industries and labor markets; creating structures that support internal equity and external competitiveness; and developing tools and resources to assist with administration, while supporting compliance.

Hannah's professional and educational background brings a distinct perspective to her role, with varied experience in research, higher education, and healthcare. Her approach to project management stems from her evidenced-based practice mindset in research settings, using mixed methods to approach multifaceted organizational questions. She has learned how to provide depth and breadth of insight to complex and unique situations. She applies this mindset to client projects, ensuring delivery of individualized and thoughtful solutions. Additionally, Hannah's passion for education and professional development helps develop a motivating work environment that encourages effective change management.

Hannah prides herself in being solution-focused. She loves to dive into data and analytics to make informed decisions and enjoys collaborating with people on projects.

AREAS OF EXPERTISE

- Base Pay Structure & Job Architecture Design & Maintenance
- Competitive, Compression, Cost of Labor & Pay Equity Analytics
- FLSA, Time-Off Plan & Shift Differential Reviews
- Employee Factors Exercise and Analysis
- Compensation Education and Communication Strategy Development
- Facilitating Executive Interviews and Presentations & Leadership Training
- Live & Virtual Conference Presentations & Speaking Events
- Project Management



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Hannah Hargrave

*Consultant, Compensation
Project Manager*

CONTACT

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Cell: 970.210.7449

CLIENT EXPERIENCE

Client Experience	American Regent Arapahoe Library District C3 Corporation Central Coast Agriculture Colorado Public Radio Coordinated Care Services, Inc. Denver Rescue Mission Douglas County Libraries Dumb Friends League Eagle County Farm Credit Council FCCS Consulting Flexential Frasier Meadows Global Health Exchange Great Plains Restorative Services Labouré College of Healthcare Martin & Martin Consulting Engineers National Housing Trust New Hampshire Ball Bearings Nevada Hand Potawatomi Hotel & Casino Red River Rose Community Foundations Tang & Company THK Americas Veterans United Home Loans 3Z Corporations
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Jessica Day

*Associate Consultant,
Compensation*

CONTACT

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herronpalmer

OVERVIEW

Jessica Day is an Associate Consultant, Compensation for herronpalmer and is located in Washington. Jessica is responsible for completing projects in various areas of Compensation. This includes conducting research and analysis, developing tools and resources and partnering with clients to transform their compensation practices.

Jessica began her career in Human Resources in 2015 as part of an in-house HR team. Her in-house experience includes HR operations, system administration, new employee onboarding, benefit administration and more. Later in her career, Jessica accepted a Payroll and Benefits Coordinator role for a non-profit organization. In this role she was responsible for administering employee benefits and payroll processing. Before joining herronpalmer, Jessica was an HR Specialist for a school district. In this role, she focused on benefit administration, state reporting, budget planning and more.

Jessica prides herself on being a collaborative professional with clients and enjoys using data to inform recommendations and decisions.

AREAS OF EXPERTISE

- Project Management
- Base Pay Structure & Job Architecture & Maintenance
- Cost of Labor
- FLSA
- Analytics
 - Compression Analysis
 - Competitive Analysis
 - Equal Pay Analysis

Cost Proposal

<u>Compensation Structure February – May 2025</u> • Internal Preparation & Job Description Collection • Leadership Interviews & Focus Groups • Up to 13 Leadership Interviews (Dept Head Group) • Up to 5 Focus Groups • Structure Review & Decisions • Review of existing structure • Suggestions of changes to existing structure • Approval of structure to move forward with for analysis • Competitive Analysis • Compensation Philosophy • Time in Position Guidelines • Competitive analysis including under minimum, over maximum, and compression • Outcomes Review • Project Team Results Meeting • Leadership Results Meeting • Employee Presentation • Project Facilitation • Weekly project team meetings • Project plan development and management	\$38,200
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OPTIONAL SCOPE ITEMS:

If desired, additional scope can be accommodated for the following areas:

- Additional Leadership Interviews - \$500 per interview
- Additional Focus Groups - \$500 per focus group
- Additional results meetings - \$500 per meeting + 1 hour of presentation preparation at a rate of \$400

Title	2024 Rate
Consultant	\$340
Associate Consultant	\$320
Senior Analyst	\$270
Analyst	\$205

Confidentiality

herronpalmer will treat all data received from CoM as confidential; including all employee personal data, business/financial information, management information, and documentation which is marked as being confidential or proprietary, whether in written or electronic form.

Both herronpalmer and CoM will use all information obtained only for the purpose of and in accordance with this Statement of Work and will not share information with any third party without the prior written approval of one another.

ASSUMPTIONS:

The above fees are based on the services described in this proposal and the following assumptions:

- All agreed upon deadlines will be met, on both sides. In the event deadlines are missed, scope, timing and cost will need to be discussed. The timing provided in this proposal is protected for two weeks.
- Data provided will be complete and accurate. If data integrity becomes a concern, the project may need to be paused to evaluate appropriate adjustments to scope and approach before proceeding. Client approval will be obtained before moving forward with any changes.
- Additional consultants and/or analysts may support the project from time to time (depending on task), to expedite work and enable efficient use of budget. If so, these consultants will be introduced to CoM to ensure familiarity with the project team. If additional hours are needed, CoM and herronpalmer will discuss and approve scope increase prior to commencing any additional work.
- The services described above will be invoiced monthly in arrears over the course of the engagement.
- Invoicing will commence following the end of the month that the projects commences.



By: 

Date: 1.13.25

TBD
TBD



herronpalmer

By: 
Signed by: Kathleen Dillon
90A7922C502740B

Date: 12/30/2024

Kathleen Dillon
Managing Director



Thank You

Chelsea Hamilton
Consultant, Compensation Practice Leader

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Chapter 24 - PERSONNEL CODE

Footnotes:

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Editor's note— Ord. No. 2630, § 1, enacted Jan. 3, 1984, repealed former Arts. I—VI of Ch. 24, setting forth personnel regulations, and enacted in lieu thereof new Arts. I—VI as herein set out. Section 3 of said Ord. No. 2630 provided: "§ 3. To the extent required by principles of constitutional law, and by the established law with respect to implied contracts, the repeal of Articles I to VI of Chapter 24 as it existed prior to the effective date of this ordinance shall not accomplish any abridgement or diminution of the vested rights of employees of the City of Minot which may have accrued to them under the provisions of chapter 24 which are being repealed by this ordinance."

Former Arts. I—VI were derived from the following legislation: Rev. Gen. Ords. 1962, §§ 13-0101—13-0108, 13-0201—13-0206, 13-0301—13-306, 13-0308—13-0310; Spec. Ords. 1962, Ch. 5, Art. I, §§ 1—4; and Ord. Nos. 1568, 1587, 1678, 1695, 1729, 1771, 1779, 1836, 1897, 1928, 1933, 1942, 1987, 2296, 2371.

ARTICLE I. - IN GENERAL

Sec. 24-1. - Legislative purpose.

It is the intent and purpose of this chapter to provide that employment with the City of Minot shall be on a civil service basis which is designed to secure for the city and its employees the following advantages:

- (1) Recruitment and promotion on the basis of merit rather than on the basis of patronage or favoritism;
- (2) Job security based on satisfactory performance; and
- (3) Provision for the review of decisions relating to personnel matters by an impartial and nonpolitical third party—the commission.

(Ord. No. 2630, § 1)

Sec. 24-2. - Definitions.

For purposes of this chapter unless the context indicates otherwise:

Annual plan means the annual employees' classification and pay plan.

Appointing authority means the mayor for the city attorney, subject to section 2-116(4); the city attorney for city attorney subordinates; the city manager, or his or her written designee, for all other employees of the city, subject to section 2-47(d) for heads of departments.

Commission means the civil service commission of the City of Minot.

Department means the following departments of the City of Minot government: finance, police, airport, engineering, assessor, fire, public works, community development, and personnel.

Director means the personnel director of the City of Minot.

Length of service means the period of time during which a person was employed by the city, which period need not be uninterrupted.

Position means a position of employment with the City of Minot.

Service means the City of Minot Civil Service.

(Ord. No. 2630, § 1; Ord. No. 5361, § 1; Ord. No. 5543, § 11; Ord. No. 5683, § 1)

Secs. 24-3—24-10. - Reserved.

ARTICLE II. - CIVIL SERVICE COMMISSION

Sec. 24-11. - Civil service commission established; composition.

There is hereby established a civil service commission consisting of three (3) members.

(Ord. No. 2630, § 1)

Sec. 24-12. - Members' qualifications.

Members of the commission shall be individuals who do not hold any elective office, appointive position, or position of employment with the City of Minot except as a member of the commission.

(Ord. No. 2630, § 1)

Sec. 24-13. - Appointment; term of office; removal.

The members of the commission shall be appointed by the city mayor and confirmed by the city council. Each member shall serve for a term of office of five (5) years and until a successor is appointed, qualifies, and agrees to serve. A term commences to run on the date when the council confirms the member's appointment. For good cause and after prior notice and an opportunity to be heard, a member may be removed from office by three-fourths vote of the members of the city council.

(Ord. No. 2630, § 1)

Sec. 24-14. - Compensation.

Compensation for members of the commission shall be paid on a permanent and regular basis in an amount determined by the city council from time to time by way of resolution.

(Ord. No. 2630, § 1)

Sec. 24-15. - Duties.

The duties of the commission shall be as prescribed in this chapter. The city council by way of resolution may request the commission to offer its advice and counsel with respect to such questions and problems pertaining to personnel management as might be identified in the resolution.

(Ord. No. 2630, § 1)

Sec. 24-16. - Organization; rules and regulations.

- (a) The commission shall have full authority to provide for its own internal organization. It shall establish all necessary and proper rules and regulations which may be needed to implement the authority given to it in this chapter and to discharge the duties assigned to it.
- (b) The commission shall approve and ratify rules and regulations recommended by the director under this chapter if they are satisfactory to the commission. No such rules or regulations shall have any official force and effect until approved and ratified by the commission.

(Ord. No. 2630, § 1)

Sec. 24-17. - Clerk.

The director or his delegate shall act as clerk for the commission.

(Ord. No. 2630, § 1)

Secs. 24-18—24-20. - Reserved.

ARTICLE III. - PERSONNEL DIRECTOR

Sec. 24-21. - Position of personnel director created.

There shall be created a position in the service of the city to be known as personnel director.

(Ord. No. 2630, § 1)

Sec. 24-22. - Duties.

The duties of the director shall be as prescribed in this chapter. Additionally, he or shall discharge such duties as may be delegated from time to time by the city manager or the city council. The director at any time may present duties delegated by the city manager before the city council for review, comment, and

direction. Should the direction from the city council differ from that of the city manager, the director must follow the direction of the city council.

(Ord. No. 2630, § 1; Ord. No. 5543, § 12)

Sec. 24-23. - Personnel files.

- (a) The commission shall establish a procedure whereby personnel files are kept with respect to each employee of the city, past or present. These files shall contain the performance evaluations with respect to the employee, the job application form or forms submitted by the employee, the employee's job history, and other information or forms which the director deems appropriate to include therein.
- (b) Any employee may inspect his individual personnel file during regular working hours of the personnel office. No material may be removed from the personnel office without the approval of the director.

(Ord. No. 2630, § 1)

Secs. 24-24—24-30. - Reserved.

ARTICLE IV. - THE CIVIL SERVICE

DIVISION 1. - COMPOSITION OF THE CIVIL SERVICE

Sec. 24-31. - Composition of civil service.

- (a) The civil service of the City of Minot shall consist of all of its employees excluding special appointments noted in section 24-46.
- (b) Elected officials and members of advisory boards and commissions such as the planning commission are not considered employees for the purpose of this chapter.
- (c) The city manager is not considered an employee for purposes of Article V or Article VI of this chapter.

(Ord. No. 2630, § 1; Ord. No. 5361, § 2; Ord. No. 5683, § 2)

Secs. 24-32—24-35. - Reserved.

DIVISION 2. - THE ANNUAL PLAN

Sec. 24-36. - The annual plan.

- (a) No later than June 1st of each year, the director shall prepare and submit an annual employees' classification and pay plan to the commission for its review and approval. The commission shall conduct a public meeting on the plan, which may be adjourned from time to time, wherein it shall consider and approve the plan with or without modifications. In addition to the usual notice given of public meetings, the director will provide an additional notice specifically addressed to municipal employees by such means as he shall choose which are reasonably designed to accomplish that purpose. The commission shall take final action with respect to the proposed annual plan within sixty (60) days of its receipt thereof. Thereafter, the plan shall be confirmed as submitted or modified and confirmed by the city council as part of the annual budget process.
- (b) The annual plan shall consist of two (2) parts. The first being the job classification analysis and the second being the pay plan.
- (c) The job classification analysis shall be based upon a study of the job descriptions for all employees currently employed by the city and a study of the job descriptions for positions which are currently authorized but vacant. To the maximum extent feasible, the analysis shall treat the work force of the city as a whole and shall disregard departmental boundaries. The purposes of the classification analysis shall be to set forth various categories or classes, each of which will consist of a number of job descriptions which are substantially similar to one another in terms of duties, responsibilities, authority, minimum qualifications, required skills, required knowledge, required character traits, and such other matters as might be deemed relevant. The various categories or classes shall be distinguished from one another to the extent feasible by suitable descriptive titles. Moreover, the various categories or classes shall be arranged in a numerical ranking system which shall take into account and which shall reflect the relative importance, difficulty and exclusivity of each category or classification with respect to all other categories or classifications. The numerical ranking system shall use consecutive numbers to indicate the relative ranking of the various classes or categories commencing with the number 1 for the lowest thereof. Each level of ranking to which a number is assigned is to be considered a "grade" to be known by the number assigned to that grade.
- (d) The pay plan shall set forth the compensation which shall be paid to the employees of the city during the next ensuing fiscal year, including noncash benefits and severance pay, if any. It shall establish different levels of pay based upon grades and length of service. It shall take into account salaries being paid by competing employers and the city's ability to pay and shall be based upon two (2) general principles:
 - (1) The higher the grade the higher the pay; and
 - (2) The longer the service the more the pay.

However, the pay plan may provide for one (1) principle being subordinated to the other, so that, for example, one (1) employee with longer service than a second employee may be paid more than the second employee even though the second employee occupies a higher grade than the first.

- (e) After the annual plan has been confirmed by the city council with or without modification as provided for in subsection (a) hereof, it shall govern and establish the salaries to be paid to city employees during the fiscal year to which it pertains. During that fiscal year, no employee shall be paid in excess of the amount provided therein for the position which he occupies. However, nothing herein is to be construed as prohibiting an increase in pay to an employee resulting from a promotion received by him or attributable to attaining a higher step within a grade, as long as the promotion or step increase occurs in accordance with the provisions of this chapter and the rules and regulations established hereunder.
- (f) Changes in classification with respect to a particular job description may be initiated by the director as part of the preparation of the annual plan or the process may be initiated at any time by the employee holding the position in question; provided, however, that in the latter case, the reclassification, if any, shall not take effect until approved by the commission, and the city auditor certifies that sufficient unencumbered monies are available in the appropriate accounts in the budget for the fiscal year during which the reclassification occurs to pay for any resulting salary increase. Reclassification may be based upon either one (1) of two (2) grounds:
 - (1) The job description adequately describes the job, but the relative ranking of the job is inappropriate when compared to other job descriptions in the same grade.
 - (2) The job description does not accurately reflect the knowledge and skills being used by the employee in the course of employment, or it does not reflect the duties and responsibility actually being discharged by the employee; and if the job description were rewritten accordingly, the job would be ranked at a different grade or the rewritten description would duplicate an existing description at a different grade.
- (g) Instead of granting a request for a reclassification of a position currently occupied by an employee, the commission may, instead, if it deems it in the best interest of the service, require of the director that the provisions of this chapter pertaining to promotions, lateral transfers, or demotions be followed instead, including, if necessary, the declaration of a vacancy with respect to a position and the filling of that position by competitive examination, so that the intent and purpose of this chapter may not be frustrated through the device of administratively reassigning duties. In exercising its discretion under this subsection, the commission shall consider whether and to what extent the reclassification request comes about as the result of a gradual, evolutionary, and unanticipated change in the duties of a position. Nothing herein is to be

construed as prohibiting the appointing authority from administratively changing the duties attributable to a position or to an employee, but, rather, this subsection addresses solely the consequences resulting from such administrative changes in duties.

- (h) The city council may amend the annual plan during the course of the year to which it applies, provided that the proposed amendment has been submitted and approved by the commission.

(Ord. No. 2630, § 1; Ord. No. 2936, § 1)

Sec. 24-37. - Job descriptions.

- (a) The director shall maintain detailed narrative job descriptions with respect to each distinct authorized position. The job description shall set forth characteristic duties and responsibilities attributable to a position and the minimum qualifications and desirable skills expected of the holder thereof.
- (b) New job descriptions and substantial amendments to existing job descriptions must be approved by the city council as part of the annual plan or as an amendment thereto.
- (c) No person shall be employed by the City of Minot unless he is hired with respect to a specific job description which has been approved by the city council and which has been classified as part of the annual plan or an amendment thereto approved by the city council unless:
 - (1) The employee is hired as an independent contractor; or
 - (2) The employee is hired under the authority of section 24-46.

(Ord. No. 2630, § 1; Ord. No. 5683, § 3)

Secs. 24-38—24-40. - Reserved.

ARTICLE V. - RECRUITMENT, PROMOTION, DEMOTION, TRANSFERS, TENURE, DISMISSAL, AND REDUCTION IN FORCE

Sec. 24-41. - Filling vacancies.

- (a) All vacancies in the service shall be filled by:
 - (1) The demotion, lateral transfers or promotion of a present employee;
 - (2) The rehiring of a former employee; or
 - (3) By the hiring of a new employee.
- (b) (1) A present employee of the city shall have a qualified preference to fill a vacancy before the vacancy is filled through the rehiring of a former employee or the hiring of a new employee. That is, present employees who are interested in the vacant position shall initially compete amongst themselves alone for the vacancy. The commission shall make a determination

among such present employees as to who meets the minimum qualifications for the position and pursuant to subsection (c) below the commission shall determine what their comparative rankings are with respect to one another. This process of establishing comparative rankings in some cases may require taking into account that a particular employee is seeking a vacant position by way of a voluntary demotion or voluntary lateral transfer. In this regard see paragraph (2) of this subsection and subsection (c) below. Next the commission shall submit to the appointing authority a list of names of present employees eligible for appointment to the vacancy. In so doing it shall employ the formula set forth in subsection (d) of section 24-42 in order to establish how many names to the list and shall list the names in accordance with their order of comparative ranking, the highest first. The appointing authority may fill the vacancy from the list or it may reject all names thereon. If more than one vacancy is involved, the appointing authority may fill one or more vacancies from the list and yet retain the right to reject the remaining names thereon with respect to the remaining vacancies. If pursuant to this paragraph a present employee who bids for a vacant position is not selected for that position he may nevertheless compete for the same position with the applicants who compete for the position pursuant to section 24-42 (assuming that the position is not filled by another present employee or by the rehiring of a former employee), but in that instance he is entitled to no special preference by virtue of being a present city employee.

- (2) Paragraph (1) shall not apply to those positions identified by the commission as entrance level positions, nor to department head positions, so that, consequently, city employees and non-employees alike may apply for such positions on an equal footing.
- (3) To the extent a vacancy is to be filled from among present employees, preference shall be given to demotions over lateral transfers and to lateral transfers over promotions. If the vacancy is to be filled by a demotion, the following descending order of preference shall be observed: Demotions as part of a reduction in force, demotions for the good of the service, demotion of a probationary employee and voluntary demotions. If the vacancy is to be filled by a lateral transfer the following descending order of preference will be observed: Lateral transfer as a part of a reduction in force, lateral transfer for the good of the service, lateral transfer of a probationary employee, voluntary lateral transfer and lateral transfer for disciplinary reasons.
- (4) Notwithstanding anything to the contrary in paragraphs (1) and (2) above, the appointing authority must fill a vacancy by demotion or lateral transfer if that action is required by section 24-50 pertaining to reduction in force or if an applicant seeks a voluntary demotion or voluntary transfer to a position when no one with higher priority under this subsection seeks the same position and all affected department heads consent.

(c)

The commission shall promulgate suitable regulations, rules and procedures to implement the system of priorities set forth in subsection (b). These regulations shall also set forth a means whereby comparative rankings can be established among employees in the same category who are eligible for a vacant position, such as, for example, when more than one employee is seeking a lateral transfer to a vacancy. The comparative ranking system shall take into account each employee's performance evaluations and length of service, and may take into account the results of tests or criteria similar to those provided for in section 24-42(c).

