

WASTEWATER WORKING FOREMAN

Position Title: Wastewater Working Foreman
Department: Public Works
Department Head: Public Works Director
Immediate Supervisor: Wastewater Superintendent
Pay Range: 8 **FLSA Status:** Non-exempt

<i>APPROVED:</i> _____ April 5, 2000
<i>REVISED:</i>
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Purpose

Performs intermediate-level supervisory work to assist the Wastewater Superintendent in the daily operation and management of the treatment facility. Serves as acting plant supervisor in the Supervisor's absence. Assists in the supervision of employees and perform specific duties pertaining to the Wastewater Treatment Facility, Bio-Solids Program and in the Collection System as needed~~plants electrical and electronic systems and components. Also assists other departments, including MUC, with electrical needs.~~

Organizational Relationships

Communicates with: *Internally* - All Wastewater and various City personnel, and Municipal Utilities staff; *Externally* ~~-state electrical inspector~~; MPCA staff, various consultants, suppliers and vendors, industrial users, and residents.

Directs/Supervises: All Wastewater employees/personnel

ESSENTIAL FUNCTIONS

Assist Superintendent with supervision of employees and assigning work tasks as needed.

Supervise maintenance and operational activities as needed.

Handle employee payroll and assists in coding invoices for payment; and participate in annual budget forecasting and budget requests.

Analyze data from plant activities and make recommendations to Superintendent.

Review plant operations and maintenance needs and make recommendations to Superintendent.

Participate in discussions with consultants, department directors and committees regarding future and present facility and capital needs; and occasionally attend public works meetings to provide information to committees.

Advise on-call personnel on courses of action and corrective measures.

Prepares and creates equipment specifications

Must fill-in for Operators in all aspects of the treatment process which includes working on weekend rotations and maintaining knowledge of laboratory work.

Receive callbacks due to equipment malfunction or rainstorm events; troubleshoot equipment and place into service or take alternative course of action as necessary.

~~Program, maintain and troubleshoot plant's processes using SCADA computer and PLCs.~~

~~Oversee all electric and electronic devices and materials, all telemetry and SCADA system supplies; and other non-electrical equipment and supplies.~~

~~Carry out wiring of new and existing electrical equipment; plan for and purchase electrical equipment; make alterations to existing equipment and wiring; and request/obtain electrical inspections.~~

~~Maintain existing electrical equipment by cleaning, lubricating and changing old components; and visually inspect equipment and wiring using electrical and infra-red testing.~~

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~~Troubleshoot, repair and calibrate pressure transducers, ultrasonic devices and other control and measurement equipment.~~

Attend workshops, seminars and other training to keep current and maintain certifications.

Serves on standby for emergency and problem situations on a rotational basis

~~Other Duties and Responsibilities~~

Troubleshoot and repair non-electrical equipment problems.

~~Adjust and assist in operation of large boilers.~~

Assist in contracting out for building maintenance and oversee projects.

Supervise part-time and seasonal employees.

Perform other related duties as assigned by supervisor or as apparent.

Required Knowledge, Skills and Abilities

~~Knowledge of electrical design and wiring practices.~~

~~Knowledge of motor control designs.~~

Knowledge of all aspects of Wastewater and principals of supervision and training.

~~Knowledge of National Electric Code, Uniform Building Code and National Fire and Protection Authority.~~

Knowledge of Federal and State OSHA (safety requirements).

Knowledge of MPCA and EPA guidelines for reporting and operating a wastewater treatment facility.

~~Ability to plan for laying out, supervising and installing wiring, apparatus or equipment for electric light, heat and power.~~

Ability to understand blueprints, and to learn/have knowledge of programming ~~(pascal and ladder logic).~~

Skill in operating a variety of ~~electrical~~ test equipment and computer systems.

Skill in use of vehicle, hand tools, and power tools ~~electrical test equipment and current and voltage source units.~~

Skill in computerized SCADA systems and PLC (Programmable Logic Controllers) systems.

Skill in use of skid loader/trackless, bucket truck and gas detection equipment.

Machines, tools and equipment used: various vehicles and office equipment such as telephone, fax, computer and two-way radio.