- (d) If a vacancy is filled by the rehiring of a former employee or the hiring of a new employee the procedures set forth in sections 24-43 and 24-42 respectively shall be followed.
- (e) In all cases where a vacancy becomes available for filling the director shall see that suitable public notice of the vacancy is given. The notice will include the title of the position, if any, the job description for the position (which may be summarized), the classification of and the minimum and maximum salary attributable to the position, and appropriate information as to how an interested applicant may obtain further particulars. The public notice shall be made in the manner most reasonable under the circumstances. For example, if it appears to the director that it is very likely that the position will be filled by a present city employee then at least initially the notice need only be posted on city bulletin boards and distributed among city employees without publication of the notice in a newspaper of general circulation.
- (f) For the purpose of this section only, a present employee of the city shall include those employees of the auditorium and recreation departments transferred to the Minot Park District after March 31, 2019, with the exception of the tennis center manager who is employed under contract.

(Ord. No. 2630, § 1; Ord. No. 3965, § 1; Ord. No. 5361, § 3)

Sec. 24-42. - Hiring new employees.

- (a) If a vacancy in the service is not filled by a present employee or by the rehiring of an employee who is eligible for rehiring as a matter of right, then the appointing authority may choose an employee from among names of applicants submitted to him by the director in accordance with the following procedures, or he may choose to leave the position vacant.
- (b) The appointing authority shall indicate to the director whether he wishes to choose an employee from the existing eligibility list established with respect to the position, if any, or whether he wishes the director to create a new eligibility list for that position.
- (c) An eligibility list shall be established with respect to a position as follows: The commission will establish and approve appropriate tests and criteria to be used to evaluate employment applicants with respect to each position, based upon the contents of the job description pertaining thereto, including specifically the minimum qualifications stated therein. The tests may be written, oral, physical or in the form of a demonstration of skill or any combination of these. The tests and criteria shall be designed to evaluate elements of training, experience, aptitude,

knowledge, character, personality, skill, physical fitness or other qualifications. In any event, the tests and criteria to be administered must be reasonably designed to relate positively to actual job performance with respect to the position for which the tests are given and the criteria applied, in order that the tests shall not serve as a means whereby job applicants are unlawfully discriminated against on the grounds of race, color, religion, sex, age or national origin.

- (d) The commission shall rank applicants one against the other based upon the results of the tests referred to in subsection (c) and the list of the names of the applicants set forth in the order of their respective rankings, with the highest ranked first, shall constitute the eligibility list for the position for which the tests were administered. The appointing authority may consider for appointment three (3) names on the list for the first vacancy to be filled, plus two (2) names for each vacancy thereafter, but the names subject to consideration for appointment must be selected in consecutive numerical order commencing with the first.
- (e) The commission may provide with respect to certain classes of positions that no tests of the type provided for in subsection (c) be administered, as when, for example, the position requires as a prerequisite that the applicant possess a professional degree or professional credentials. Likewise the commission may provide that certain positions be filled by the appointing authority on the basis of personal interviews only, because the nature of the position does not easily permit the applicant to be evaluated in an objective manner, but rather selection must take into account intangible aspects of character and personality.
- (f) If in the judgement of the commission it will promote the efficiency of the service to maintain permanent eligibility lists with respect to some positions it may do so, without prejudice, however, to the right of the appointing authority at any time to require that a new eligibility list be established with respect to a position wherein there is a vacancy which the appointing authority wishes to fill. The permanent eligibility list may either be frozen or floating. That is, a frozen list is one to which no new names are added until some predetermined event occurs such as the number of the names on the list dropping to a certain prescribed level or after the passage of a prescribed period of time. A floating list is one in which names are added and ranked from time to time as persons submit applications for employment and take examinations, which procedure the commission may authorize even though no vacancies may exist in the positions for which employment is sought. If the commission does establish a permanent eligibility list it may strike names therefrom at any time upon its determination that good cause exists to do so. The nature of such good cause shall be established by the commission by appropriate rules and regulations but at a minimum these rules and regulations will provide that the name of a person on a permanent eligibility list shall be struck if that person:
 - (1) Obtains city employment,
 - (2) Refuses an offer of city employment,

- (3) Can no longer be contacted after a reasonably diligent effort to do so,
- (4) Can no longer meet minimum qualifications for the position to which the list refers,
- (5) Requests elimination from the list, or
- (g) The director shall have the authority to prescribe the contents of job application forms. As part of the initial job application process he may make a determination whether the applicant meets certain minimum employment standards which by way of rules and regulations established by the commission shall be imposed upon all job applicants irrespective of the position applied for. The minimum employment standards may include, by way of example, a requirement that the applicant be literate in the English language or that the applicant shall never have been convicted of a felony. However, such standards must be reasonably job related so that they do not serve as a means of unlawful discrimination against job applicants on the grounds of race, color, religion, sex, age or national origin. An applicant who cannot meet all the minimum employment standards shall not be considered further for employment nor shall he be permitted to take employment tests with respect to a position until such time as he can meet the minimum employment standards.
- (h) Any person, not an employee of the city, may appeal to the commission from a decision made under the authority of this section by the director or by the appointing authority, which decision is adverse to the party making the appeal or which is otherwise claimed to prejudice him.

(Ord. No. 2630, § 1; Ord. No. 2801, § 1)

Sec. 24-43. - Reemployment.

The director shall maintain a register of employees who are entitled to reemployment as a matter of right, comprised of those persons who were discharged from city employment solely on the basis of a reduction in force. The register shall set forth the position which each employee thereon last held. Thereafter, the director shall recall to employment persons whose names appear on the list as appropriate vacancies occur. The commission shall, by rules and regulations established by it, determine the order in which employees shall be recalled to employment, which rules and regulations may be based upon respective performance evaluations, respective lengths of service, respective dates of discharge, or any combination of these. An employee who is eligible for recall as a matter of right shall not be recalled to fill a vacancy if a present employee of the city who is afforded preference to the position under 24-41 (b) is willing to fill the position. The commission, by rules and regulations, may provide for the removal of names from the reemployment register in the same manner and for the same reasons that names are removed from an eligibility list.

(Ord. No. 2630, § 1; Ord. No. 3175, § 1)

Sec. 24-44. - Veterans' preference.

(a) Any applicant for a position who is a veteran of the armed forces to the United States who was not dishonorably discharged therefrom, and who served in such forces during a period of war, shall have five (5) points added to his test results provided for in 24-41(c) or 24-42(c), unless he is disabled by a service-connected disability, in which case he shall have ten (10) points added to the test results.

(b) "Period of war" means any of those time periods specified in NDCC 37-01-40.

(Ord. No. 2630, § 1; Ord. No. 3568, § 1)

Sec. 24-45. - Nondiscrimination.

It is the policy of this city not to discriminate unlawfully against any person in regard to employment on the grounds of race, color, religion, sex, age or national origin.

(Ord. No. 2630, § 1)

Sec. 24-46. - Special appointments.

- (a) Notwithstanding anything in sections 24-41 through 24-43 to the contrary, the appointing authority exercising his sole authority alone, may hire a person to fill a vacancy in any position as long as he does so subject to the limitations set forth in the following subsections.
- (b) A person may be hired to fill a vacancy in any position as a provisional employee, that is, for a period of time consisting of not more than ninety (90) consecutive days. No person shall be hired as a provisional employee more than twice with respect to the same position.
- (c) Nothing in this section shall be construed as allowing the appointing authority to disregard the minimum qualifications established for a particular position or to disregard the minimum employment standards established for all positions of city employment.
- (d) Service with the city as a result of a special appointment pursuant to this section shall not be credited as a period of city employment for purposes of establishing pension rights, seniority rights, longevity pay increases, or any other right or benefit which is dependent in whole or in part upon length of service. Nor shall it be considered as part of a period of probationary employment except as provided in subsection (f).
- (e) An employee holding a position by virtue of a special appointment under this section shall be treated as a probationary employee for purposes of dismissal, lateral transfer, or demotion.
- (f) An employee appointed pursuant to this section, is not considered an employee for purposes of sections 24-41, 24-43, 24-62, 24-63, 24-64, 24-65, 24-66, 24-67, 24-68, 24-69, 24-70, Division 2 of Article VI, or section 24-113, except that if required to work on a holiday he shall be paid accordingly. However a person not already an employee who is appointed to a position pursuant

to subsection (b) is considered an employee for purposes of the sections just mentioned when and if he secures a permanent appointment to the same position, with benefits to relate back to the date of the provisional appointment.

(Ord. No. 2630, § 1; Ord. No. 5683, § 4)

Sec. 24-47. - Tenure; termination of employment.

- (a) Employment with the city once initiated will continue until it is terminated pursuant to subsection (b) hereof.
- (b) Employment with the city shall terminate on any one of the following grounds:
 - (1) The employee reaches mandatory retirement age;
 - (2) Before reaching the mandatory retirement age the employee dies or voluntarily quits city employment in order to retire or to pursue other employment;
 - (3) The employee is dismissed for the good of the service;
 - (4) The employee is dismissed as part of a reduction in force;
 - (5) The employee is dismissed for disciplinary reasons;
 - (6) The employee is dismissed because the position for which he was hired was a temporary position or otherwise one of limited duration;
 - (7) The employee is dismissed because the appointing authority is permitted under section 24-46 or section 24-48 to terminate the employment and he does so; or
- (c) Dismissal pursuant to a reduction in force shall be made in accordance with section 24-50.
- (d) Dismissal of employees holding a position by virtue of special appointment and of probationary employees shall be made in accordance with sections 24-46 through 24-48 respectively.
- (e) Dismissals for disciplinary reasons shall be made in accordance with Article VI of this chapter.
- (f) Dismissals for the good of the service shall be made in accordance with section 24-51.

(Ord. No. 2630, § 1)

Sec. 24-48. - Probationary employment.

- (a) Except as provided for in subsection (d) hereof, upon making an appointment to fill a vacancy, the appointing authority will establish a probationary period with respect to the particular person appointed to the position (hereinafter called the probationary employee or an employee in probationary status), which probationary period shall be set at six (6) months or twelve (12) months. Prior to the initial probationary period expiration, the probationary period may be extended by the appointing authority, but it shall not exceed eighteen (18) months. Probationary status shall also apply to those former non-career employees converted to full civil service status effective January 1, 2022 as adopted in the 2022 budget.

- (b) During the probationary period the appointing authority may take the following actions with respect to the probationary employee:
 - (1) A new employee or a rehired former employee may be dismissed, laterally transferred or demoted;
 - (2) An employee who is in probationary status as a result of a voluntary lateral transfer or voluntary demotion may be laterally transferred;
 - (3) An employee who is a probationary employee as a result of a promotion may be demoted to a grade not less than the one occupied prior to promotion.
- (c) The appointing authority may take the actions authorized in subsection (b) because in his sole judgment, which is not subject to review, there exists one of the following grounds for so doing:
 - (1) The job performance of the probationary employee is not satisfactory;
 - (2) The action is required as a part of a reduction in force;
 - (3) The action is required in order to provide a vacant position for another employee to fill who is being demoted for the good of the service or who is being demoted under this section;
 - (4) The employee fails a required post-employment physical examination; or
 - (5) There exists with respect to the probationary employee sufficient grounds which would warrant the dismissal or lateral transfer of the employee for disciplinary reasons if he were an employee who was not in probationary status.
- (d) If an employee changes a position as the result of a lateral transfer or demotion as part of a reduction in force, or a lateral transfer or demotion for the good of the service, there shall be imposed no probationary period with respect to the employee in his new position, but rather further demotion, lateral transfer or dismissal shall be based upon there arising new grounds for a demotion, dismissal or lateral transfer which are independent from the grounds which gave rise to the original demotion or lateral transfer.
- (e) An employee may rescind a voluntary lateral transfer or voluntary promotion during his probationary period and return to his former position:
 - (1) As a matter of right if the former position is vacant, or
 - (2) At the discretion of the appointing authority if the position is not vacant.

(Ord. No. 2630, § 1; Ord. No. 3430, § 1; Ord. No. 5683, § 5)

Sec. 24-49. - Demotions.

- (a) An employee shall be demoted only on the following grounds:
 - (1) Voluntary demotion;
 - (2) Demotion as part of a reduction in force;
 - (3) Demotion for the good of the service; or

(4) Demotions pursuant to section 24-48 pertaining to probationary employment or section 24-46 pertaining to special appointments.

(b) Voluntary demotions shall be made pursuant to the regulations authorized pursuant to 24-41(c).

(c) Demotions pursuant to a reduction in force shall be made in accordance with section 24-50.

(d) Demotions for the good of the service shall be made in accordance with section 24-51.

(Ord. No. 2630, § 1)

Sec. 24-50. - Reduction in force.

- (a) A reduction in force is a decrease in the number of city employees which is accomplished in a manner other than through a combination of natural attrition and limitations on hiring. Reductions in force shall be of two kinds, temporary and permanent.
- (b) A temporary reduction in force results in the temporary layoffs of employees. That is, a laid-off employee is not dismissed from city employment but rather for a temporary period of time he is not called upon to perform work for the city, during which time he earns no pay. A laid-off employee shall be subject to recall to active employment upon not less than seven (7) days notice. Periods during which an employee is laid off pursuant to this subsection shall not be counted as periods of employment for purposes of determining pension rights and benefits, seniority or any other benefit dependent in whole or in part upon length of service, nor shall the period during which a worker is laid off count as part of a probationary period.
- (c) A permanent reduction in force results in the permanent dismissal or permanent demotion of employees, or both. It may also involve lateral transfers.
- (d) The appointing authority may implement a reduction in force whenever:
- (1) A reduction is required because of fiscal reasons such as, for example, when there is an unanticipated shortfall in projected tax receipts or other revenues, or both, or when the amount budgeted in any one fiscal year for salaries is inadequate to maintain previously existing staff levels and to pay salaries in accordance with the applicable annual plan; or
 - (2) Whenever there is insufficient worthwhile work to keep all members of the city work force fully occupied.
- (e) Whenever the number of available positions in a table of organization is reduced, or city council approval of a particular job description is withdrawn, in such a manner that one or more employees becomes redundant, the appointing authority shall accomplish an appropriate reduction in force to eliminate the redundancy.
- (f) The commission shall establish rules, regulations and procedures to govern the order of temporary layoffs. The rules shall address such matters as whether layoffs and recalls shall be made on the basis of comparative lengths of service, or comparative performance evaluations, or

both. At a minimum the rule shall provide that with respect to employees sharing the same job description layoffs shall occur in the following order, to wit, employees holding a position by a special appointment under section 24-46, probationary employees, all other employees.

- (g) The order in which employees are dismissed, demoted, or laterally transferred as part of a permanent reduction in force shall be established by the commission through appropriate rules and regulations. However, at a minimum, the rules and regulations shall observe the following principles:
- (1) To the extent feasible the reduction in force shall be accomplished by demotions and lateral transfers in preference to dismissals;
 - (2) If the question should arise with respect to two (2) or more employees who share the same job description or the same classification grade as to the order in which they are to be dismissed, demoted, or transferred, the decision shall be based upon the employees' comparative length of service, and if these should prove to be equal, then the decision should be based upon the employee's comparative performance evaluations, except that a permanent employee shall displace a probationary employee in the same job description, notwithstanding the fact that the probationary employee may have superior performance evaluations or greater length of service;
 - (3) Demotions and lateral transfers shall be only of the following types which are listed hereafter in decreasing order of preference:
 - a. A lateral transfer to a preexisting vacancy in a permanent position;
 - b. A lateral transfer to a position in the same department wherein the employee served immediately prior to the transfer, or to a position formerly held by the employee in another department, if the incumbent thereof is subject to displacement by the transferred employee under the principles set forth in subparagraph (2) above;
 - c. A demotion to the highest position within the department in which the demoted employee served immediately prior to his demotion from which the incumbent is subject to displacement by the demoted employee under the principles set forth in subparagraph (2) above, unless the demoted employee would be entitled to a position with a higher classification pursuant to d below, in which case d shall govern;
 - d. A demotion to the highest position formerly held by the demoted employee in a department other than the department wherein the demoted employee served immediately prior to the demotion, from which the incumbent is subject to displacement by the demoted employee under the principles set forth in subparagraph (2) above;
 - e. A demotion or lateral transfer to a special appointment position as described in section 24-46 even though the incumbent thereof is displaced;

(4)

If in the course of applying the principles set forth in subparagraph (3) above it should appear that two (2) or more employees are eligible for a position by virtue of a lateral transfer or demotion thereto, then the decision as to which of these employees shall obtain the position shall be made on the basis of the principles set forth in subparagraph (2) above;

- (5) No person shall be demoted or laterally transferred to a position for which he does not meet the minimum requirements set forth in the job description pertaining to that position as of the time of the demotion or transfer.
- (h) As long as he observes the rules and regulations provided for in subsection (f) and subsection (g), and subject to budgetary constraints, the appointing authority in implementing a permanent or temporary reduction in force shall have the discretion to determine how and to what extent the reduction in force shall be spread across the various departments of city government. However if the city council has as part of a mandated reduction in force prescribed a specific table of organization to be achieved, or if the city council has specifically abolished certain positions by limiting the number thereof or by withdrawing the approval of the job description pertaining thereto, the appointing authority shall implement the action taken by the city council.
- (i) Nothing in this section shall be construed as prohibiting the city council from directing or the appointing authority from accomplishing on his own authority a decrease in the number of employees through natural attrition combined with restrictions on the hiring of new employees.

(Ord. No. 2630, § 1)

Sec. 24-51. - Demotion, lateral transfer or dismissal for the good of the service.

- (a) An employee may be dismissed, laterally transferred or demoted for the good of the service on any one or more of the following grounds:
 - (1) He suffers from mental or physical disability, or both, to such an extent that he can no longer adequately fulfill the duties of his position;
 - (2) The employee no longer maintains the necessary technical credentials or minimum qualifications required with respect to the position which he holds; or
 - (3) The employee is unable or unwilling to satisfactorily discharge the duties of his position.
- (b) The appointing authority shall make the initial determination whether a dismissal, lateral transfer, or demotion for the good of the service should be ordered with respect to the particular employee. Before ordering such action he will meet with the employee and explain to him the nature of the action to be taken and the reasons for such action. If requested he shall provide the employee with adequate time in which to prepare an argument or explanation as to why the proposed action is inappropriate, to which statement he will give careful consideration before taking final action. If the appointing authority proceeds with dismissal, demotion, or lateral transfer the affected employee has the right to request that the commission consider the matter

anew at a hearing held for that purpose. At such hearing the appointing authority will have the burden with going forward with the evidence and the burden of persuasion with respect to whether there are adequate grounds for dismissal, lateral transfer, or demotion under this section. The commission shall either affirm or reverse the decision of the appointing authority but it may not modify the decision, such as, for example, by ordering demotion in lieu of dismissal.

- (c) Any demotion ordered by the appointing authority shall only be made if it can be made by filling a pre-existing vacancy and then only if it can be made in conformity with the rules established under the authority of section 24-41(c), or alternatively if it can be made with respect to a position which is occupied by a probationary employee or special appointment employee as described in section 24-46. Otherwise the appointing authority shall order dismissal.
- (d) To the extent permitted under law a decision by the commission under subsection (b) shall be final and not subject to review by any court of law.

(Ord. No. 2630, § 1)

Sec. 24-52. - Nepotism.

- (a) Notwithstanding anything in this chapter to the contrary, no person shall be appointed to a position if he is related to a person in the employment of the city who would have immediate supervisory authority over, or who would be immediately supervised by him if he were appointed to the position.
- (b) Relationship shall mean mother, father, grandmother, grandfather, sister, brother, spouse, mother-in-law, father-in-law, sister-in-law, brother-in-law, step-mother, step-father, step-sister, step-brother, son or daughter.
- (c) Nothing herein is to be construed as requiring or permitting the dismissal of an employee by virtue of subsection (a) if the disqualifying relationship first comes about or occurs after the employee is appointed to a position with the city and while he is employed by the city.

(Ord. No. 2630, § 1)

Sec. 24-53. - Promotional ladders.

Notwithstanding anything in this chapter to the contrary, the commission may approve the interconnection of related job descriptions into a "promotional ladder" whereby an employee in one position in the ladder may progress to a higher position in the ladder without competing against other applicants for that position. An example of such a promotional ladder is the progression from police patrolman to senior police patrolman. The commission shall establish rules and regulations to govern the use of promotional ladders which at a minimum shall provide that progression up the ladder is dependent

upon satisfactory job performance as determined by the employee's department head, who shall have the sole discretion to make that determination, and which rules and regulations may provide that the employee pass certain competency tests prescribed by the commission.

(Ord. No. 2630, § 1)

Sec. 24-54. - Performance evaluations.

- (a) The commission shall by appropriate rules and regulations establish a system of performance evaluations for the employees in the service in accordance with the following principles:
 - (1) The standards for evaluation shall include the quality and quality of work performed as well as the efficiency attained in performing the work;
 - (2) There shall be established a numerical rating system for each aspect of an employee's performance which is separately evaluated;
 - (3) An employee shall be evaluated at least once per year except for probationary employees who shall be evaluated at least once every three (3) months.
- (b) Performance evaluations shall be made a permanent part of the personnel file of the subject thereof. He may inspect his performance evaluations and may append comments thereto by way of explanation, rebuttal, statement of disagreement, and the like.

(Ord. No. 2630, § 1)

Secs. 24-55—24-60. - Reserved.

ARTICLE VI. - IN SERVICE REGULATIONS

DIVISION 1. - IN GENERAL

Sec. 24-61. - In service regulations established by commission.

- (a) The commission shall establish rules and regulations pertaining to all matters of personnel policy including specifically the terms and conditions of employment, unless with respect to a particular subject matter:
 - (1) The subject matter is set forth or otherwise governed by way of ordinance; or
 - (2) The city manager has delegated to department heads the authority to set policy on a departmental basis with respect to the subject matter.
- (b) However nothing in this section is to be construed as prohibiting the commission from promulgating rules and regulations to supplement an ordinance when:

- (1) The rule of law set forth in the ordinance is not sufficiently comprehensive to govern in all instances; or
- (2) When the ordinance is ambiguous and in need of interpretation in order to be enforced.

(Ord. No. 2630, § 1)

Sec. 24-62. - Hours of work.

The regular hours of work shall be established by the department head provided that the department head shall not schedule more than forty (40) regular hours of work in the seven-day work cycle from 12:01 a.m. Sunday through 12 midnight Saturday except that the hours of work for fire department personnel on shift duty whose hours of work shall be the average of fifty-six (56) hours per week based on a twenty-eight-day work cycle. Departments shall maintain accurate daily records of employee attendance and hours of work and shall provided these records to the director as required.

(Ord. No. 2630, § 1)

Sec. 24-63. - Leave policy in general.

The following types of leave are hereby established for employees: Annual leave, sick leave, maternity leave, holidays, military leave, jury duty, bereavement, and leave without pay. Leaves may be granted by the department head in accordance with the rules established by the commission for each type of leave. The director shall maintain a record of the absences as submitted by the department heads. Each absence from duty of an employee shall be reported by the department head to the director on prescribed forms.

(Ord. No. 2630, § 1)

Sec. 24-64. - Annual leave.

- (a) Annual leave with pay shall accrue to each full-time employee as follows: 1.166 days for each full month of service; 1.416 days per month accrual after five (5) years of service; 1.666 days per month accrual after ten (10) years of service; 1.916 days per month accrual after fifteen (15) years of service. Three hundred (300) hours maximum vacation accrual. Leave for non-career designated part-time employees shall be prorated to the hours worked.
- (b) Annual leave shall accrue from the date of initial employment and shall be taken by the employee at such time or times as the head of the department may designate.
- (c) Annual leave accrued during the calendar year may be carried forward as accumulated leave provided that such accumulated leave shall in no case exceed a total of three hundred (300) hours. Because vacation leave is granted employees for a period of recreation, no employee shall waive such leave for the purpose of receiving double compensation. Sundays, Saturdays and holidays shall not be counted against a requested vacation period.

However, due to the COVID-19 pandemic during 2020, full time employees of the city are hereby authorized, on a temporary basis for a period of one (1) year commencing on December 31, 2020, and terminating on December 31, 2021, to accumulate and use annual leave hours exceeding the accrual maximum of three hundred (300) hours, with the explicit provision that after December 31, 2021, any accumulated annual leave hours of full time city employees exceeding the three hundred (300) hours may not be compensated for, carried forward, or used by the full time employee after that date.

- (d) In addition to the annual leave provided elsewhere in this section, each full-time employee, who has been an employee of the city for at least one (1) year, shall be entitled to eight (8) hours of personal annual leave each calendar year, which leave, if not availed of by the employee before the end of the calendar year, shall expire and shall not be carried over to a succeeding year or otherwise compensated for. It shall be taken by the employee at such time or times as the head of the department may designate.

(Ord. No. 2630, § 1; Ord. No. 2784, § 1; Ord. No. 3471, § 2(b); Ord. No. 4448, § 1, 12-5-11; Ord. No. 5328, § 1; Ord. No. 5548, § 1)

Sec. 24-65. - Sick leave—Accrual.

- (a) Sick leave with pay shall accrue to each full-time employee as follows: One day accrual per month service. Sick leave for part-time employees shall be prorated in proportion to the hours worked.
- (b) Requests for such sick leave shall be subject to such investigation as the director deems necessary including an investigation before or after the grant of sick leave to determine if the grant is or was warranted. Sick leave shall accrue from the date of initial employment but shall not be credited until completion of the probationary period. Sick leave which has been accrued and not used, may be carried forward to the following calendar year.

(Ord. No. 2630, § 1)

Sec. 24-66. - Same—Grant in advance.

Sick leave in advance cannot be granted except in cases of serious disability or ailments considered together with the exigencies of the situation and then not for a period of more than thirty (30) days. Sick leave granted in advance shall be deducted from sick leave which subsequently accrues when the employee returns to work. If an employee terminates employment with a deficit in accrued sick leave such deficit shall be charged against accrued vacation time and, if that is not sufficient, against wages due.

(Ord. No. 2630, § 1)

Sec. 24-67. - Bereavement.

In the event of a death in the immediate family of an employee a period of three (3) consecutive working days shall be granted to attend the funeral of the deceased. A total of two (2) additional consecutive working days may be granted for travel if the funeral is of a distance greater than three hundred (300) miles from the City of Minot. Immediate family shall include the employee's mother, father, grandmother, grandfather, sister, brother, spouse, child, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, step-mother, step-father, step-sister, step-brother, or any other relative who is actually living in the same household of the employee. A day taken off from work under this section shall be treated as a sick leave day.

(Ord. No. 2630, § 1; Ord. No. 3872, § 1)

Sec. 24-68. - Jury leave.

In the case of jury duty, an employee shall receive an amount which will equal the employee's regular rate of pay when added to the compensation he receives for jury duty, or the employee may have the option of taking annual leave and retain the amount received for jury duty.

(Ord. No. 2630, § 1)

Sec. 24-69. - Maternity leave.

- (a) Employees are eligible for maternity leave under the sick leave policy. For purposes of this policy delivered pregnancies, or miscarriages, are viewed as medical reasons and as such are treated as other medical reasons in terms of sick leave.
- (b) Pregnant employees are encouraged to report the existence of pregnancy. A pregnant employee who is medically disabled from the performance of her duties must be treated the same as any other employee similarly disabled insofar as sick leave benefits are concerned.

(Ord. No. 2630, § 1)

Sec. 24-70. - Holidays.

- (a) The following holidays shall be observed by employees of the city:

New Year's Day—January 1

Martin Luther King Jr./Civil Rights Day—3rd Monday in January

President's Day—3rd Monday in February

Good Friday—Various dates

Memorial Day—Last Monday in May

Independence Day—July 4

Labor Day—1st Monday in September

Veteran's Day—November 11

Thanksgiving Day—4th Thursday in November

Christmas Holiday—The **bolded/underlined** days/dates below shall encompass the entire observed Christmas Holiday, depending on the day of the week Christmas Day falls, and no additional days shall be treated as the Christmas Holiday:

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
25 Dec	<u>26 Dec</u>	27 Dec	28 Dec	29 Dec	23 Dec	24 Dec
24 Dec	<u>25 Dec</u>	<u>26 Dec</u>	27 Dec	28 Dec	29 Dec	23 Dec
23 Dec	<u>24 Dec</u>	<u>25 Dec</u>	26 Dec	27 Dec	28 Dec	22 Dec
29 Dec	23 Dec	<u>24 Dec</u>	<u>25 Dec</u>	26 Dec	27 Dec	28 Dec
28 Dec	22 Dec	23 Dec	24 Dec	<u>25 Dec</u>	<u>26 Dec</u>	27 Dec
27 Dec	21 Dec	22 Dec	23 Dec	<u>24 Dec</u>	<u>25 Dec</u>	26 Dec
26 Dec	20 Dec	21 Dec	22 Dec	23 Dec	<u>24 Dec</u>	25 Dec

Employees shall be allowed time off to vote on state general election days.

- (b) The city hall shall be closed in observance of all holidays and employees of the city shall, except for essential service which must be provided, not work upon holidays. Where an employee, because of the nature of his service is required to work on a holiday, compensation time or extra pay will be provided in accordance with the rules and regulations established by the commission, which rules may provide for treating managerial personnel differently from other personnel.

(Ord. No. 2630, § 1; Ord. No. 5023, § 1; Ord. No. 5329, § 1)

Sec. 24-71. - Leave without pay.

- (a) Leave without pay may be granted to any employee for any reason considered sufficient by the appointing authority, for a period not exceeding six (6) months. Request for such a leave shall be submitted in writing, stating:
 - (1) The reason why such leave should be granted;
 - (2) The effective date of the beginning of the leave; and
 - (3) The probable date of return.
- (b) The leave shall be granted only when it is determined that it will not interfere with the normal operation of the city's business. Employees failing to return to duty upon completion of a leave of absence without pay, shall be considered to have voluntarily terminated their employment with the city.

(Ord. No. 2630, § 1)

Sec. 24-72. - Military leave.

- (a) All employees who are ordered into or who volunteer for service in the armed forces of the United States may obtain leave without pay and shall suffer no loss of position or seniority if honorably discharged and if physically and mentally suitable for reinstatement, provided such employee reports for duty within ninety (90) days after discharge without disability, or within two (2) years of his discharge should he have been incapacitated during service.
- (b) The employee shall be given every reasonable opportunity to take promotional tests, shall be granted vacation and sick leave within the current calendar year prior to leave-taking proportionate to the time for which he was actually employed by the city during the year prior to leave-taking and in all other respects retain all civil service rights.
- (c) Notwithstanding anything to the contrary in section 24-48 all appointments made to positions vacated under this section shall be deemed to be probationary until the time provided in subsection (a) in which the prior incumbent can reclaim the position expires.
- (d) Military training leave shall be in accordance with state law.

(Ord. No. 2630, § 1)

Sec. 24-73. - Expenses of employees.

Employees actual and necessary expenses shall be provided for in the annual budget and shall be reimbursed to employees at the rates and amounts provided for by council resolution. The procedure for reimbursement shall be established by the commission which procedure at a minimum shall provide that disbursement of expense funds must be approved by the city auditor on an individual basis with respect to each employee.

(Ord. No. 2630, § 1)

Sec. 24-74. - Reserved.

Sec. 24-75. - Certain political activities prohibited.

(a) No employee shall:

- (1) Use his official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for office;
- (2) Directly or indirectly coerce, attempt to coerce, command, or advise a municipal officer or employee to pay, lend, or contribute anything of value to a party, committee, or organization, agency, or person for political purposes;
- (3) Be a candidate for elective governmental office;
- (4) Engage in "political activities" (as that term is defined in NDCC 39-01-04) while on duty or in uniform; or
- (5) Actively campaign on the behalf of those seeking city council or mayoral office.

(b) (1) Nothing herein shall prohibit any employee from being a candidate in any election for an office if none of the candidates for that office is to be nominated or elected at such election as representing a party, any of whose candidates for presidential elector received votes in the last preceding election at which presidential electors were selected.

(2) Paragraph (1) of this subsection (b) shall not apply to City of Minot municipal elections.

(Ord. No. 2630, § 1)

Sec. 24-76. - Political solicitations from employees prohibited.

No employee shall orally, by letter or otherwise, solicit or in any manner be concerned with soliciting any assessment, subscription or contribution for any political party or political purpose whatever from any other employee over whom he exercises a supervisory capacity or other official influence.

(Ord. No. 2630, § 1)

Sec. 24-77. - Certain political activities authorized.

Except as provided in sections 24-75 and 24-76 nothing in this chapter shall be construed to prevent any employee from becoming or continuing to be a member or officer of a political club or organization, from attendance at a political meeting, from contributing to or otherwise supporting candidates of his choice, or from enjoying entire freedom from all interference in casting his vote or favoring candidates.

(Ord. No. 2630, § 1)

Sec. 24-78. - Use of city credit cards.

- (a) *Definition.* As used in this section, "credit card" means a card or device issued under an arrangement pursuant to which the issuer gives to a cardholder the privilege of obtaining credit from the issuer.
- (b) *Issuance, use and control of credit cards.* The finance department shall implement the following system for the distribution, authorization and control, credit limits and payment of bills related to the use of credit cards by city officials and employees.
 - (1) *Distribution.* Credit cards will be distributed to each department head requesting a card for their department. The city manager and finance director will have a card available for city official travel.
 - (2) *Authorization and control.* The finance department shall develop the implementation guidelines and accounting controls to ensure the proper usage of credit cards and credit card funds. Such controls shall include a requirement that each city official or employee authorized to use a city credit card must execute an agreement acknowledging and agreeing to applicable guidelines and controls and consenting to a payroll deduction or deductions, including specific authorization in writing that may be required at the time the deduction is made, that is necessary to recover any unauthorized purchases or expenditures if the official or employee fails or refuses to promptly reimburse the city for such charges or expenditures.
 - (3) *Credit limits.* The finance department shall set credit limits on each credit card issued. The credit limit shall not exceed five thousand dollars (\$5,000.00) per purchase for materials and services and shall only be used as a last resort. The credit limit shall not exceed five thousand dollars (\$5,000.00) per trip for travel.
 - (4) *Payment of bills.* The finance department shall establish and implement a written procedure for the payment of all credit card bills.
 - (5) *Unauthorized charges.* A city official may not use a city-issued credit card for any purchase or expenditure other than authorized city purchases or expenditures. Any employee or city official who uses a city-issued credit card for any purchase or expenditure other than authorized city purchases or expenditures shall be billed for all unauthorized charges on the credit card and the city manager or finance director or their designee is directed and authorized to make payroll deductions to recover any unauthorized charges. Any unauthorized use by a city official or employee of the city-issued credit card may result in termination from the city or other discipline.
 - (6) *Cash advances.* Cash advances on credit cards are prohibited.

The finance department is authorized to adopt any additional procedures or policies necessary to implement the provisions of this section.

(Ord. No. 2630, § 1; Ord. No. 4950, § 1)

Editor's note— Ord. No. 4950, § 1, adopted April 6, 2015, changed the title of § 24-78 from "Use of credit cards by employees prohibited" to read as herein set out.

Secs. 24-79—24-100. - Reserved.

DIVISION 2. - GRIEVANCE PROCEDURE

Sec. 24-101. - Grievance procedure established.

The city manager shall issue rules and regulations necessary to establish a grievance procedure whereby any employee who is adversely affected by a decision of his immediate or remote supervisor may require that the decision be reviewed by a person having the authority to reverse the decision. The rules and regulations may provide that a grievance is pursued up the chain of administrative command, culminating in a decision by the city manager, or alternatively it may provide that the employee holding a particular identified position shall have the authority to hear and determine grievances on an administrative level. At a minimum the regulations shall provide that the director shall assist an employee, if requested by the employee, in complying with the technical formalities and requirements of the grievance procedure and that the employee presenting a grievance shall be entitled to be represented and assisted by any person, including a fellow employee, who is willing to do so.

(Ord. No. 2630, § 1)

Sec. 24-102. - Commission final authority on grievances.

If after completing the procedure for the administrative determination of grievances provided for in section 24-101, the employee having the grievance is still dissatisfied with the administrative action taken, if any, with respect to his grievance, he may present the matter to the commission for its review which shall be final and not subject to further review by any court of law.

(Ord. No. 2630, § 1)

Sec. 24-103. - Standard of review.

The person or persons hearing and determining a grievance pursuant to the authority of section 24-101, or the commission acting pursuant to the authority of section 24-102, shall have the full power and authority to reverse or to modify, as well as to affirm, a decision giving rise to a grievance if he or it concludes that the decision is based upon a misinterpretation or misunderstanding of applicable constitutional principles, both state and federal, or of North Dakota statutory provisions, or of ordinances,

regulations, rules, formal procedures, or formal statements of policy of the City of Minot. However if the decision which gives rise to a grievance is a decision which involves the exercise of a discretionary judgment on the part of the person making the decision, and it fairly appears that the person making the decision has been entrusted with or delegated the power to exercise his discretion in making such a decision, then the decision shall be reversed only in the event there is a demonstrated abuse of discretion, on which issue the grieving employee shall have the burden of persuasion.

(Ord. No. 2630, § 1)

Sec. 24-104. - Grievance procedure limited.

Notwithstanding anything in this division to the contrary, if this chapter elsewhere provides that a decision affecting an employee is to be reviewed in a certain manner, such as is provided in Article V with respect to the dismissal or demotion of an employee for the good of the service, for example, then such other procedure shall be exclusive so that the grievance procedure of this division is inapplicable.

(Ord. No. 2630, § 1)

Secs. 24-105—24-110. - Reserved.

DIVISION 3. - EMPLOYEE DISCIPLINE

Sec. 24-111. - Disciplinary regulations.

The commission shall establish disciplinary regulations. These regulations will be of two (2) types, the first type being substantive regulations which set forth the type of behavior which is either prohibited or required on the part of an employee, the breach or nonobservance of which by the employee may form the basis for disciplinary action against him. For example, the regulations may prohibit insubordination, chronic tardiness, making false claims or reports, etc. The second type shall constitute procedural rules with respect to the imposition of discipline. At a minimum the procedural rules of discipline shall provide that the employee's constitutional rights of due process are observed, particularly including the principle that no employee shall be subject to punishment for behavior which is not reasonably identified in the substantive rules of discipline as being the sort of behavior which can give rise to disciplinary action. Moreover the rules and regulations shall provide that with respect to all disciplinary actions taken against an employee, there shall be a right of appeal by the employee to the city manager, or alternatively, that before disciplinary punishment is imposed with respect to an employee the city manager must concur that there are adequate grounds therefor and that the punishment to be imposed is appropriate under the circumstances.

(Ord. No. 2630, § 1)

Sec. 24-112. - Allowable disciplinary punishments.

- (a) Employees may be subject to any one or more of the following disciplinary punishments in accordance with the rules and regulations authorized under section 24-111:
 - (1) Dismissal;
 - (2) Lateral transfer;
 - (3) Suspension without pay;
 - (4) A temporary decrease in pay in an amount not to exceed twenty (20) per cent of the amount of gross pay which the employee would be receiving in the absence of disciplinary punishment for a period of time not to exceed one hundred eighty (180) consecutive calendar days;
 - (5) Adjustment in performance evaluations; or
 - (6) A letter of reprimand to be included in the employee's personnel file.
- (b) A lateral transfer for disciplinary reasons may only be made to a preexisting vacancy and then only in accordance with the rules promulgated under the authority of section 24-41(c).

(Ord. No. 2630, § 1)

Sec. 24-113. - Review by the commission.

- (a) An employee who has been subjected to disciplinary action resulting in the imposition of disciplinary punishment may appeal to the commission. The commission shall have the authority to reverse the determination that there is cause to impose disciplinary punishment, and may remit the punishment, or it may find that there are grounds for imposing disciplinary punishment but that the punishment imposed should be modified, in which case it shall so order.
- (b) The procedures whereby an employee may appeal to the commission from an adverse decision with respect to whether disciplinary action should be taken against him, which disciplinary action has led to the imposition of disciplinary punishment, shall be identical to the procedures involved in presenting a grievance to the commission, except that in all respects the appointing authority shall have the burden of going forward with evidence and the burden of persuasion with respect to the factual issues which arise, which issues will be determined by the commission de novo. Furthermore, once the commission has arrived at a decision the employee shall be considered to have exhausted his administrative remedies for purposes of applying the legal doctrine which requires the exhaustion of administrative remedies as a prerequisite to judicial review. To the extent permitted under the general law of the state the decisions of the commission under this division shall be subject to judicial review.

(Ord. No. 2630, § 1)

Secs. 24-114—24-147. - Reserved.

ARTICLE VII. - EMPLOYEES' PENSION PLAN

Footnotes:

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Editor's note— Ord. No. 4247, adopted Jan. 11, 2010, repealed the former Art. VII, §§ 24-148—24-156, 24-158—24-161, and 24-171—24-181, in its entirety. Former Art. VII pertained to employees' pension plan and derived from Ord. No. 4131, adopted July 7, 2008. Section 1 of Ord. No. 4247 states, "Ordinance No. 4131 and all previous Ordinances addressing the Employees' Pension Plan and the Former Police Pension Plan are now governed by City of Minot, North Dakota Pension Plan (2009 Restatement) and subsequent amendments, which 2009 Restatement Plan is incorporated by reference as part of this Ordinance and is maintained under separate cover in the City Clerk's Office effective January 1, 2009."

CITY OF MINOT



EMPLOYEE POLICY MANUAL

2024

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ACKNOWLEDGEMENT

This employee handbook describes in general terms the City of Minot employment policies, procedures, and benefits. In all instances, the official benefit plan documents, City of Minot Code of Ordinances and Civil Service regulations serve as the governing documents.

The policies in this manual are not firm conditions of employment, and the language is not intended to create a legal or employment contract between the City of Minot and its team members. Employment with the City of Minot is at the sole discretion of the City of Minot and may be terminated pursuant to Section 24-47 of the City of Minot Code of Ordinances.

The City of Minot reserves the right to alter, amend, modify, rescind, or otherwise change the content of this manual as permitted by law, in its sole discretion, and without advance notice to any team member affected by the provisions of this manual.