MINIMUM QUALIFICATIONS

High school degree or equivalent with ~~a background in electronics, safety and computer programming and~~ considerable experience in wastewater field with some supervisory experience. One year of post-secondary education in specialized treatment plant operator courses or two years' experience in waste water treatment plan operation and maintenance. Class B wastewater license, Special Engineer boiler license, Class A Commercial Driver's License with tanker endorsement, and Type IV Minnesota State Waste Disposal Certification. ~~Class A Master Electrician license and practical experience in electrical design and wiring and computer knowledge.~~

Working Conditions

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Time is spent performing work in and around the WWTP buildings and grounds with some tasks carried out in confined spaces at various heights and depths. Regularly uses fine motors skills to coordinate eyes and hands to use, adjust, repair and maintain a variety of tools, machines or equipment. Operates some heavy and light equipment. Regularly uses large motor skills to exert moderate to considerable physical effort while performing a variety of movements such as bending, crouching, pushing/pulling, twisting/turning, digging and lifting. Operates a vehicle for regular transportation needs. Sits and stands/walks for extended periods of time. All vision abilities and senses, with the exception of taste, may be used depending on the particular task. Exposure to irritants/fumes, hazardous chemicals, temperature extremes, vibrations, infectious diseases, gases and strong odors and noise can be occasional to frequent/continual. Occasionally works during adverse weather conditions. ~~Regularly works with electricity.~~

Direct Deposit

As provided for in Minnesota law, all employees are required to participate in direct deposit. Employees shall be paid bi-weekly and when a pay day falls on a holiday, employees shall receive their pay the preceding work day. Employees are responsible for notifying human resources of any change in status, including changes in address, phone number, names of beneficiaries, marital status, etc.

Time Reporting

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

Overtime / Compensatory Time

The City of Willmar has established this overtime policy to comply with applicable state and federal laws governing accrual and use of overtime. The city administrator will determine whether each employee is designated as “exempt” or “non-exempt” from earning overtime. In general, employees in executive, administrative, and professional job classes are exempt; all others are non-exempt.

Non-Exempt (Overtime-Eligible) Employees

All overtime-eligible employees will be compensated at the rate of time-and-one-half for all hours worked over 40 in one workweek. Vacation, sick leave, and paid holidays do not count toward “hours worked.” Compensation will take the form of either time-and-one-half pay or compensatory time. Compensatory time is paid time off at the rate of one-and-one-half hours off for each hour of overtime worked.

For most employees the workweek begins at midnight on Sunday and runs until the following Saturday night at 11:59 p.m. Supervisors may establish a different workweek based on the needs of the department, subject to the approval of the city administrator.

The employee’s supervisor must approve overtime hours in advance. An employee who works overtime without prior approval may be subject to disciplinary action.

Overtime earned will be paid at the rate of time-and-one-half on the next regularly scheduled payroll date, unless the employee indicates on his/her timesheet that the overtime earned is to be recorded as compensatory time in lieu of payment.

The maximum compensatory time accumulation for any employee is 80 hours. Once an employee has earned 80 hours of compensatory time, no further compensatory time may accrue. All further overtime will be paid. Employees may request and use compensatory time off in the same manner as other leave requests.

All compensatory time will be marked as such on official time sheets, both when it is earned and when it is used. The Finance Department will maintain compensatory time records. All

compensatory time accrued will be paid when the employee leaves city employment at the hourly pay rate the employee is earning at that time.

All employees, in all departments, are required to work overtime as requested by their supervisors as a condition of continued employment. Refusal to work overtime may result in disciplinary action. Supervisors will make reasonable efforts to balance the personal needs of their employees when assigning overtime work.

Exempt (Non-Overtime-Eligible) Employees

Exempt employees are expected to work the hours necessary to meet the performance expectations outlined by their supervisors.

Generally, to meet these expectations, and for reasons of public accountability, an exempt employee will need to work 40 or more hours per week. Exempt employees do not receive extra pay for the hours worked over 40 in one workweek. See full Exempt Employees Pay Policy for more information.

PERFORMANCE REVIEWS

An objective performance review system will be established by the city administrator or designee for the purpose of periodically evaluating the performance of city employees. The quality of an employee's past performance will be considered in personnel decisions such as promotions, transfers, demotions, terminations and, where applicable, salary adjustments.

Performance reviews will be discussed with the employee. While certain components of a performance evaluation, such as disputed facts reported to be incomplete or inaccurate are challengeable using the city's grievance process, other performance evaluation data, including subjective assessments, are not. For those parts of the performance evaluation system deemed not challengeable, an employee may submit a written response, which will be attached to the performance review. Performance reviews are to be scheduled on a regular basis, at least annually. The form, with all required signatures, will be retained as part of the employee's personnel file.

During the training period, informal performance meetings should occur frequently between the supervisor and the employee. Conducting these informal performance meetings provides both the supervisor and the employee the opportunity to discuss what is expected, what is going well and what needs improvement.

Signing of the performance review document by the employee acknowledges the review has been discussed with the supervisor and does not necessarily constitute agreement. Failure to sign the document by the employee will not delay processing.

BENEFITS

Health, Long-Term Disability, Life Insurance

The city makes a competitive monthly contribution toward group health insurance benefits for each eligible employee and his/her dependents. Employees are encouraged to look closely at this contribution as part of their overall compensation package with the city. In addition, the city provides long-term disability and group term life insurance with accidental death and dismemberment for all eligible employees.

For information about coverage, eligibility requirements, and voluntary (employee sponsored benefits) employees should refer to the summary plan description or contact the human resources department.