MAGIC CITY ASPIRATIONS



THE CITY OF MINOT CITY COUNCIL HAS LAID OUT ITS VISION FOR THE FUTURE OF MINOT. FOUR ASPIRATIONS WILL NOW DRIVE EVERY DECISION THE COUNCIL MAKES TO HELP REACH THAT GOAL OF A THRIVING, RESILIENT, SAFE, AND CONNECTED COMMUNITY.

DYNAMIC & FLOURISHING

- Minot is a thriving and vibrant community, built on a spirit of sharing strengths
- Committed to being adaptable and ready for strategic growth, and making successful investments in targeted partnerships

RESILIENT & PREPARED

- Be proactive and plan for infrastructure, equipment and capital projects
- Focus on speeding up flood control project (12 years)
- Minot is ready to meet the challenges and opportunities of the future

SAFE & WELCOMING

- Increase community engagement to increase diversity and inclusion
- Maintain a constant and accurate flow of information from the City
- Maintain current levels of public safety (even if more resources are required)
- Minot is a caring community where people feel safe and engaged,
- with opportunities to celebrate our histories and diverse identities.

EXCELLENT & CONNECTED

- Minot is an innovative, professional, fiscally responsible City government that works collaboratively with residents and partners to provide community leadership and deliver high quality services.

MISSION & VALUES

SERVING OUR NEIGHBORS, BUILDING
OUR COMMUNITY WITH PRIDE



PROFESSIONALISM

Workplace professionalism is characterized by your attire, behavior, attitude, and communication. The definition of professionalism in the workplace also includes your timeliness, organization, and dedication.

INTEGRITY

Integrity is the quality of being honest and showing a consistent and uncompromising adherence to strong moral and ethical principles and values.

EXCELLENCE

Excellence is the commitment to being and/or delivering the best. Excellence is striving for continuous improvement, seeking out new opportunities to learn and grow.

RESPONSIBILITY

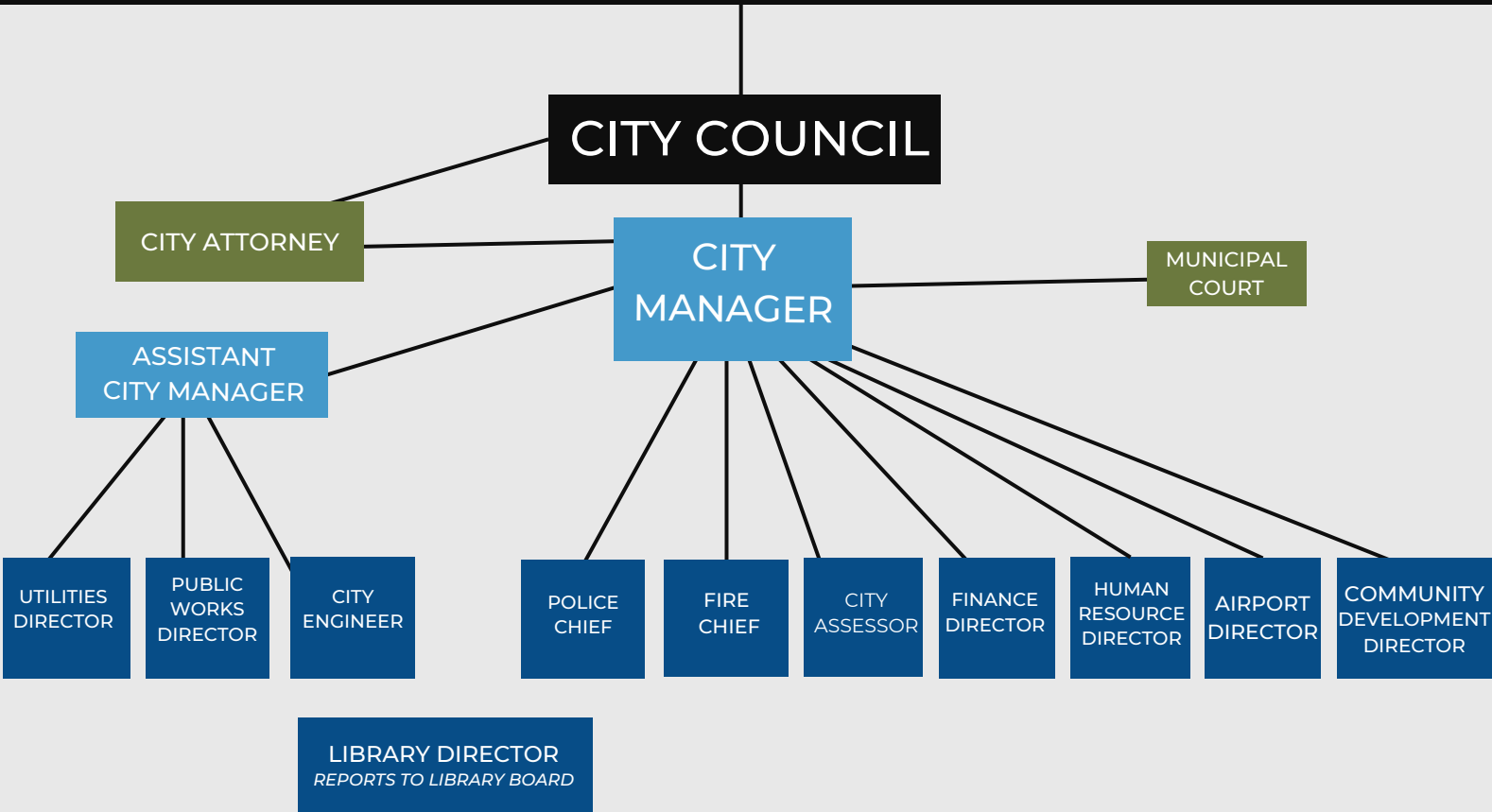
Responsibility is being accountable for one's actions and to know and follow various rules, laws, and conduct codes. Responsibility is accepting what is required and carrying out the task to the best of your ability. Responsibility is carrying out duties with integrity.

DEDICATION

Dedication is the quality of being committed to a task or purpose. Dedication is a very strong demonstration of support for or loyalty to someone or something.

ORGANIZATIONAL STRUCTURE CHART

CITIZENS OF MINOT



EQUAL EMPLOYMENT OPPORTUNITY/ AFFIRMATIVE ACTION



It is the policy of the City of Minot to provide Equal Employment Opportunity (EEO) as that no person shall, on the ground of race, religion, gender, color, national origin, marital status, age, political affiliation or any disability which does not prevent satisfactory performance of work, be excluded from participation, be denied the benefit of, or be subject to discrimination under any program or activity undertaken by the City of Minot.

An Affirmative Action Plan of the City of Minot sets forth goals to ensure the policy of nondiscrimination as it relates to all our employment and operating practices. It demonstrates the City's commitment to equalizing employment opportunities for females, minorities, and disabled persons in all job classifications found within the City of Minot.

The EEO program applies to all applicants for positions and employees of the City and provides that they are treated fairly. Such treatment shall include no discrimination of any nature in the recruitment, placement, promotions, transfers, demotions, advertising or solicitations for employment, training during employment, rates of pay, or other forms of compensation, selections for training including apprenticeship, lay-off or termination or any related function.

The EEO program in the City of Minot is viewed as good management practice and in order to make it successful, all persons employed by the City of Minot are asked to support the EEO program. Furthermore, people employed in management positions are asked to direct special attention to the internal application of the EEO program and how its goals and objectives relate specifically to their department. The City needs everyone's cooperation for a viable EEO program.

Any person who believes she/he has been discriminated against for any reason should contact the Personnel Office.

CHAPTER 1

- 01** CIVIL SERVICE COMMISSION
- 02** VETERAN'S PREFERENCE
- 03** FILLING VACANCIES
- 04** ENTRANCE LEVEL POSITIONS AND STARTING SALARY
- 05** BACKGROUND CHECKS AND ALCOHOL/CONTROLLED SUBSTANCE TESTING
- 06** VOLUNTARY LATERAL TRANSFERS
- 07** DEMOTION POLICY
- 08** PROMOTIONAL LADDERS
- 09** SALARY POLICY FOR PROMOTION, CAREER LADDER AND RECLASSIFICATION
- 10** PROMOTIONAL EXAM POLICY
- 11** RE EMPLOYMENT LISTS
- 12** PROBATIONARY PERIOD
- 13** NEPOTISM

Civil Service Commission – General Information

The Civil Service Commission is composed of three citizens appointed by Mayor and confirmed by the City Council for a five-year term of office. The Commission members are to be citizens known to be sympathetic to the systemic application of the principles of merit and fitness to personnel issues in the public service.

The general duties of the Civil Service Commission are as follows:

- a) To represent the public interest in the improvement of personnel administration in the City service.
- b) To act in an advisory capacity upon request of the City Council on problems concerning personnel administration.
- c) Investigate and hear appeals and complaints concerning the administrative work of the Commission.
- d) To review, conduct public hearings on, and approve the Annual Employee's Pay and Classification Plan with or without modification.
- e) To authorize the Personnel Director to enforce the provisions of the Personnel Code.
- f) To recommend to the City Council measures for coordinating work of the various departments and for increasing the efficiency of the service.
- g) To serve as an appeal board to rule on grievances that any employee may have.
- h) To do any other lawful act or acts necessary to affect the purpose of the Personnel Code.

1. ENTRANCE AND PROMOTIONAL TESTS

Prior to testing for any entrance level or promotional position, the Civil Service Commission will establish the procedures and requirements for filling the open position. Testing for the position may consist of a written exam(s), a physical agility exam(s), a skill test(s), and an oral interview or any combination of the above exams, depending on the procedures set by the Civil Service Commission.

Once testing is completed, applicants are ranked numerically according to their total composite score on all of the Civil Service Commission approved factors of the open position, with the highest composite score being ranked #1. From this employment list, the appointing authority may consider for appointment three (3) names for the first vacancy to be filled, plus two (2) additional names for each vacancy thereafter.

2. VETERAN'S PREFERENCE

Veteran's Preference is granted on all entrance testing, in accordance with the [NDCC 37-19.1-02](#) requirements, to all qualifying veterans. Qualifying veterans are defined by ordinance as those having served between 12/7/1941 to 12/31/1946 (WWII), 06/27/1950 to 1/31/1955 (Korean), 8/5/1964 to 5/7/1975 (Vietnam Era), 8/2/1990 to 1/2/1992 (Persian Gulf), 9/11/2001 to the last day, declared by Congress of operation Iraqi freedom or operation enduring freedom (whichever occurs later). The Department of Veterans' Affairs shall maintain a list of all period dates for emergency conditions in which the armed forces expeditionary medal has been awarded.

An existing employee is not eligible for Veteran's Preference when applying for another position within the City of Minot.

3. FILLING VACANCIES

The Personnel Code gives present employees a qualified preference to fill a vacancy before the vacancy is filled through the re-hiring of a former employee (by attrition or lay-off) or hiring of a new employee. In general terms, most vacancies will be advertised internally and competitive examinations will be given to qualified applicants. However, there are some exceptions to this general statement and some methods by which an employee can receive additional compensation without opening the job to competition. Please refer to the Annual Plan for other examples, or contact the Human Resource Office.

4. ENTRANCE LEVEL POSITIONS AND STARTING SALARY

The Personnel Code provides that the Commission can identify certain entrance-level positions for which the employees of the City and non-employees can make applications alike on an equal basis. The current Annual Pay and Classification Plan have a listing of the City's entrance-level positions. Whenever practical and feasible, all other vacancies shall be filled by competitive examinations of eligible applicants in the City's classified service.

The beginning salary for the newly appointed employee shall normally be at the minimum of the salary grade for the job classification. However, a newly appointed employee with related experience or other qualifications, may be paid a salary more than the published minimum salary at the discretion of the Human Resource Director and appointing authority, within available budget allowances for the applicable department.

5. BACKGROUND CHECKS AND ALCOHOL AND CONTROLLED SUBSTANCE TESTING

As a condition of employment, all individuals appointed to a position will be subject to a background check to include, but not limited to, driver's license records, criminal records, education records, credit reports and personal history records. An authorization and waiver to release information must be signed by the appointed individual.

Certain positions, designated as performing safety-sensitive functions, also require post-offer pre-employment testing for drugs and alcohol in compliance with DOT regulations and departmental requirements.

6. VOLUNTARY LATERAL TRANSFERS

Whenever a vacancy exists in a position that is not an entry-level position, administration will consider requests for a lateral transfer. Mutual consent of affected Department Heads is required.

However, as a general rule, these positions will be filled by competitive promotional examinations; administration may require those requesting transfer to the position, to write the required examination in competition with others in the classified service.

7. DEMOTION POLICY

When an employee is demoted at their request, or for the best interest of the City, the employee will be placed into the grade of the new position with a corresponding decrease in pay. The actual step that the employee will be placed into will be determined by the Human Resource Director in consultation with the Department Head involved and with final approval by the City Manager.

Information considered by the Human Resource Director in determining placement into the grade includes the years of service of the employee, percentage of difference between old grade and new grade, any disciplinary issues involved in the demotion, step placement of current employees within the department and whether the employee will be eligible for a future career ladder promotion. Mutual consent of affected Department Heads is required for demotions not associated with a reduction in force.

8. PROMOTIONAL LADDERS

In accordance with Section 24-53 of the Personnel Code, the Commission can approve the interconnection of related job descriptions into a “promotional ladder” whereby an employee in one position in the ladder may progress to a higher position in the ladder without competing against other applicants for that position. The Commission has established rules and regulations to govern the use of promotional ladders which provide that progression is dependent upon satisfactory job performance as determined by the employee’s Department Head (who shall have the sole discretion to make that determination) and which provides that the employee pass certain competency tests prescribed by the Commission. A listing of the promotional ladder positions is included in the current Annual Pay and Classification Plan.

9. SALARY POLICY FOR PROMOTION, CAREER LADDER AND RECLASSIFICATION

If an employee is promoted through competitive examination or career ladder, a 5% (two steps) salary adjustment will be made on the effective date of the promotion. In the event that the employee is at the top step of the former position and the first step of the new position is at a higher level, the employee will be placed in the first step of the new position or a minimum of 5%. If an employee accepts a position in another department that results in a new occupational career for the employee, the employee may not receive a 5% adjustment in salary. The actual step the employee will be placed in, will be determined by the Human Resource Director in consultation with the applicable Department Head. Information that will be considered by the Human Resource Director in determining placement into the grade includes: step placement of current employees within the department, required certifications of the position and eligibility for future career ladder promotions.

In the event of promotion of a non-exempt employee to an exempt position, the employee will receive a salary increase of not less than 10% or will be adjusted to the minimum salary level of the new position's salary grade, whichever is greater. At no time shall an exempt employee be compensated at a Base Rate less than 5% greater than his or her highest paid subordinate either non-exempt or exempt, where a direct supervisory relationship exists.

If an employee's position is reclassified to a higher range of pay or is recommended to a higher range of pay as a result of a prevailing rate adjustment as part of the Annual Plan, the employee will be placed into the new range at the same rate of pay and then progress through the pay ranges as so designated under pay plan progression. If the first step in the reclassified service position is higher than the employee's current rate of pay, the employee shall be placed in the first step of the reclassified position, on January 1st, and then progress through the pay plan ranges as so designed under pay plan progression.

If an employee's position is reclassified to a lower range of pay, and the highest step in the reclassified position is lower than the employee's current rate of pay, the employee's salary shall be frozen at their current rate of pay until such time that the position range is adjusted.

Notwithstanding anything to the contrary above, the appointing authority has the authority to place an employee in a step that results in more than a 5% increase in the best interest of the City.

10. PROMOTIONAL EXAMINATION POLICY

Promotional examinations within the City of Minot are restricted to the Civil Service employees who have completed 3 months of probationary employment, and have met all qualifications of the position for which they are applying. (Change approved by the Civil Service Commission November 8, 2012)

11. RE-EMPLOYMENT LISTS

Please refer to section [24-43 in the City of Minot Code of Ordinances](#).

12. PROBATIONARY PERIOD

Upon making an appointment to fill a vacancy, the appointing authority will establish a probationary period with respect to the particular person appointed to the position which probationary period shall not exceed eighteen (18) months.

All new hires, while on probation, will not be eligible for the annual step increase on January 1st until they have completed their probationary period which may consist of six-months or one year, depending upon the position and as designated by the Department Head (probationary periods may be extended by the Department Head up to eighteen months). The new hire will receive a 5% (2 steps) increase upon satisfactory completion of the probationary period of service in the position. Thereafter, the employees annual step increase will occur on January 1st.

13. NEPOTISM

No person shall be appointed to a position if he or she is related to a City employee, who would have immediate supervisory authority over, or who would be immediately supervised as a result of appointment to the position.

Designated relationships for the purpose of nepotism shall mean: mother, father, grandmother, grandfather, sister, brother, spouse, son, daughter, mother-in-law, father-in-law, sister-in-law, brother-in-law, step-mother, step-father, step-sister or step-brother.

If a disqualifying relationship, as designated above, comes about or occurs after the employee is appointed to a position with the City and while he/she is employed by the City, there is no requirement to dismiss the affected employee.

CHAPTER 2

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1. SELF-FUNDED HEALTH INSURANCE

The City of Minot provides a Health Care Plan through Blue Cross/Blue Shield of North Dakota which offers a choice of single, single + dependent and family coverage. Eligible employees may enroll the 1st of the month immediately following the first day of employment. The current City payment formula for health insurance is to cover 100% of a single policy, 92% of a single + dependent policy and 82% of a family policy.

Please refer to the City of Minot Benefit Guide for current rates and coverage information.

Link: [City of Minot Benefit Guide](#)

Health insurance premiums are deducted from the employee's gross wages prior to federal tax calculations, thereby reducing the employee's taxable earnings.

If an employee does not enroll for coverage at the beginning of employment, during the available enrollment period of 31 days, they must wait until open enrollment for coverage to begin in the next calendar year.

Employees are able to make changes to their health insurance coverage during the year with a qualifying event or lifestyle change. Any employee wishing to make any changes in their coverage should contact the Human Resource Office as soon as possible to make sure the proper deductions will be made for the new coverage.

Important Note: The use of medical marijuana by City employees, even with a prescription is strictly prohibited due to the City of Minot's receipt of federal funding.

2. GROUP DENTAL INSURANCE

The City provides employees an opportunity to participate in a choice of two Dental Insurance Plans through Blue Cross/Blue Shield of North Dakota. Single or Family coverage options are offered.

Please refer to the City of Minot Benefit Guide for current rates and coverage information.

Link: [City of Minot Benefit Guide](#)

3. GROUP VISION INSURANCE

The City provides employees an opportunity to participate in a Vision Insurance Plan through Blue Cross Blue Shield of North Dakota. Single or Family coverage is offered.

Please refer to the City of Minot Benefit Guide for current rates and coverage information.

Link: [City of Minot Benefit Guide](#)

4. GROUP LIFE INSURANCE

The City provides a \$15,000 life insurance policy with a \$15,000 Accidental Death & Dismemberment benefit. The cost to the City is \$3.71 per employee per month for this coverage.

Provisions are also made for the employee to carry an additional \$15,000 life insurance policy with a \$15,000 AD&D benefit at a cost of \$4.05 per month.

Dependent coverage may also be carried on employee's spouse and dependents at a cost of \$.30 per month for \$2,000 coverage policy on spouse, \$1,000 coverage policy for children 6 months to 19 years of age, and a \$100 coverage policy for children 14 days to 6 months.

Additional Life insurance is available through UNUM paid by the employee.

Additional Life/Accidental Death & Dismemberment 100% paid for by employee					
Employee Benefit Election	\$15,000	\$25,000	\$50,000	\$75,000	\$100,000
Monthly Cost	\$4.05	\$6.75	\$13.50	\$20.25	\$27.00

Please refer to the City of Minot Benefit Guide for more information.

Link: [City of Minot Benefit Guide](#)

5. HOLIDAYS

The employees of the City of Minot shall observe the following holidays:

New Year's Day	January 1st
Martin Luther King Jr. Day/ Civil Rights Day	3rd Monday in January
Presidents' Day	3rd Monday in February
Good Friday	Various Dates
Memorial Day	Last Monday in May
Independence Day	July 4th
Labor Day	1st Monday in September
Veterans Day	November 11th
Thanksgiving Day	4th Thursday in November
Christmas Day	* Please Reference Below Chart*

Christmas Holiday – The bolded/underlined days/dates below shall encompass the entire observed Christmas Holiday, depending on the day of the week Christmas Day falls, and no additional days shall be treated as the Christmas Holiday:

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
25 Dec	<u>26 Dec</u>	27 Dec	28 Dec	29 Dec	23 Dec	24 Dec
24 Dec	<u>25 Dec</u>	<u>26 Dec</u>	27 Dec	28 Dec	29 Dec	23 Dec
23 Dec	<u>24 Dec</u>	<u>25 Dec</u>	26 Dec	27 Dec	28 Dec	22 Dec
22 Dec	23 Dec	<u>24 Dec</u>	<u>25 Dec</u>	26 Dec	27 Dec	28 Dec
21 Dec	22 Dec	23 Dec	24 Dec	<u>25 Dec</u>	<u>26 Dec</u>	27 Dec
20 Dec	21 Dec	22 Dec	23 Dec	<u>24 Dec</u>	<u>25 Dec</u>	26 Dec
19 Dec	20 Dec	21 Dec	22 Dec	23 Dec	<u>24 Dec</u>	25 Dec

- City offices shall be closed in observance of all holidays and employees of the City shall, except for essential services which must be provided, not work upon holidays.
- Where an employee, because of the nature of service is required to work on a holiday, extra pay will be provided in accordance with the rules and regulations established by the Commission, which rules may provide for treating managerial personnel differently from other personnel.
- When a holiday falls on a Saturday, the Friday preceding shall be considered the holiday. When a holiday falls on a Sunday, the Monday following shall be the holiday.
- Fire Control Staff and Sworn Police Officers, with the exception of exempt level Officers, will have holidays included in annual Paid Time Off (PTO) accrual.

6. PAID TIME OFF (PTO) Effective December 31, 2023

During the 2024 budget process, the Civil Service Commission and City Council approved the transition to Paid Time Off (PTO) to replace the previous vacation/sick leave policy.

For purposes of policy, PTO will be used as “Scheduled PTO” and “Unscheduled PTO”. Scheduled PTO is leave requested and approved in advance. Unscheduled PTO is for unplanned leave used for purposes such as illness, mental health, and bereavement leave. As much notice as possible should be provided by the employee to their supervisor when asking for Unscheduled PTO, and a PTO Request must be submitted through ADP Workforce Manager immediately upon return to work. Employees who have claimed Unscheduled PTO may be required to provide documentation supporting the use.

Medical and dental appointments using PTO will be authorized during work hours, if the employee notifies their supervisor in advance of the appointment within a reasonable amount of time, to ensure there is adequate personnel for work coverage. However, to the extent that is possible, employees are encouraged to set appointments during nonpeak working time for their position.

Carryover of PTO from one calendar year to the next will be calculated in accordance with the tables above. The last pay period in December of each year the City will buy back any accrued PTO over the applicable Carryover amount, at full value. For example, a 5-10-year General employee that has an accrued balance of 350 hours of PTO as of the last pay period of December will have 26 hours of PTO paid out and included in their second (2nd) December paycheck ($350 - 324 = 26\text{hrs}$).

Annual Mandatory Use outlined in the tables is the amount of PTO required to be used by an employee in a calendar year and is a cumulative minimum for the year. If an employee has not used the mandatory amount by August 31st of a calendar year, and the employee has not had PTO leave approved/scheduled before the end of the same calendar year the Department Head will schedule the remaining Annual Mandatory Use to be taken prior to December 31st of the calendar year. The City reserves the right, under the recommendation of the City Manager and the Finance Director, to require additional Mandatory use of PTO to address unexpected budget pressures.

Employees violating the PTO rules and regulations will be subject to the disciplinary actions as outlined in Chapter 6 Section 4 – Disciplinary Policy.

Fire administration staff will accrue PTO in accordance with the General Table above. The Fire Table reflects a conversion factor of 1.50, which is used to convert the accrual provided to other City employees to the appropriate equivalent for Fire personnel.

The 10 paid holidays observed by the City are also calculated into the accrual rates for the Police and Fire departments as they are regularly scheduled to work on holidays (80 hours for Police and 106 hours for Fire). This provides flexibility for when they choose to use their time off and ensure compensation if they choose not to use the accrued PTO. Holidays for Police and Fire personnel required to work on a holiday will be treated as a regular day worked for purposes of compensation and overtime policies. If City Council approves additional holidays within the year, the appropriate hours will be added to the accruals for applicable Police and Fire staff.

PTO accrual shall accrue for each full-time employee as follows:

General 80 Hour Per Pay Period Employees

	General 80 Hour Per Pay Period Employees				
	Monthly	Annual	Per Pay Period	Carry Over	Mandatory Use
0-1 year	14.69	176	6.78	300	N/A
1-5 years	14.69	176	6.78	300	40
5-10 years	16.69	200	7.70	324	80
10-15 years	18.69	224	8.63	348	80
15+ years	20.69	248	9.55	372	80

80 Hour Per Pay Period Employees with Discretionary Leave

	Discretionary Pay Combo							
	40 hrs- Monthly Hours	Annual	Per Pay Period	24 hrs- Monthly Hours	Annual	Per Pay Period	Annual Mandatory Use	Carryover
0-1 year	18.03	216	8.32	16.69	200	7.70	N/A	300
1-5 years	18.03	216	8.32	16.69	200	7.70	40	300
5-10 years	20.03	240	9.24	18.69	224	8.63	80	324
10-15 years	22.03	264	10.17	20.69	248	9.55	80	348
15+ years	24.03	288	11.09	22.69	272	10.47	80	372

Non-Administrative Police Employees

	Non-Administrative Police Employees				
	Monthly	Annual	Per Pay Period	Carry Over	Mandatory Use
0-1 year	24.06	289	11.10	321	N/A
1-5 years	24.06	289	11.10	321	43
5-10 years	26.20	314	12.09	347	86
10-15 years	28.34	340	13.08	372	86
15+ years	30.48	366	14.07	398	86

Fire Department- 2912 Employees

	Fire Department 2912 Employees				
	Monthly	Annual	Per Pay Period	Carry Over	Mandatory Use
0-1 year	32.00	384	14.77	450	N/A
1-5 years	32.00	384	14.77	450	60
5-10 years	35.00	420	16.15	486	120
10-15 years	38.00	456	17.54	522	120
15+ years	41.00	492	18.92	558	120

7. FROZEN SICK LEAVE ACCRUAL USAGE POLICY

Sick leave accruals will be “frozen” effective December 30, 2023 with the transition PTO. Frozen sick leave accruals still maintain a “no cash” value status.

Access to frozen sick leave accruals will allowed in the following situations:

- a) For any FMLA designated event which happens prior to December 31, 2023.
- b) For any denied Short-Term Disability claim, provided PTO has been used prior to the claim being denied, and the Short-Term Disability Policy has been followed as outlined in Section 10 of this Chapter.
- c) For employees on maternity leave, to supplement a Short-Term Disability Claim after the allowable 6-week benefit (8 week benefit for C-Section) has been exhausted.
- d) To supplement any shortfall from an approved Short-Term Disability claim.
- e) Other extenuating circumstances as approved by the City Manager.

8. PARENTAL LEAVE

The City of Minot will allow FMLA qualified employees to use 12 weeks of unpaid parental leave for the birth, adoption, surrogacy or foster placement of a child, within a 12-month period of the event.

Parental leave must be taken as a continued absence during the 12-week duration. However, incremental absence(s) taken in one-week increments for the 12-week duration, may be considered in emergency cases, and must be approved by the Department Head.

Employees experiencing pregnancy will be required to file a Short-Term Disability claim to access the 6-week paid benefit (8-week for C-section births), and will be allowed to access “frozen” sick accrual bank for the remainder of the 12-week leave.

Employees experiencing adoption, surrogacy or foster placement, and expectant fathers will be allowed to use 6-weeks of PTO paid leave, and 6-weeks of unpaid leave for parental leave purposes.

Employees must provide 30-day advance notice for approval of parental leave.

9. MILITARY LEAVE

The City of Minot will approve military leave of absence requests from employees in order for employees to fulfill their military training and service obligations, provided the employee has military orders.

The City of Minot does not require the use of PTO leave for military leave.

- a. Up to 20 days per year for paid military leave will be granted to employees for the required annual camp and for other military training or duty when ordered by proper authority to active non-civilian employment. However, the City of Minot does not recognize 'orders' issued under 10 USC Section 672(d) (voluntary active duty) as proper orders for the purpose of granting paid military leave, instead an unpaid leave-of- absence will be granted, unless the employee requests to use PTO in order to receive pay while on 672(d) military leave.
- b. Any military leave caused by the full or partial mobilization of the Reserve and National Guard, or emergency state active duty, will be granted with pay for the first 30 days thereof, less any other paid military leave which may have been granted during the calendar year, pursuant to our military leave policy.
- c. If leave is needed for weekend, daily, or hourly periods of drill for military training, employees will be given the option of time off without pay or scheduling said training to off-duty hours.

10. SHORT-TERM DISABILITY (Revisions in red added 02/13/2024)

Effective January 1, 2024, the City of Minot will provide short-term disability insurance, **with non-taxable claim benefits**, to all of its benefit eligible employees.

This benefit replaces 60% of the employee's weekly salary, up to a maximum of \$1,500 per week. Once your disability claim has been approved, the employee will be eligible to receive their employer paid short-term disability benefit starting immediately following an injury and after 7 days following an illness. The benefit will be paid for 25 weeks of disability or until the employee is able to return to work, whichever occurs first.

This policy includes an option to participate in a rehab/recovery program, if applicable, for which the employee will be given an additional 10% income (70%) total.

The City reserves the right to require an employee to apply for Short-Term Disability Insurance compensation, if the situation applies.

All Short-Term Disability claims will run concurrently with FMLA.

Employees filing Short-Term disability claims will be required to use available PTO for any absence from their scheduled work hours in the first 7 calendar days after the injury or illness. This rule applies to any Short-Term Disability claim filed even if there are multiple claims in the same year. Following the initial 7 calendar days, employees will be required to use available PTO or Frozen Sick Leave for 25% of their standard scheduled hours throughout the duration of the STD claim. This ensures that benefit deductions, which are the employees' responsibility, are not missed and also supplements the employee's STD claim income.

If a claim is denied, employees may use available frozen sick leave for 100% of their standard scheduled hours until their return to work, provided they have used the required 7 calendar days of PTO first.

It is important for an employee to start the claim process at the earliest possibility. Any PTO used during claim process time will be considered final, even if the claim is paid retroactively and doubles up on PTO days already used. If you already know you will be out for an impending FMLA personal health related issue, you can start the claim process in advance of your absence, to minimize the use of PTO outside of the required days outlined in this policy.

Contact the Human Resource Department with questions and assistance in submitting a claim.

11. LONG-TERM DISABILITY

The City of Minot purchases a long-term disability policy for all Civil Service employees. This policy is written through Unum Life Insurance Company. If you become disabled while insured under the policy, the policyholder will pay long term monthly disability benefits during your disability, but not beyond the maximum benefit period.

The policy provides for a monthly disability payment to the employee in the amount of 66.67% of monthly pay as determined on the day before the period of disability starts. This disability payment has a waiting (qualifying) period of 180 days before monthly payments begin. If the employee remains disabled, this payment will continue until the employee reaches retirement age. At that time, the employee will receive pension payments.

The long-term disability policy also includes survivor benefit provisions and rehabilitation plans for the employee and spouse.

Each employee is given a Group Benefits Certificate of Insurance policy upon enrollment. This document provides the full details and provisions of the policy and should be kept by all employees as their proof of coverage.

A full copy of the policy is also kept on file in the Human Resource Office for review upon request.

12. EMPLOYEE ASSISTANCE PROGRAM

The City of Minot provides access to an employee assistance benefit for employees and all household members through SupportLinc.

Managing work and your home life can sometimes be a challenge. SupportLinc is available with emotional wellbeing and work-life balance resources to keep you at your best. Administered by CuraLinc Healthcare, the program offers guidance to help you address and resolve everyday issues at no cost to you or your family. Features include:

- **In-the-moment support.** A licensed clinician answers 24/7/365 when you call for assistance with work-related pressures, depression, stress, anxiety, grief, relationship problems, substance abuse or other emotional health concerns.
- **Short-term counseling.** You and your immediate household members may also receive up to **8 (eight)** counseling sessions, in-person or via video.
- **Legal consultation.** Receive a free, 30-minute legal consultation per issue with a local attorney, by phone or in-person.
- **Convenience resources.** Knowledgeable specialists provide referrals that help address a wide range of challenges such as child or elder care, adoption, pet care, home repair, education and housing needs.
- **Financial expertise.** Consultation and planning with an experienced financial professional, providing pressure-free, personalized guidance until your issue is resolved.
- **Web platform.** Your one-stop shop for program support, resources, information and more. Discover on-demand training to boost wellbeing. Find discounted gym memberships, financial calculators, self-assessments and career resources. Visit the Savings Center for a variety of discounts. Or complete a search to explore articles and tip sheets.
- **Mobile app.** Get confidential support and guidance on the go from a licensed counselor via live chat, as well as expert content and resources – all from the convenience of your phone or tablet.
- **Text therapy.** Exchange text messages, voicenotes and resources Monday – Friday with a licensed counselor through the Textcoach® mobile and desktop app.
- **Animo.** Strengthen your mental health and overall wellbeing at your own pace using Animo's self-guided content, practical resources and daily inspiration to foster meaningful and lasting behavior change.
- **Virtual Support Connect.** This digital group support platform offers moderated sessions hosted by licensed counselors on topics such as grief, mindfulness, preventing burnout and more.
- **Navigator.** Take the guesswork out of your emotional fitness! Click the Mental Health Navigator icon on the web portal or mobile app, complete a short survey and receive personalized guidance for accessing program support and resources.

All requests for information or assistance are free of charge and completely confidential. You can contact the SupportLinc program 24 hours a day, 365 days a year. Access support whenever needed, wherever is most convenient for you. To get started, call 1-888-881-5462, or log in to the [SupportLinc Web Portal](#) or eConnect® mobile app with group code: **cityofminot**

13. JURY DUTY LEAVE

If an employee is required to report for jury duty, the employee shall receive an amount which will equal the employee's regular rate of pay for the time they are gone. This is accomplished by endorsing funds for jury duty compensation to the City of Minot; endorsed checks are to be given to the Human Resource Office. The employee also has the option of taking PTO and retaining the amount received for jury duty. Jury duty is paid at \$25 for the first day of duty and \$50 per day thereafter.

14. CITY EMPLOYEES PENSION PLAN (*Only Applicable to Employees Hired Prior to 01/10/2014*)

Effective July 6, 2010 the City of Minot adopted an ordinance that modified the City Employee Pension Plan. The ordinance contained recommendations to modify and update the existing pension ordinance so that the current pension plans now have the following provisions:

All employees who are duly appointed, qualified and acting Civil Service employees of the City shall be members of the City Employees' Pension Fund. Every duly appointed, qualified and acting civil service employee shall become a member at the time they commence employment or reemployment with the City. A \$25 non-refundable membership fee will be charged.

The City Employee Pension Plan is a defined benefit plan. The vesting period for the plan is five years prior to July 6, 2010. Vesting is ten years of service for all employees starting on or after July 6, 2010. Pension benefits are calculated using average monthly earnings. Prior to July 6, 2010 average monthly earnings are calculated by using the thirty-six highest paid months of employment with the City.

On or after July 6, 2010, the average monthly earnings are calculated by using the forty-eight highest paid months of employment with the City. For employees hired after July 6, 2010 the multiplier is 2.3333% per year of service for the first 30 years and 0.5% per year of service for the next 10 years up to a maximum benefit of 75%. For those employees hired before July 6, 2010 the multiplier is 2.5% per year of service for the first 30 years and 1% per year of service for the next 10 years up to a maximum benefit of 85%. For those employees hired before December 31, 2003 the multiplier is 3.3% per year of service for 20 years, or until the 2.5% multiplier per year of service would be of greater value to them. In other words, employees hired before December 31, 2003 receive the greater benefit of the prior plan or the plan existing from January 1, 2004 to July 5, 2010.

The plan provides for a cost of living adjustment of 1% per year starting the January following when the employee reaches 65 or qualifies for Medicare.

For employees hired after July 6, 2010 there will be no health care supplement benefit. The health insurance benefit for employees hired before July 6, 2010 is equal to the amount of the City's contribution for a single health insurance premium for retirees prior to January 1, 2004 until they reach age 65. For all retirees after December 31, 2003, the formula is equal to \$7.50 per month per year of qualifying service from retirement to age 65.

The plans also contain a provision for "Rule of 85" for employees hired before July 6, 2010, which gives the employee the option of retiring at age 60 or under the rule of 85 - whichever comes first. Rule of 85 is determined when the employee's age plus years of qualifying service equal the number 85. For those hired on or after July 6, 2010 the provision for "Rule of 90" applies, which gives the employee the option of retiring under the rule of 90 which is determined when the employee's age plus years of qualifying service equal the number 90 with the minimum retirement age of 55.

The employer and employee share in the funding of the pension plans. The employee share is currently 14.74%.

15. CITY EMPLOYEES DEFINED CONTRIBUTION RETIREMENT PLAN (*Only Applicable to Employees Hired 01/01/2014-12/31/2018*)

Effective January, 2014 the City of Minot adopted an ordinance that established the City of Minot Employees Defined Contribution Retirement Plan. The ordinance outlined the requirements for employee eligibility of those employees hired or rehired on or after January 1, 2014:

All employees who are duly appointed, qualified and acting Civil Service employees of the City shall be members of the City Employees' Defined Contribution Retirement Plan. Every duly appointed, qualified and acting civil service employee shall become a member at the time they commence employment or reemployment with the City. A \$25 non-refundable membership fee will be charged.

The City Employee Retirement Plan is a defined contribution plan with a graduated vesting period of five years. Graduated vesting means any portion the City contributes becomes the employees' vested portion based on years of service. Employees working for the City less than one year will have 0% vesting in the employer's contribution account, employees completing more than one year and less than two years of service will have 20% vesting, employees with more than two years and less than three years of service will have 40% vesting, employees with more than three years and less than four years of service will have 60% vesting, employees with more than four years and less than five years of service will have 80% vesting and employees with five or more years of service will have 100% vesting of employer contributions in the plan.

The City Employee Defined Contribution Retirement Plan is set up with a 7.5% mandatory contribution from the employee to account for the City's non-participation in Social Security. This contribution will be deposited into an available 401(a) account of the employees' choosing as outlined by the current Financial Investor. Employees have the option to contribute additional funds, which would be deposited into an available 457(b) account of their choosing to obtain matching employer contributions. City of Minot matching contributions and maximums are outlined as follows. Employees are able to contribute an additional 1% of their salary to receive a 4% matching by the City, with a maximum City match of 8%. If the employee does not contribute any monies over the 7.5% mandatory contribution, there is no matching contribution by the City.

All employee contributions are pre-tax as outlined by Internal Revenue Service code and regulations.

EMPOWER Participant Login: <https://participant.empower-retirement.com/>

16. PARTICIPATION IN THE NORTH DAKOTA PUBLIC EMPLOYEES' PENSION PLAN (*Applicable to Employees Hired January 1, 2019 – Present*)

During the 2019 Budget process the Minot City Council approved the option for designated eligible employees to join the North Dakota Public Employees Retirement System (NDPERS) Pension Plan. This plan is a “defined benefit” plan, which allows members to compute their future retirement benefits from a mathematical formula as set by North Dakota Century Code 54-52-17(4).

Regardless of the earnings performance of funds, you or your beneficiaries are guaranteed to receive no less than your member account balance. This amount is referred to as your minimum guarantee.

The NDPERS defined benefit is based on the following calculation: **Final Average Salary x Benefit Multiplier (1.75%) * x Years of Service Credit = Monthly Single Life Retirement Benefit.**

Final Average Salary is the average of your highest salaries in 36 of the last 180 months worked.

Benefit Multiplier is the rate established by the legislature, at which you earn benefits. The current multiplier is 1.75%. **All employees hired in 2019 are locked with the 2.0% multiplier.**

Service Credit is the amount of public service you have accumulated under NDPERS for retirement purposes. Your credit service is reported to you each August in your Annual Statement of Accounts from NDPERS.

Under NDPERS, you become vested at the earlier of: 36 months (3 years) of service credit, or attaining 65 years of age while employed with a participating employer.

Please note, employees designated as being eligible to participate in this program, are able to enroll at any time. Feel free to contact the Human Resource Department with any questions you may have.

Website: [NDPERS Defined Benefit Hybrid Retirement Plan \(Main\)](#)

NDPERS Member Login Page: www.ndpers.nd.gov/member-self-service-mss

17. FLEXIBLE SPENDING AND DEPENDENT CARE ACCOUNTS

During the 2019 Budget the City Council approved the option for City employees to participate in Flexible Spending Accounts for qualified medical expenses and dependent care costs.

Participation in these types of accounts gives employees the opportunity to save on those expenses by taking advantage of pre-tax benefits. Putting aside funds for FSA accounts means more money in your pocket. One of the best perks of a FSA account is that all of your funds are available to use at the start of the plan year. That means if you have a big medical expense at the start of the plan year, you can tap into your FSA funds immediately to help cover the cost.

The maximum amount the employee is able to elect for tax deferment for Medical Expenses annually is \$1,500, and \$5,000 per household for Dependent Care. You will then pay the funds back through bi-weekly pre-tax payroll deductions. Funds designated for FSA accounts must be used within the plan year or will be forfeited by the employee. **Important note:** married employees who already have a Health Savings Account (HSA), or whose spouse has an HSA, are not able to participate in a Medical FSA.

18. TUITION REIMBURSEMENT PROGRAM

The purpose of the City of Minot Tuition Reimbursement Program is to assist in training of City employees on a planned and continuous basis, in preparation for future promotion and succession planning opportunities. This policy supports employees seeking to further their formal education. The program assists with tuition for career or job-related courses taken at accredited colleges, universities, business schools, technical and trade schools. The following procedure shall apply to participation in graduate and undergraduate programs.

To be eligible in the Tuition Reimbursement Program, an employee must be a full-time Civil Service or a designated full-time Library position and in good standing. Employees must have at least two years of satisfactory evaluations prior to applying for the program, and must sustain the same level of performance during participation in the program. Employees on a leave of absence, working part-time, or in a non-career or seasonal full-time position are ineligible.

Complete Tuition Reimbursement Policy and associated forms can be found on the employee intranet or by clicking this link: [Tuition Reimbursement Policy and Forms](#)

19. MEALS AND WORK BREAKS

All employees will be given a 30-minute meal break, completely relieved of duties, for each shift over 5 hours in duration NDAC 46-02-07-02.

All employees' work schedules should provide for a 15-minute work break during each one-half shift, subject to reasonableness and emergency conditions. The work breaks should be scheduled near the middle of each one-half shift whenever this is feasible. Breaks are to be taken at the job site if the time of the break occurs at a remote location. As an option, employees can be given a one (1) hour lunch break, completely relieved of duties, in place of the allotted 15-minute work breaks and in combination with the required 30-minute lunch break.

Breaks are allowed in the employee's room if the employee is working in the Water Maintenance Yard, Shop, Public Works Building, Water Plant, City offices, etc., at the time of break. If the employee is in a mobile unit at break time, the break may be taken at the nearest convenient location, or in the unit. The immediate supervisor has the authority to add other reasonable rules to the above, for the efficiency of the operation and the public image of the department.

20. WORKPLACE BREASTFEEDING POLICY

The City of Minot supports breastfeeding mothers by accommodating a mother who wishes to express breast milk during her workday when separated from her child. The provisions of this Workplace Breastfeeding Policy meet the requirements of the Fair Labor Standards Act as it relates to breaks for nursing mothers.

- Any employee who is breastfeeding her child will be provided reasonable break times to express breast milk for her newborn.
- A clean, private space (other than a restroom) that is shielded from view and free from intrusion from coworkers and the public, will be made available for this purpose.
- A clean and safe water source with facilities for washing hands and rinsing breast pump equipment is located near the space.
- Refrigerators are available so breast milk can be stored appropriately. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk.

21. EMPLOYEE SERVICE AWARDS

The City of Minot gives recognition to those employees who have reached five (5) year incremental milestones of employment with the City in accordance with North Dakota Century Code 4-07-18

Any employee achieving a milestone during the course of the year will be presented their selected award at an annual awards ceremony.

22. ADDRESS UPDATES, CHANGES IN MARITAL STATUS AND OTHER QUALIFYING EVENTS

Any change in an employee's marital status should be completed by the employee through ADP/WorkForce Now; revisions will include changes made to personnel/payroll records, life insurance and health insurance. If a marriage is anticipated, the information should be updated within 31 days of the marriage, to allow for changes to health insurance, and beneficiaries on life insurance, if desired.

If dependent is to be added to an employee policy, the employee must convert to a single plus dependent or a family health policy within 31 days of the birth, adoption or placement of the dependent. If you already carry a single plus dependent or a family contract, you must still notify Blue Cross/Blue Shield of the added dependent. Changes in insurance coverage may be completed through ADP/WorkForce Now.

Changes to federal or state tax withholding may be completed by the employee through ADP/WorkForce Now.

Any changes in addresses or phone numbers must be completed, at the earliest convenience, through ADP/WorkForce Now so that records may be kept up to date.

Contact the Human Resource Office with any questions you may have concerning the information provided in this section.

23. ADDITIONAL VOLUNTARY BENEFITS

City employees are also given the opportunity to participate in additional voluntary benefits with AFLAC and NDPERS deferred compensation. Please see the Human Resource Office concerning these products. You will be provided with contact information for applicable vendors.

CHAPTER 3

01	ANNIVERSARY DATES FOR PROBATIONARY EMPLOYEES
02	ANNUAL INCREASE FOR PERMANENT EMPLOYEES
03	PAY PLAN
04	PAY PLAN PROGRESSION
05	OVERTIME
06	COMPENSATORY TIME
07	ON CALL PAY
08	CALL BACK PAY
09	WORK WEEK
10	PAY DAY
11	EMPLOYEE COMPENSATION
12	CREDIT UNION SERVICES

1. ANNIVERSARY DATES FOR PROBATIONARY EMPLOYEES

All new hires, while on probation, will not be eligible for an annual increase on January 1st until they have completed their probationary period which may consist of six months or one year, depending upon the position (probationary periods may be extended by the department head up to eighteen months). The new hire will receive a 5% (2 steps) increase upon satisfactory completion of the probationary period in the position. Thereafter, the employee's annual step increase will occur on January 1st.

In the event a probationary employee is appointed to a different entry level position, the employee will still be considered on probation for the new position. The employee will not be eligible for the annual step increase on January 1st until satisfactory completion of the probationary period and completion of one year of service in the new position. Thereafter, the employee's annual step increase will occur on January 1st.

In the event an employee, while on probation, is appointed to an entry level position of higher grade, there will be no probationary step increase. Thereafter, the employee's annual step increase will occur on January 1st, commencing after they have completed one year of service from their date of hire.

In the event an employee, while on probation, is appointed to a non-entry level position, there will be no probationary step increase. Thereafter, the employee's annual step increase will occur on January 1st, commencing after they have completed one year of service from their date of hire.

2. ANNUAL INCREASE FOR PERMANENT EMPLOYEES

The normal annual increase date for all permanent City of Minot Civil Service employees is officially January 1st unless changed by City Council through the budget process. At the time approved by City Council, all employees will progress through the pay ranges as designated under the current pay plan progression.

3. PAY PLAN

The salary structure of the City's current Annual Pay and Classification Plan is of symmetrical design in that it consists of 90 ranges of pay, each comprised of seventeen (17) steps. Each range is approximately two and one-half (2½) percent above the preceding range and steps 1 through 17 within each range are approximately two and one-half (2½) percent greater than the preceding step. The length of each range from minimum to maximum is approximately fifty (50) percent.

The City Pay Plan designates a range (grade) for each individual position under the City's classified service.

4. PAY PLAN PROGRESSION

Progression through the steps of the plan will be as follows: if an employee's step within the range is under midpoint (steps 1-8) the employee will move two steps (5%) annually on January 1st, until the employee reaches midpoint of the range (step 9). Once an employee reaches midpoint and above (steps 9 through 16) the employee will progress one step (2½%) annually on January 1st until the employee reaches step 17.

Provision adopted for 2018 pay plan: Employees currently at Step 17, who are in positions that will not be reclassified to a higher range (grade) in the coming year will be afforded a two (2) percent increase annually until the position experiences a range reclassification.

Each department has a copy of the Annual Plan and it is available for study by employees upon request to the department head.

5. OVERTIME

Overtime when necessary, is paid at time-and-a-half for all regular hours actually worked in excess of forty hours per week, or 106 hours every two-weeks for employees working in fire control positions. Check with your department head immediately if questions arise about overtime.

6. COMPENSATORY TIME

As approved by Section 207(o) of the Fair Labor Standards Act of 1985, the City of Minot is authorized to provide compensatory time off to employees in lieu of overtime. Signing a compensatory time policy agreement is a condition of employment which entitles the employee to use, preserve, or cash out any unused compensatory time upon termination. Compensatory time guidelines differ by department with maximum allowable accrual based on the type of work performed. Employees requesting to utilize compensatory time off shall be permitted to use such time, as long as the time requested does not unduly disrupt operations of the applicable department.

Compensatory time balance may not exceed 120 hours for Fire control staff or 80 hours for Police sworn officers. For all other positions, compensatory time balance may not exceed 40 hours with a maximum of 80 hours earned per calendar year.

The City may change or update compensatory time policy based on the needs of the workforce and within federal guidelines.

7. ON CALL PAY

Employees who are subject to an on-call rotation, will receive a daily or weekly or monthly stipend as approved by the Department Head.

8. CALL BACK PAY

All call-back pay, with the exception of fire emergency call-back pay, will be paid at overtime rates equal to 1 ½ times the normal rate of pay. A minimum of 1.5 hours will be paid to applicable employees regardless of the duration of time worked during the call-back period.

9. WORK WEEK

The normal workweek for most City employees, shall begin at 12:01 am on Sunday morning and end at 12:00 am Saturday evening. Actual scheduling of work hours is at the sole discretion of the supervisor or department head in charge. Fire control staff work week begins at 8:00 am on Monday morning of the corresponding week.

10. PAY DAY

The City pays on a bi-weekly basis, every other Friday, with twenty-six pay (26) pay periods in a year. All annual payroll dates can be provided to the employee by contacting the Human Resource Department.

11. EMPLOYEE COMPENSATION

The City requires direct deposit of all employees' paychecks through electronic transfer. The City will deposit your paycheck directly into a checking or savings account, or both, at any financial institution(s) each payday.

Your pay notices each payday can be accessed via ADP/WorkForce Now. Each paystub contains information from current payroll, year-to-date totals. Paycheck stubs should be reviewed each payday by the employee to determine if the proper deductions are being made. Deductions from your bi-weekly paycheck may include the following:

- a) Social Security (6.2%) or City Pension or Retirement 401(a) mandatory (7.5%)/Retirement 457(b) voluntary (2%) or NDPERs Defined Benefit Pension Plan, as applicable.
- b) Health Insurance Premium - single, single plus dependent, or family;
- c) Life Insurance Premium and Optional Insurance offered through the City group plans;
- d) Federal tax – mandatory with percentages varying by number of exemptions claimed and marital status;
- e) State tax – mandatory with percentages varying by number of exemptions claimed and marital status;
- f) Medicare – 1.45% of gross wages;
- g) Donation Fund – voluntary - .2% of gross wages;
- h) Miscellaneous Deductions – previously arranged with the Human Resource Office.

12. CREDIT UNION SERVICES

As a City employee, you and each member of your immediate household are eligible for membership in Great River Federal Credit Union, located at 2401 N Broadway. The credit union, which was established for government employees, may offer additional benefits that other financial agencies do not. For additional information regarding the Credit Union, or to begin payroll deductions, contact Great River Federal Credit Union at 852-3866. **Website:** <https://www.greatriverfcu.org/>

CHAPTER 4

- 01 FMLA LEAVE (FAMILY MEDICAL LEAVE ACT OF 1993)
- 02 UNPAID PERSONAL LEAVE OF ABSENCE

1. FMLA LEAVE (FAMILY MEDICAL LEAVE ACT OF 1993)

The City of Minot complies with The Family Medical Leave Act which entitles eligible employees to take up to 12 weeks of unpaid, job- protected leave in a 12-month period for specified family and medical reasons. The employer may elect to use the calendar year, a fixed 12-month leave or fiscal year, or a 12-month period prior to or after the commencement of leave as the 12-month period. The City of Minot has elected to begin the FMLA at the commencement of the leave.

The law contains provisions on employer coverage; employee eligibility for the law's benefits; entitlement to leave, maintenance of health benefits during leave, and job restoration after leave; notice and certification of the need for FMLA leave; and, protection for employees who request to take FMLA leave. The law also requires employers to keep certain records.

To be eligible for FMLA benefits, an employee must meet all of the following requirements:

- a) work for covered employer; (the City of Minot is a "covered employer")
- b) have worked for the employer for a total of 12 months; and
- c) have worked at least 1,250 hours over the previous 12 months; and
- d) work at a location in United States where at least 50 employees are employed by the employer within 75 miles.

A covered employer must grant an eligible employee up to a total of 12 workweeks of unpaid leave during any 12-month period for one or more of the following reasons:

- 1. for the birth and care of the newborn child of the employee;
- 2. for the placement with the employee of a son or daughter for adoption or foster care;
- 3. to care for an immediate family member (spouse, child, or parent) with a serious health condition;
- 4. to take medical leave when the employee is unable to work because of a serious health condition; or
- 5. for certain qualifying exigencies relating to military family leave.

Under some circumstances, employees may take FMLA leave intermittently-which means taking leave in blocks of time, or by reducing their normal weekly or daily work schedules The City of Minot requires the employee to use available accrued paid leave per the PTO/Frozen Sick Leave Policy which will run concurrent with approved FMLA leave.

A covered employer is required to maintain group health insurance coverage for an employee on FMLA leave whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued work. If applicable, arrangements will need to be made for employees to pay their share of health insurance premiums while on leave.

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, the company will require the employee to reimburse the company the amount it paid for the employee's health insurance premium during the leave period.

1. CONTINUED- FMLA LEAVE (FAMILY MEDICAL LEAVE ACT OF 1993)

Upon return from FMLA leave, an employee must be restored to the employee's original job, or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment. The employee who takes leave under this policy may be asked to provide a fitness for duty clearance form from a healthcare provider.

On a basis that does not discriminate against employees on FMLA leave, the City may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

The employee may be required to provide advance leave notice and medication certification. Taking of leave may be denied if requirements are not met. For further information, a complete copy of the FMLA is posted in each department.

2. UNPAID PERSONAL LEAVE OF ABSENCE

Employees may request a leave of absence without pay for any reason considered sufficient by their department head and approved by the City Manager. Leave without pay must not exceed six months and must be submitted in writing with the following requirements:

- a) The reason why such leave should be granted;
- b) The effective date of beginning of the leave; and
- c) The probable date of return.

Factors considered in approving a personal leave of absence include necessity of the leave, and the personal leave shall be granted only when it is determined that it will not interfere with the normal operation of the City's business. Employees failing to return to duty upon completion of a personal leave, shall be considered to have voluntarily terminated their employment with the City.

If approved, employees must use their leave of absence for the approved purpose.

CHAPTER 5

01 HARASSMENT POLICY

1. HARASSMENT POLICY

Statement of Philosophy: It is the policy of the City to provide a positive work environment that is free of discrimination, sexual and all other forms of harassment. This policy is a measure to ensure that all employees will enjoy a safe work place free from unreasonable interference, intimidation, hostility, or offensive behavior on the part of the council, department heads, supervisors, co-workers or visitors. All employees are responsible for compliance with this guideline, as the City of Minot will not tolerate unlawful discrimination or harassment.

- A. It is the City policy that sexual and other unlawful harassment of its employees in any form is prohibited and that all employees shall be treated with respect. Actions, words, jokes or comments based on an individual's sex, race, ethnicity, age, disability, religion, sexual orientation or any other legally protected characteristic shall not be tolerated.
- B. Employees have the right, under Section 703 of Title VII of the Federal Civil Rights Act of 1964, to work in an environment that is free of conduct that can be considered sexually harassing or abusive. Any employee who engages in, who perpetuates or condones sexual or other unlawful harassment shall be subject to disciplinary action, up to and including termination.
- C. The City, in recognizing its obligation to maintain a place of employment that is free of harassing, abusive, or disruptive conduct shall take positive and prompt corrective action where necessary in accordance with this policy.

Definitions:

Unlawful harassment is defined as verbal or physical behavior which relates to an individual's race, color, national origin, religion, gender, age, sexual orientation and/or disability when such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Workplace harassment is defined as any unwelcome conduct, whether, verbal, physical, visual, or innuendos that are derogatory, abusive, disparaging, bullying, threatening or disrespectful types of behavior, even if unrelated to a legally protected status; when such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Sexual harassment is defined as any verbal or physical conduct of a sexual nature such as, but not limited to, sex-oriented remarks or jokes, pressures or demands for sexual favors, implied or overt promises or threats, or any unwelcome conduct with sexual or demeaning overtones when:

- Submission to or rejection of such conduct is made, explicitly or implicitly, as a term or condition of employment or advancement;
- Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or sexually offensive working environment.

Unacceptable Conduct Defined: Sexual harassment is a serious offense and is a form of employee misconduct. Sexual harassment does not refer to the occasional non-sexual compliment, but to behavior of a sexual nature that is not welcome, is personally offensive and impairs an employee's work effectiveness or is behavior that creates an intimidating, hostile or offensive work environment.

The following are types of conduct an example of harassment, which are prohibited. These examples do not necessarily represent all ways in which sexual harassment may occur and are not intended to limit the definition of sexual harassment.

- A. Verbal comments and gestures of a sexual nature including any suggestive remarks, pictures, jokes and catcalls.
- B. Explicit or implicit promises of career advancement or preferential treatment in return for sexual favors. Such promises or preferential treatment may include but are not limited to: hiring, promotion, training opportunities, work schedule, leave approval, performance evaluations and pay increases.
- C. Explicit or implicit threats that an employee shall be adversely affected if sexual demands are rejected. Such threats include but are not limited to: lower performance evaluations, denial of promotions, punitive transfers, terminations and altered/increased work assignments.
- D. Unsolicited and repeated touching of any kind including: touching, patting or pinching of another person, or repetitive brushing against a person's body.
- E. Derogatory remarks about a person's national origin, race, language, accent; disparaging or disrespectful comments.
- F. Loud, angry outbursts or loud, angry outbursts of obscenities.

Responsibilities of Employees, Elected Officials, Department Heads and Supervisors:

- A. All employees have a responsibility to conduct themselves in a manner, which ensures the proper performance of their job responsibilities and maintains the public's confidence. Employees who experience or witness any type of sexual, workplace or unlawful harassment should follow the steps outlined in the Complaint process to assist in maintaining a workplace environment free of sexual, workplace or unlawful harassment.
- B. Department Heads and other department Supervisors have a responsibility to act immediately and take corrective action when they observe behavior that violates this policy. All management representatives must recognize the seriousness and sensitive nature of any sexual, workplace or unlawful harassment complaint brought to their attention and need to follow the procedures outlined in this policy to assist in maintaining a workplace environment free of unlawful discrimination or harassment.

Complaint Procedures

City Employees or job applicants who perceive they have been subjected to sexual harassment have the right to pursue a grievance including an appeal to the Civil Service Commission pursuant to procedures stated in Sections 24-101 through 24-104 of the City of Minot Code of Ordinances. If unreported the City is severely limited in maintaining a workplace free of sexual or other unlawful workplace harassment. Employees are not required to deal directly with an offending individual(s) in seeking a resolution.

- A. An employee who feels that he/she has been subject to sexual, unlawful or workplace harassment should clearly state to the individual that his/her behavior is offensive to them.
- B. If you are unable to confront your alleged offender or the behavior persists after confronting the alleged offender, go to your immediate Supervisor who shall immediately notify the Department Head and Human Resources.
- C. If the immediate Supervisor is involved in the alleged harassment, the incident should be reported directly to the Department Head, who shall immediately notify Human Resources.
- D. If the complaint involves the Department Head, the incident should be reported directly to the Human Resource Director and/or the City Manager.
- E. If the complaint involves a member of Human Resources, the incident should be reported to the Department Head and/or the City Manager.
- F. If the complaint involves the City Manager or a member of the City Council, the incident should be reported directly to the Human Resource Director.
- G. The Human Resource Director shall be responsible for conducting an investigation in a fair, prompt and complete manner as outlined in the nature and scope of investigation.

Nature and Scope of Investigation:

- Any investigation of a complaint of sexual, workplace or unlawful harassment shall be limited to an inquiry of the truth or falsity of a specific complaint.
- Interviews of all relevant witnesses will be conducted in confidence to the extent permitted by law, and summaries of witnesses' statements and the investigator findings shall be in writing.
- To the extent permitted by law, investigations shall be conducted in a confidential manner; the knowledge of a pending investigation, nor the contents and/or findings of an investigation will not be shared except with the appropriate parties, or otherwise required by law.
- Persons who are asked to cooperate and participate in a pending investigation shall only be informed that a harassment complaint has been brought and that information being sought from the individual is a necessary part of the investigation. Written contents and findings of investigations are done pursuant to the complaint process and shall be maintained by the Human Resource Department in a secure place. However, it must be noted to all employees, that records of the City are public, except certain confidential records in accordance with NDCC 44-04-18.1.

Discipline

- An employee who is found to have engaged in sexual, workplace or unlawful harassment or retaliation, or who is found to have knowingly condoned, encouraged, or perpetuated an act or acts of sexual, workplace, or unlawful harassment or retaliation, shall be subject to disciplinary action: including but not limited to, suspension, loss of salary increment, demotion and termination.
- Any employee who believes they have been unfairly disciplined may follow the City of Minot Grievance Procedure as outlined in the City of Minot Employee Personnel Policy Handbook in Chapter 7.

Dissemination of Policy

Prevention and education are the best tools for the elimination of workplace and sexual harassment. The City will take all steps necessary to prevent harassment in any form from occurring such as:

- Conducting training for Department Heads, Supervisors and Employees to affirmatively raise the subject by reviewing policies, discussing behaviors to be mindful of, and a general awareness of intimidating, hostile, or offensive workplace environments and sexual harassment.
- Informing all City employees of the policy.
- Investigating all claims of harassment, hostile work environment, and/or any unwelcome conduct in a confidential manner.
- Taking appropriate disciplinary action for the prevention of reoccurrence of sexual harassment.

CHAPTER 6

- 01** TENURE OF EMPLOYMENT, TERMINATION OF EMPLOYMENT
- 02** SEPARATION NOTICE
- 03** REDUCTION IN FORCE
- 04** DISCIPLINARY POLICY
- 05** SUSPENSION, DEMOTION, AND DISMISSAL
- 06** DRIVING OFFENSE POLICY

1. TENURE OF EMPLOYMENT; TERMINATION OF EMPLOYMENT

Employment with the City once initiated will continue until it is terminated pursuant to the following:

- The employee reaches mandatory retirement age;
- Before reaching the mandatory retirement age, the employee dies or voluntarily quits City employment in order to retire or to pursue other employment;
- The employee is dismissed for the good of the service;
- The employee is dismissed as part of a reduction in force;
- The employee is dismissed for disciplinary reasons;
- The employee is dismissed because the position for which he/she was hired was a temporary position or otherwise one of limited duration or is in a probationary status in accordance with Section 24-48 of the City of Minot Code of Ordinances.

2. SEPARATION NOTICE

Employees who wish to resign from City employment are expected to give at least two weeks' notice to their immediate Supervisor or Department Head in writing. Employees are also asked to contact the Human Resource Department to discuss; potential benefit continuance under COBRA, arrangements for handling pension or retirement, a time to complete an exit interview.

3. REDUCTION IN FORCE

Please refer to section [24-50 in the City of Minot Code of Ordinances](#).

4. DISCIPLINARY POLICY

The Civil Service Commission has implemented the following rules and regulations as they refer to discipline of City employees:

- A. Procedural Rule: In all matters of employees' discipline, the employee's rights of due process will be observed. No employee will be subject to punishment for behavior which is not reasonably identified in Section IV as being the sort of behavior which can give rise to disciplinary action.
- B. Allowable Disciplinary Punishments: Employees may be subject to any one or more of the following disciplinary punishments in accordance with the rules and regulations authorized under Section IV:
 - 1. A letter of reprimand to be included in the employee's personnel file (refer to Section 1-12 of the Code of Ordinances);
 - 2. Special performance evaluation that reflects cause for discipline;
 - 3. A temporary decrease in pay in an amount not to exceed twenty (20) percent of the amount of gross pay which the employee would be receiving in the absence of disciplinary punishment for a period of time not to exceed one hundred eighty (180) consecutive days;
 - 4. Suspension without pay;
 - 5. Lateral Transfer;
 - 6. Demotion,
 - 7. Dismissal.

A lateral transfer for disciplinary reasons may only be made to a pre-existing vacancy and then only in accordance with the following rules:

- 1. The pre-existing vacancy is first opened up to all other employees. If, after posting the position vacancy for 10 days there is no application from any employee who is in good standing and who meets the qualifications for the position, then the lateral transfer may be considered.
- 2. Both the Department Head of the department from which the lateral transfer is made and the Department Head of the department to which the lateral transfer is made must agree to the lateral transfer.
- 3. The concerned employee must meet the qualifications for the position to which he or she may be laterally transferred.

C. Appeal: An employee who has been subjected to disciplinary action resulting in the imposition of disciplinary punishment may appeal by following the City of Minot Grievance Procedure.

4. CONTINUED- DISCIPLINARY POLICY

D. Substantive Regulations: Employees may be subject to any one or more of the disciplinary punishments provided in Section II for the following types of behavior:

1. Misconduct (i.e., the deliberate violation of a City policy set forth in the employee handbook, Civil Service ordinances or departmental rules and regulations).
2. Insubordination (i.e., being unwilling to submit to supervisory authority).
3. Chronic tardiness (i.e., frequently being late to work over a long duration).
4. Unauthorized absence (i.e., not showing up for work without proper approval).
5. Inefficiency, incompetence, or negligence (i.e., being wasteful of time or energy, lacking qualities needed for effective action, or failure to exercise the care that a prudent person usually exercises).
6. Violation of Safety Rules or Procedures for the employee's job, or, violation of safety rules or procedures, that extends to all City Employees.
7. Conviction of a felony.
8. Being under the influence of or use of intoxicating beverages while on duty.
9. Unlawfully manufacturing, distributing, dispensing, possessing, being under the influence of or using a controlled substance on any City of Minot worksite at any time or elsewhere during working hours.
10. Sale or delivery of non-prescription controlled substance.
11. Theft of City property.
12. Willful destruction of City property.
13. Falsification of City records.

(The above are *types* of behavior. They are not intended to describe specific events or to indicate the seriousness of the offense. The punishments listed in Section II will be applied in relation to the degree of the offense.)

E. Effect on Departmental Rules and Regulations: The Civil Service Commission has approved disciplinary rules and regulations for the Police Department and the Fire Department. Implementation of the foregoing rules and regulations will not supersede any previously adopted rules. If a conflict exists between these rules and previously adopted rules of the Police and Fire Department, the rules of the Police and Fire Department will govern.

5. SUSPENSION, DEMOTION, AND DISMISSAL

A procedure for implementing the suspension, demotion or dismissal of officials and employees of the City of Minot for misconduct, inefficiency, and other contributing factors, has been developed by the Civil Service Commission. The procedure consists of an investigation and appeals hearing of the adversely affected employee. No employee shall be suspended or discharged without adequate reason and just cause.

6. DRIVING OFFENSE POLICY

At the discretion of the Department Head, as defined under Section 24-2 of the City of Minot Code of Ordinances, an employee of the City of Minot in a position requiring a valid North Dakota driver's license shall be subject to demotion, lateral transfer or dismissal for the good of the City of Minot Civil Service, as provided under Section 24-51 of the Code of Ordinances, if he or she is unable to drive a motor vehicle because of conviction of a driving offense.

The decision of the Department Head as to what action is to be taken against an employee unable to drive because of conviction for a driving offense, may take into account the past job performance of the employee and whether there is any other employee available to cover the driving duties required.

Positions requiring a valid North Dakota driver's license are set forth under each individual job description in the Annual Pay and Classification Plan. The Plan is posted and available for review on the internal internet for City employees.

Employees should check with their immediate Supervisor for specific requirements associated with their position and their department.

CHAPTER 7

01 GRIEVANCE AND APPEAL PROCEDURE

1. GRIEVANCE PROCEDURE

The grievance procedure is defined as a procedure whereby any employee who is adversely affected by a decision of his/her immediate Supervisor, Superintendent/Manager or equivalent, or Department Head, may require the decision be reviewed by a person having the authority to reverse the decision. This procedure is as follows:

1. Oral Report: An employee who has a grievance shall first discuss his grievance with his/her immediate Supervisor. If the grievance pertains to a decision made by that Supervisor, the employee may forward the grievance in writing to the next Supervisory level in the department which is generally the Superintendent, Manager or equivalent within the Police and Fire departments.
2. Written Report: The written report must be submitted to the next Supervisory level, as indicated above, within five (5) working days of the initial decision by the immediate Supervisor. Within five (5) working days after receiving a written grievance, the next level of Supervision shall furnish the employee with a written reply to the grievance. If the grievance pertains to a Department Head, the written report must be submitted to the Human Resource Director within five (5) working days of the initial decision.
3. Appeal to Department Head: If the written reply to the grievance is not satisfactory to the employee, he/she may, within ten (10) working days after receiving the reply, submit an appeal in writing to his/her Department Head. The Department Head shall confer with the aggrieved employee and/or his authorized representative and the employee's supervisor before rendering a decision. Such a decision shall be provided in writing and shall be delivered to the aggrieved employee within ten (10) working days of the date on which the appeal was received by the department head.
4. Appeal to Civil Service Commission: If the appeal to the Department Head fails to resolve the grievance, the employee may, within five (5) working days of receipt of decision on the appeal, submit an appeal in writing to the Civil Service Commission. This appeal shall be filed with the Human Resource Office and be referred to the next available meeting of the Civil Service Commission for its review, which shall be final.

Note: The grievance procedure does not apply to: employee terminations related to probationary employment, for just cause or due to a reduction in force; or employee transfers for the good of the service.

CHAPTER 8

01 PERFORMANCE EVALUATIONS

1. PERFORMANCE EVALUATIONS

Department Heads or Supervisors periodically report on the performance of all employees in the classified service. Reports are made at such times and on forms provided by the Civil Service Commission and become a part of the procedures having to do with promotions, salary advancement, and other changes in employee status.

Presently, performance evaluations are required once every three (3) months during the probationary period and annually thereafter. The performance evaluation includes employee ratings, which are entered in the records of the employees by the Human Resource Office and include notification of outstanding behavior, service and achievement.

Notification is also made of misbehavior or unacceptable conduct. Any employee has the opportunity of inspecting their personal service ratings subject to the regulations that have been prescribed by the Civil Service Commission.

Importance of Performance Evaluations:

- The evaluation performance review period is a rare opportunity to have dedicated time to sit down with each employee and discuss at length the assessment of their performance over the past year or quarterly review period for those who are probationary employees, and to discuss the goals both the Supervisor and employee have for the coming year. Normally, most interactions with employees during the week are in the form of directing work or tasks, which does not allow for helpful and comprehensive performance feedback.
- Completing the performance evaluation and meeting with the employee will allow the Supervisor and employee to identify training and development needs relative to attaining annual goals and enhancing or correcting performance.
- Employee records must include information that is accurate and current regarding employee performance. This is particularly important in handling disciplinary actions.
- The performance process can be a beneficial and positive experience for both the employee and Supervisor. This is a chance for the supervisor to provide recognition for work well done, but also to point out where there are problems with the employee's performance.

CHAPTER 9

- 01 SAFETY POLICY
- 02 SAFE OPERATION AND MAINTENANCE OF CITY VEHICLES
- 03 ACCIDENT REPORTING
- 04 WORKERS INJURY BENEFITS
- 05 DRUG FREE WORKPLACE NOTICE
- 06 DRUG TESTING POLICY
- 07 WRITTEN HAZARD COMMUNICATION PROGRAM

1. SAFETY POLICY

City Administration considers the safety and health of City employees to be one of its primary responsibilities. A safety program has therefore been established to attempt to provide a safe and healthful working environment. Our objective is to reduce the number of injuries to a minimum, to promote safety awareness as a daily attitude in all employees and to protect the physical resources of the City from damage or loss

Administration supports safety policies and safe procedures. Supervisors shall train employees to attempt to attain an accident-free record. Supervisors shall also be on the alert for unsafe practices and conditions and take measures to eliminate them.

Every employee, in turn, shall accept their responsibility to prevent injuries to themselves and fellow employees by prudently following the safety program. In so doing, they will benefit themselves, their families, and the City.

A separate Safety Manual is provided as part of the employee orientation process to more extensively address specifics of the program. Employees are required to acknowledge receipt of the manual and to comply with all rules and regulations as outlined. The manual has been set up with general sections for all employees, some of which are included in this employee handbook, and specific department sections for more specialized positions.

Disciplinary action for violations of safety procedures will be handled in the same manner as violation of any other City policy or procedure.

2. SAFE OPERATION AND MAINTENANCE OF CITY VEHICLES

City owned equipment is kept in service longer than it normally would if it were used in private business. For this reason, it is particularly important to follow well-accepted standards in the care and maintenance of vehicles. Defects should be promptly reported. An employee is responsible for the vehicles assigned to them and they should have an interest in their appearance and condition. Vehicle operators are required to observe all traffic regulations except when special conditions require that exceptions be made to handle emergency situations.

Equipment must be used only as authorized by the department head or City Manager. One of the most common causes of citizen complaints is related to the manner in which City employees handle City equipment. Some things to remember in handling City equipment:

- A. Maintain a steady pace under crowded conditions on two-lane streets so that traffic does not pile up behind the City unit.
- B. Do not drive the City owned vehicle down the street in and out of traffic with little regard to speed limits and street conditions.
- C. Do not park the City owned vehicle out in the driving lane while performing a maintenance function if the situation permits the driver to park the equipment where it would not be an obstruction.
- D. Do not overload the City owned vehicle so that it litters the streets at every stop, start or turn.
- E. Make sure to erect suitable warning devices or use flagmen to guide the public around vehicles which must be parked in driving lanes.

Topics like the above mentioned have been the subject of more than one telephone call to the City Manager, department head, or in some instances, the Mayor and Council members. Space does not permit listing the various rules and regulations of equipment operations, however, the words “common sense and courtesy” are usually contained in the description of an operator who is considered to be above average.

3. ACCIDENT REPORTING

Care, caution and common sense are basic accident prevention elements in any occupation. Please report any accidents or unsafe working practices. Don't take chances.

If involved in an accident with a City vehicle, an employee is required to:

- A. Give necessary assistance to injured persons.
- B. Notify the police and their supervisors.
- C. Notify the Finance Department and give them any information they request.
- D. When involved in a traffic accident, do not move the vehicle until authorized to do so by the investigating officer.
- E. If possible, obtain the names of persons who observed the accident and give these to the investigating officer when he arrives at the scene.
- F. Be courteous in your contacts with other persons involved.

4. WORKERS INJURY BENEFITS

WORKERS CLAIM FOR INJURIES- GENERAL INFORMATION/DESIGNATED MEDICAL PROVIDER

In the event an employee is injured on the job and time is lost, compensation will be paid in accordance with the work injury laws of the State of North Dakota.

To be compensated, an employee must report to their Supervisor/Department Head within 24 hours (regardless of seeking medical attention immediately) by filing an Incident Report if not seeking medical attention, or filing a First Report of Injury Claim form if seeking medical attention. Claim filing is completed on-line at <https://www.workforcesafety.com>. You may also contact the Human Resource Office to assist with the process.

If you are unable to work due to an injury, the City will continue paying you through use of available sick leave accrual until processing of the claim is complete. When you receive time-loss payment from the bureau, the amount of the check will be deducted from your paycheck on a pre-tax basis and the appropriate amount of sick leave will be credited back to you. If your disability lasts longer than your accrued sick leave, workers compensation payments will be the only payment you will receive.

It is the responsibility of all employees to notify the Human Resource Office of payments received by Workforce Safety & Insurance.

Besides reimbursing salaries, Workforce Safety & Insurance (WSI) may pay medical bills for on- the-job injuries, provided the employee has filed a First Report of Injury claim. The injured employee can file the claim at the Human Resource Office or with your Department Administrative Clerk.

The City of Minot has entered into an agreement with ND Workforce Safety & Insurance to participate in a risk management program. The goal of the program is to provide cost effective case management and emphasize an early return to work at the highest possible functional capacity for the injured worker.

Participation in this program requires the City of Minot to designate a medical provider to treat your workplace injuries and illness. The City's designated medical provider is Dr. Howard Reeve at Trinity Health Center. WSI will not pay for medical treatment to another provider unless you are referred by the City's designated provider or unless the employee notified the City Human Resource Office in writing, prior to the injury that they wanted to be treated by a provider other than the designated provider. Emergency care is exempt from this designated provider requirement.

In order to receive maximum benefit from this program, the employee is required to notify the Human Resource Office and/or Supervisor immediately upon injury.

Once the employee has received medical attention from the City's designated medical provider, or the employees requested designated provider, the Workers Claim for Injury form must be filed immediately.

All injured workers must complete the Incident Report or First Report of Injury form online at <https://www.workforcesafety.com> with their Supervisor or contact the Human Resource Office for assistance.

5. DRUG FREE WORKPLACE NOTICE

Important Note: The use of medical marijuana by employees, even with a prescription is strictly prohibited due to the City of Minot's receipt of Federal funds.

In accordance with the Federal Drug Free Workplace Act, the City of Minot is notifying all employees of its intent to maintain a workplace free from alcohol and illegal drugs. The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance by the employees is prohibited

(1) on any work site (at any time) and (2) elsewhere during all working hours. You are hereby notified that compliance with this policy is a condition of employment. If you fail to comply with this policy you will be subject to disciplinary action as set forth in the City of Minot Employee Manual, disciplinary Rules and Regulations, Part II, which is incorporated herein by reference.

If you are convicted of a workplace criminal drug violation you must notify your supervisor within five days of the conviction, if you request, you will be given information on any available drug- counseling, rehabilitation, and employee assistance program and you will be afforded the opportunity to participate in these programs. Drug abuse in the workplace is a danger to yourself and to others.

6. DRUG TESTING POLICY

The City of Minot is dedicated to providing safe and economical services to the public. Employees are our most valuable resource and it is our goal to provide a safe, healthy and satisfying working environment, which provides personal opportunities for growth. In meeting these goals, it is our policy to:

- a) Assure that employees are not impaired in their ability to perform assigned duties in a safe, productive and healthy manner;
- b) create a workplace environment free from the adverse effects of drug and alcohol misuse and abuse;
- c) prohibit the unlawful manufacture, distribution, dispensing, possession, and/or use of controlled substances;
- d) encourage employees to seek professional assistance anytime problems, including alcohol or drug abuse, adversely affects their ability to perform their assigned duties;
- e) Meet or exceed all Federal Transit Administration and Federal Highway Administration regulations, which require affirmative actions to eliminate the impact of the misuse of alcohol and drugs in the workplace.

The purpose of our drug testing policy is to assure fitness for duty and to protect our employees and the public and the risks posed by the misuse of alcohol and use of prohibited drugs. The policy is also intended to comply with all applicable Federal regulations governing workplace anti- drug and alcohol programs. Federal regulations mandate urine drug testing and breath alcohol testing for safety-sensitive positions and prohibits performance of safety-sensitive positions when a positive test results. Standards for the collection and testing of urine and breath specimens have also been set.

The policy incorporates those requirements for safety-sensitive employees. A safety-sensitive position is one that requires an employee to possess a commercial driver's license, or the employee maintains vehicles that require a commercial driver's license to operate.

If you are in a safety-sensitive position and do not have a copy of this policy, please contact the Human Resource Office.

Although the City of Minot does not have a policy of drug testing all employees as a condition of employment, the City does follow a Reasonable Suspicion Testing policy for all employees. Reasonable Suspicion Testing is required when a trained supervisor reasonably suspects that an employee is under the influence of a prohibited controlled substance and/or alcohol. The employer's determination that reasonable suspicion exists to require the employee to undergo a controlled substances test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the employee, and must be documented. The observations may include indications of the chronic and withdrawal effects of controlled substances. A reasonable suspicion alcohol test can only be done immediately prior, during or immediately after the performance of job duties. The observations leading to that testing must be made during, just preceding, or just after the employee performs applicable duties.

7. WRITTEN HAZARD COMMUNICATION PROGRAM

The City of Minot is firmly committed to providing all of its employees with a safe and healthy work environment. It is a matter of City policy to provide our employees with information about hazardous chemicals on the work site through our Hazard Communication Program, which includes container labeling, Material Safety Data Sheets (MSDS's) and employee information/training. Appropriate records will be maintained to ensure an effective Hazard Communication Program.

Department heads will compile a list of all hazardous chemicals that will be used on the work site by reviewing container labels and Material Safety Data Sheets. The lists are updated as necessary. It will be kept both in the individual department office and in the central repository, located at the Minot Fire Headquarters Station #1. (See the Material Safety Data Sheets within your department.)

It is the policy of the City to ensure that each container of hazardous chemicals on a job site is properly labeled. The labels will list:

- A. the contents of the container and
- B. the appropriate hazard warnings.

To further ensure that employees are aware of the chemical hazards of materials used in their work areas, it is our policy to label all secondary containers. Secondary containers will be labeled with either an extra copy of the manufacturer's label, or with a sign or generic label that lists the container's contents and appropriate hazard warnings. This responsibility has been assigned to each department head.

Copies of material safety data sheets for all hazardous chemicals to which employees may be exposed are kept within each department's office and also in a central repository located at the Minot Fire Headquarters Station #1 and are readily accessible to employees in the work area during each work shift. Each department head is responsible for obtaining and maintaining the file of Material Safety Data Sheets, both within their department and in their portion of the central repository at Fire Station #1. Departmental supervisors will have copies of the MSDS's for their division. Any City of Minot requests for MSDS's from companies will be documented.

Employees are to attend a training session on hazardous chemicals in their work area at the time of their initial work assignment. Employees will sign "sign-off" sheets on training provided. These sheets will be kept in each department supervisor's office. The training session will cover the following:

- An overview of the hazard communication requirements.
- A review of the chemicals present in their workplace operations.
- The location and availability of our written Hazard Communication Program, a list of hazardous chemicals and Material Safety Data Sheets.
- Methods and observation techniques that may be used to detect the presence or release of hazardous chemicals in the work area.
- Physical and health hazards of the chemicals in the work area.
- How to lessen or prevent exposure to hazardous workplace chemicals by using good work practices, personal protective equipment, etc.
- Emergency procedures to follow if employees are exposed to hazardous chemicals.

An explanation of our Hazard Communication Program, including how to read labels and Material Safety Data Sheets to obtain appropriate hazard information.

When a new type of product is introduced into a work area or the chemical composition of a product changes, the employee's supervisor or another individual designated by the department head will review the above items as they are related to the new chemicals.

Periodically employees are required to perform non-routine tasks. Prior to starting work on such projects, each affected employee will be informed by their supervisor about hazards to which they may be exposed and appropriate protective and safety measures.

Before starting any task which involves working with any material of which they are unfamiliar, employees must notify their supervisor in order that the appropriate training might be given to them. In addition, employees must notify their supervisor should any new material come on the work site that the supervisor is not aware of, in order that the appropriate training can be given to employees.

The department supervisor is responsible for the containment of any hazardous material spill in his/her area of responsibility. Equipment required will be stored at each department and checked on a periodic basis. This equipment includes any personal protective equipment, absorbent material, containers, broom, and dustpan. The periodic check will be reported in writing and kept on file in the department. Appropriate disposal of hazardous materials will be the responsibility of the department head involved, in cooperation with the Fire Department.

CHAPTER 10

- 01** CONFLICT OF INTEREST
- 02** POLITICAL ACTIVITY BY CITY EMPLOYEES
- 03** TIME OFF TO VOTE POLICY
- 04** NO SMOKING POLICY
- 05** PERSONNEL FILE POLICY
- 06** WINTER STORM POLICY
- 07** ELECTRONIC COMMUNICATIONS POLICY
- 08** RESIDENCY REQUIREMENT
- 09** TRAVEL AND EXPENSE REIMBURSEMENT

1. CONFLICT OF INTEREST

No public servant shall engage in outside employment or activities, including seeking or negotiating for employment, that conflicts with official City duties and responsibilities. For employees, outside employment performed must comply with relevant department standards of conduct, including any requirement for approval of outside employment.

An employee may hold another job while working for the City but outside employment must not interfere with job performance and must be done outside of assigned working hours. The employee's City position shall be considered the primary employer; outside employment would be considered secondary. The employee's immediate Supervisor and Department Head shall be made aware of secondary employment by the employee to confirm that a conflict of interest does not exist.

No employee may solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the employee's department, or whose interests may be substantially affected by the performance or nonperformance of the employee's duties. A City department or division may accept small gifts which can be consumed at the work place, are in keeping with the occasion, and are made available to all personnel. (Inexpensive advertising items bearing the name of the giver – such as pens, pencils, paper weights, or calendars, etc. – are exempted from this policy.)

2. POLITICAL ACTIVITY BY CITY EMPLOYEES AS DEFINED BY ORDINANCE

No person under City classified service shall:

- use their official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for office;
- directly or indirectly coerce, attempt to coerce, command or advise a municipal officer or employee to pay, lend or contribute anything of value to a party, committee, organization, agency, or person for political purposes;
- be a candidate for elective governmental office that could result in receiving duplicate compensation from the same agency;
- engage in political activities while on duty;
- engage in "political activities" (as that term is defined in NDCC 39-01-04)*
- actively campaign on behalf of those seeking City Council or Mayoral office.

Nothing shall prohibit any person under the City's classified service from being a candidate in any election for an office if none of the candidates for that office is to be nominated or elected at such election as representing a party of whose candidates for Presidential elector received votes in the

last preceding election at which Presidential electors were selected. This shall not apply to City of Minot municipal elections.

Except as provided above, nothing shall be construed to prevent any employee from becoming, or continuing to be, a member or officer of a political club or organization, from attendance at a political meeting, from contributing to or otherwise supporting candidates or from enjoying entire freedom from all interference in casting his vote or favoring candidates.

* NDCC 39-01-04 “Political Activity” defined. The term “political activity” as used in this chapter includes any form of campaigning or electioneering, such as attending or arranging for political meetings, transporting candidates or workers engaged in campaigning or electioneering, distributing campaign literature, political guide cards, and placards, soliciting or canvassing for campaign funds, transporting electors to the polls on election day, and any other form of political work usually and ordinarily engaged in by state officers and employees during primary and general election campaigns.

3. TIME OFF TO VOTE POLICY

It is the policy of the City of Minot to encourage voting by all eligible voters at any statewide, special, primary, general, and/or local election.

When an employee’s regular work schedule conflicts with the time the polls are open, City departments are encouraged to grant employees who are qualified voters, the necessary and adequate time off from his/her employment for the purpose of voting.

4. NO SMOKING POLICY

Effective December 16, 2012 North Dakota voted in favor of a smoke free law which advances public health by protecting workers, residents and visitors from secondhand smoke exposure in public places and places of employment.

The law protects people from exposure to secondhand smoke including the use of e-cigarettes:

- In all enclosed areas of public places and places of employment such as restaurants, bars, truck stops, guest rooms and common areas within hotels and motels, healthcare facilities, long- term care centers, assisted living centers, licensed adult day care facilities, retail tobacco stores, hookah establishments, workplace vehicles, charitable gambling and gaming licensed facilities, and places of public access that may be leased for private functions.
- Within twenty (20) feet of entrances, exits, operable windows, air intakes and ventilation systems of an establishment in which smoking is prohibited by the law.
- Enclosed area means all space between a floor and ceiling that has thirty-three percent or more of the surface area of its perimeter bounded by opened or closed walls, windows or doorways. A wall includes any physical barrier regardless of whether it is open or closed.

5. PERSONNEL FILE POLICY

The City of Minot has established a consistent procedure and centralized location within the Human Resource Department for establishing, maintaining and updating personnel files and records for all City departments. This policy is necessary to ensure the City of Minot is in compliance with federal and state personnel regulations.

1. All original documents and forms required to be kept in employees' personnel files will be maintained in the Human Resources Department. These files will then contain all required original documents and forms concerning all required personnel information relating to those employees' tenure with the City and will become a part of each employee's permanent file.
2. Current and future copies of forms may, if preferred, be retained by the Department Head or Supervisor for the purpose of performance evaluations and monetary reasons related to budget expenditures; all original forms will be forwarded to the Human Resource Department.
 - This does not prohibit department supervision from maintaining written notes or records of employee performance separate from the personnel file for the purpose of preparing performance evaluations and/or possible disciplinary action.
3. All original documents that address an employee's character and/or performance will be maintained in the personnel file, after and upon an employee's review of such documents. All employees must acknowledge that the employee has reviewed the material by signing the actual document (with the exception of commendation letters and training certificates).
 - The signature of an employee merely signifies the employee has read the material to be filed and does not necessarily indicate agreement.
 - If the employee refuses to sign the copy to be filed, the Department Head shall indicate on the copy to be filed, the employee was shown the material and refused to sign the copy filed. This will then be forwarded and maintained in the personnel file.
 - An employee has the right to answer any material filed and such an answer will be attached to the original document. Any additional statements will not be used as the basis for any subsequent adverse personnel action.
 - No additional documents may be submitted by either the employee, supervisor, or Department Head, after the employee signature is obtained.
 - Anonymous letters or materials will not be placed in the employee's file.
4. Personnel files are records of public entity and are subject to North Dakota open records law, with the exception of those records that are considered "exempt" under NDCC 44-04-18.1. These records are considered confidential and are not subject to public viewing. The following are exempt from public review:
 - An employee's home address; personal phone number; day/month of birth; photographs; medical information; motor vehicle operator's identification information; payroll deduction information; the name, address, phone number, date of birth and social security number of any dependent or emergency contact; any credit, debit, or electronic funds transfer card number; and any account number at a bank or financial institution.

5. CONTINUED-PERSONNEL FILE POLICY

5. Medical information will be maintained in a separate confidential file as required by NDCC 44-04-18.1. This will include any medical information obtained for leave purposes, worker's compensation, family medical leave and/or disability accommodations.
 - All employee medical information shall be treated confidentially and shall not be released without written consent of the employee or as provided by law.
6. Social Security numbers are confidential and will only be released as authorized in accordance with NDCC 44-04-28; for the purpose of participation in retirement or other employment benefits programs; or as authorized by the individual to whom the Social Security number is assigned, that individual's lawful agent or guardian, or by order of court.
7. Any requests to view public records pertaining to employee personnel files shall be directed to the Human Resource Director.
 - Individuals requesting copies of an open public record that is deemed non- confidential and nonexempt, shall be subject to reasonable charges.
8. Any employee may inspect his/her individual personnel file during regular working hours of the Human Resource Department. No material may be removed from the personnel file without approval of the Human Resource Director.

In order that proper reports may be made and records maintained concerning the various personnel activities, a personnel file is developed for each employee. Appropriate forms and records are kept by the Clerk of the Commission, including such things as appointments, transfers, promotions, demotions, performance evaluations, and changes in salary, and any other temporary or permanent change in status of the employee.

The City Council has adopted an ordinance whereby a written reprimand of an employee and written materials relating to the reprimand may be destroyed or discarded from City files at the earlier of one year from the date thereof, or a date for removal specified therein. Written materials relating to a demotion, suspension, or transfer of an employee for the good of the service may also be removed or discarded from City files after five years have elapsed following such occurrence. The provisions of the aforementioned shall be supplementary to the requirements of state and federal law.

6. WINTER STORM POLICY

During a winter storm event the operation of City offices may be affected based on actual travel conditions locally. In the event of a “No Travel Advisory” being declared by the Minot Police Chief during a winter storm event, non-storm essential personnel may be sent home by order of the City Manager.

On those occasions when non-storm essential employees have been sent home, the City Manager will consult with the Police Chief and Public Works Director regarding local road conditions and the expected travel status for the following day in order to determine whether the non-storm essential personnel will be expected to be back to their positions the following day. If the “No Travel Advisory” remains in effect, non-storm essential personnel will remain on a “standby” status. If they are needed during the course of the day in which a “No Travel Advisory” is in place, the City Manager may order appropriate city vehicles to transport them to and from City offices. If the storm continues unabated, those employees not reporting to their job will remain on “standby” status and will be expected to report to their office as soon as possible following the lifting of the “No Travel Advisory”. Employees are also encouraged to take work home with them in winter storm events to be prepared to work from home via computer if possible.

7. CITY ELECTRONIC COMMUNICATIONS POLICY

The City has established a policy regarding access to and disclosure of electronic mail messages created, sent, or received by City employees using the City’s electronic mail system or computer network. It is important for all employees to understand that the City is subject to the North Dakota open records laws; therefore, all non-exempt records or information contained on computers or telephones are subject to disclosure upon request of any citizen.

The City’s electronic communications policies are:

- A. The City maintains an electronic mail system. The system is provided to assist in the conduct of City business.
- B. The electronic mail system, network components, Internet access hardware and software, and all computers are City property. Additionally, all network access and messages composed, sent, or received on all electronic systems are, and remain, the property of the City. They are not the private property of any employee.
- C. The use of the electronic mail system, the network, and computers is reserved solely for the conduct of business at the City. They may not be used for personal business. However, employees may use the Internet for a non-governmental purpose outside of their normal working hours provided the use:
 - 1. Does not interfere with the performance of any employee’s public duties; and
 - 2. Is of nominal cost or value; and
 - 3. Does not create the appearance of impropriety; and
 - 4. Is not for a political or personal commercial purpose; and
 - 5. Is reasonable in time, duration, and frequency; and
 - 6. Makes only minimal use of hardware and software resources; and
 - 7. Additionally, coffee breaks are part of normal working hours and personal usage is not permitted.

- D. Incoming electronic communications, particularly electronic mail messages, are not within the control of the user recipient. However, users can ensure safeguarding of the City's system by practicing prudent procedures in opening and handling incoming communications and adhering to the City of Minot Virus Protection Advisory.
- E. Electronic mail system and computers may not be used to create any offensive or disruptive messages. Among those considered offensive are any messages containing sexual implications, racial slurs, gender-specific comments, or any other comment that offensively addresses someone's age, sexual orientation, religious or political beliefs, national origin, or disability.
- F. The electronic mail systems and computers shall not be used to send (upload) or receive (download) copyrighted materials, trade secrets, proprietary financial information, or similar materials.
- G. The City reserves and intends to exercise the right to review, audit, intercept, access, and disclose all network transactions and all messages created, received, or sent over the City's electronic communication system for any purpose. The City reserves the right to install software to measure, manage, and monitor all electronic communication devices, including, but not limited to, storing, accessing, and reviewing information received or sent through e-mail or over the Internet and logging and analyzing sites accessed and denied. The City reserves the right to block out any Internet sites deemed by the City to be unrelated to its responsibilities. The confidentiality of any message or access should not be assumed. Even when a message is erased, it is still possible to retrieve and read that message. Further, the use of passwords for security does not guarantee confidentiality. All passwords must be disclosed to the department head or they are invalid and cannot be used.
- H. Notwithstanding the City's right to retrieve and read any electronic mail messages, such messages should be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve or read any e-mail messages that are not sent to them. Any exception to this policy must receive prior approval by the department head.
- I. The employee shall not use a code, access a file, or retrieve stored information unless authorized to do so by the employee's supervisor. Employees shall not attempt to gain access to another employee's messages without the employee's permission.
- J. Network access reports and electronic mail messages, as well as other nonproprietary information in the City computers, may be public record and may be subject to public access upon request.
- K. Any employee who discovers a violation of this policy shall promptly notify his/her supervisor.
- L. Standards of Conduct. An employee's use of the City network, including access to the Internet, is a privilege, not a right. An employee is solely responsible and shall be personally liable, legally, financially, or otherwise for their use of the system outside the scope of the employee's employment. An employee's use within the scope of employment shall be treated as other activities undertaken by the employee within the scope of employment. An employee:
- Must use the internet in a professional and ethical manner;
 - May not create or distribute immoral, obscene, threatening, defrauding, or violent text or images or transmit inappropriate or unlawful materials through the Internet;
 - May not enter or send obscene or offensive material into or through the Internet;

- May not create, distribute, or knowingly use unauthorized copies of copyrighted material;
 - Must use the Internet only to access files that are publicly available or to which the employee has authorized access;
 - Must refrain from overloading the network with excessive data or wasting computer time, connect time, disc space, printer paper, or other resources;
 - Must not allow access to the network by any person not performing a contracted service for the City;
 - Is responsible for any charges associated with billable Internet services unless appropriate authorization has been obtained prior to accruing the charge;
- M. Any employee who violates this policy or uses the electronic mail system, network, or computers for purposes in violation of this policy shall be subject to discipline, up to and including termination.

8. RESIDENCY REQUIREMENT

There is no requirement that an employee of the City of Minot must reside within the city limits.

9. TRAVEL AND EXPENSE REIMBURSEMENT

Travel allowance is provided by resolution for those City employees who use personal vehicles for City business.

The resolution reads as follows:

- a) Employees or officers of the City of Minot using private motor vehicles or private aircraft on out of town business for the City of Minot shall be compensated by a mileage payment equal to the current Internal Revenue Service (IRS) rate for each mile traveled in the most direct route, or the actual cost of airfare, whichever is least. If the travel is by train, commercial aircraft or bus, the City shall reimburse the employee for the fare by the most direct route.
- b) All officers or employees for the City of Minot, absent from the City of Minot on official City business in-state, shall receive their actual expenses per day for meals, but in no
- c) event more than a total of thirty-five dollars (\$35.00) per day (maximum allowed per meal
 - breakfast - \$7.00, lunch - \$10.50, dinner - \$17.50). In addition, they shall receive their actual lodging expenses and actual other incidental expenses.
- d) For out of state travel, actual expenses per day shall be paid, but in no event more than the Internal Revenue Service (IRS) maximum approved tax-free meal allowance rate for the out-of-state location that the employee is in, and actual lodging expenses and actual other incidental expenses.
- e) Official expenses at local meetings when attendance is required or expected, will be reimbursed by the City.

Note: this policy is currently under review by the Finance Department and will be updated in the near future. Please direct specific questions related to travel and expense reimbursement to the Finance Department.

CHAPTER 11

- 01 PUBLIC EMPLOYEES RELATION ACT
- 02 ETHICS POLICY FOR CITY OFFICIALS AND EMPLOYEES
- 03 EMPLOYEE RESPONSIBILITIES
- 04 PERSONAL AFFAIRS
- 05 SOCIAL MEDIA ACCOUNTABILITY
- 06 CONFIDENTIALITY RESPONSIBILITY

1. PUBLIC EMPLOYEES RELATIONS ACT

The Public Employees Relations Act, contained in state law, provides that an employee may, without fear of reprisal, report in writing to the employee's Department Head, a State's Attorney, Human Resource Director or an employee organization the existence of a job-related violation of state or federal law or, rules, or misuse of public resources. Any employee who intentionally furnishes false information is subject to disciplinary action, including suspension or termination.

2. CITY OF MINOT ETHICS POLICY FOR CITY OFFICIALS AND EMPLOYEES

Purpose:

Good government requires that decision-makers and policy makers be independent, impartial, and accountable to the people they serve. Public service is a public trust, requiring public servants (elected officials and employees) to act loyally to the Constitution, the laws, ordinances and ethical principles. The City of Minot's goal is to provide high quality municipal services which are responsive to the needs of our citizens. Thus it has adopted this Ethics Policy to promote and maintain the highest standards of personal and professional conduct in the pursuit of good government.

To ensure that every citizen can have complete confidence in the integrity of the City of Minot Government, public servants of the City shall respect and adhere to these fundamental principles of ethical service:

- A. A public servant shall be trustworthy, truthful, impartial, fair and respectful both inside and outside the City's service, so as not to cause distrust of the servant's impartiality and dedication to the City's best interests.
- B. A public servant shall take personal responsibility for the quality of service or representation provided to each citizen so as to deliver the best possible service or representation in a friendly, receptive and courteous manner.
- C. A public servant shall act impartially and not give preferential treatment to any organization or individual. Particularly, a public servant shall adhere to all laws and regulations that provide equal opportunity for all persons regardless of race, color, religion, sex, national origin, age or disability.
- D. A public servant shall satisfy, in good faith, the same obligations as any other citizen, including all just financial obligations, especially those – such as Federal, State or local taxes – that are imposed by law.
- E. A public servant shall not conduct official business if he or she has a direct and substantial financial interest therein (except as allowed by statute), nor shall engage in financial transactions using non-public information, nor allow the improper use of such information by others to further any private interest.
- F. A public servant shall perform official duties on a "best efforts" basis.
- G. No public servant shall make an unauthorized commitment or promise of any kind purporting to bind the City.
- H. A public servant shall protect and conserve public property and shall not use it for other than authorized activities, and shall disclose waste, fraud, abuse, and corruption to appropriate authorities.

3. EMPLOYEE RESPONSIBILITIES

- Attitude

As in any other business, efficiency, safety and pride in a job well done should be of prime importance to all City employees. Of course, we expect an hour's work for an hour's pay. But beyond that, we expect every employee to think of his job as one of the VERY important cogs in a large wheel. If your job was not worth doing, it would not exist – so treat it with the respect it deserves.

- Punctuality

Employees are expected to report to work on time. If you are, or will be, late or absent from work, it is most important that your supervisor be notified no later than the normal starting time and earlier if possible. This notification is essential so that the supervisor can plan the day's activities. Absence from work without given adequate notice and repeated incidents of appearing late for duty is grounds for disciplinary action. These practices are not fair to other employees who must carry additional duties during your absence.

- Public Relations

Each and every employee must share the responsibility for maintaining good public relations with the citizens and with fellow employees. Maintaining effective and courteous contacts with citizens is a basic requirement in every employee's job. It helps to remember that almost every person we greet is helping to pay our salaries through the taxes they pay each year. Those with many questions should be treated with the same courtesy and tact with which you treat others. Time spent in listening to taxpayer complaints, criticisms and problems is not wasted and will reap great dividends in improving the public relations program. We are responsible to all of the citizens of Minot and we should remember this in our day-to-day dealings with citizens.

You should bear in mind at all times that even outside our working hours and the office, people will assume that you, as a City employee, know a lot about City government. They will give importance to what you say about your department and about other departments, and will judge City employees in general by your appearance, behavior and attitude.

4. PERSONAL AFFAIRS

It is hoped that each employee will not let their private life reflect unfavorably upon the City of Minot or their work with the City.

The telephone and computer located in the various City offices and buildings are there for use in the conduct of City business and must not be used for personal affairs, except in cases of emergency.

If it is necessary for you to take time off to attend to personal matters, make arrangements with your supervisor well in advance so that the affairs of the department can be adjusted to compensate for your absence.

If a personal matter is of such nature that it affects your ability to perform your work satisfactorily, make arrangements to discuss the problem generally with your department head or with the Human Resource Office so that your efficiency records will accurately reflect your average performance.

5. SOCIAL MEDIA ACCOUNTABILITY

The City acknowledges employee rights to privacy and free speech that may protect online activity conducted on personal social networks. However, what is published on such personal sites should not be attributed to or reference the City and should not appear to be endorsed by or originated from the City. Employees that choose to list their work affiliation or reference their employment with the City in any way on a social network should regard all communication on that network as if it were a professional network.

Online lives are ultimately linked, whether or not employees choose to mention the City on personal online networks. City employees engaging in social media networks must at all times be conscious and respectful of the fact that their words and actions are representative of the City, regardless of when, where and how the content was posted.

6. CONFIDENTIALITY RESPONSIBILITY

Employees will perform services for the City of Minot which may require the disclosure of Confidential Information to the Employee. The Employee will hold the Confidential Information received from the City of Minot in strict confidence and shall exercise a reasonable degree of care to prevent disclosure to others. The Employee will not disclose or divulge either directly or indirectly the Confidential Information to others unless first authorized to do so by their Supervisor.

CONTACT US

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