Retirement/PERA

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

HOLIDAYS

The city observes the following official holidays for all regular full-time and part-time employees:

New Year's Day	Labor Day
Martin Luther King, Jr. Day	Veterans Day
Presidents Day	Thanksgiving Day
Memorial Day	Friday after Thanksgiving
Independence Day	Christmas Day

Official holidays commence at the beginning of the first shift of the day on which the holiday is observed and continue for twenty-four (24) hours thereafter.

When a holiday falls on a Sunday, the following Monday will be the "observed" holiday and when a holiday falls on a Saturday, the preceding Friday will be the "observed" holiday for city operations/facilities that are closed on holidays.

Full-time employees will receive pay for official holidays at their normal straight time rates, provided they are on paid status on the last scheduled day prior to the holiday and first scheduled day immediately after the holiday. Part-time employees will receive prorated holiday pay based on the number of hours normally scheduled only if they would normally be scheduled to work on the day of the week designated as the holiday. Any employee on a leave of absence without pay from the city is not eligible for holiday pay.

Employees wanting to observe holidays other than those officially observed by the city may request either vacation leave or unpaid leave for such time off.

Exempt Employees Pay Policy

Exempt employees are expected to work the hours necessary to meet the performance expectations outlined by their supervisors.

Generally, to meet these expectations, and for reasons of public accountability, an exempt employee will need to work 40 or more hours per week. Exempt employees do not receive extra pay for the hours worked over 40 in one workweek.

Exempt employees are paid on a salary basis. This means they receive a predetermined amount of pay each pay period and are not paid by the hour. Their pay does not vary based on the quality or quantity of work performed, and they receive their full weekly salary for any week in which any work is performed.

The City of Willmar will only make deductions from the weekly salary of an exempt employee in the following situations:

- The employee is in a position that does not earn vacation or personal leave and is absent for a day or more for personal reasons other than sickness or accident.
- The employee is in a position that earns sick leave, receives a short-term disability benefit or workers' compensation wage loss benefits, and is absent for a full day due to sickness or disability, but he/she is either not yet qualified to use the paid leave or he/she has exhausted all of his/her paid leave.
- The employee is absent for a full workweek and, for whatever reason, the absence is not charged to paid leave (for example, a situation where the employee has exhausted all of his/her paid leave or a situation where the employee does not earn paid leave).
- The very first workweek or the very last workweek of employment with the city in which the employee does not work a full week. In this case, the city will prorate the employee's salary based on the time actually worked.
- The employee is in a position that earns paid leave and is absent for a partial day due to personal reasons, illness, or injury, but:
 - Paid leave has not been requested or has been denied.
 - Paid leave is exhausted.
 - The employee has specifically requested unpaid leave.
- The employee is suspended without pay for a full day or more for disciplinary reasons for violations of any written policy that is applied to all employees.
- The employee takes unpaid leave under the FMLA.
- The City of Willmar may for budgetary reasons implement a voluntary or involuntary unpaid leave program and, under this program, make deductions from the weekly salary of an exempt employee. In this case, the employee will be treated as non-exempt for any workweek in which the budget-related deductions are made.

The City of Willmar will not make deductions from pay due to exempt employees being absent for jury duty or attendance as a witness but will require the employee to pay back to the city any amounts received by the employee as jury fees or witness fees.

If the city inadvertently makes an improper deduction to the weekly salary of an exempt employee, the city will reimburse the employee and make appropriate changes to comply in the future.

Exempt employees are required to work the number of hours necessary to fulfill their responsibilities including evening meetings and/or on-call hours. Exempt employees are allowed reasonable freedom in their hours and their schedule shall be such as to best supervise their employees or as directed by the City Administrator.

Exempt employees are required to use paid leave when on personal business or away from the office for four (4) hours or more, on a given day. Absences of less than four (4) hours do not require use of paid leave as it is presumed that the staff member regularly puts in work hours above and beyond the normal forty (40) hour workweek. Exempt employees must communicate their absence to the city administrator or his/her designee.

If one of the above employees is regularly absent from work under this policy and it is found that there is excessive time away from work that is not justified, the situation will be handled as a performance issue.

If it appears that less than forty (40) hours per week is needed to fulfill the position's responsibilities, the position will be reviewed to determine whether a part-time position will meet the needs of the city. Additional notification and approval requirements may be adopted by the city administrator for specific situations as determined necessary.

Exempt Employees receive two (2) personal days each year. Personal leave days accruing on an annual basis shall be prorated for new hires on an hourly basis per hours remaining in the calendar year. Personal leave days shall be available for immediate use and may be used in full as soon as a new year begins.

Personal leave days may be used in hourly increments but may not be carried over into a new calendar year. In no event shall an employee receive severance pay for unused personal leave days when an employee's services are terminated.

Tuition Reimbursement

To be considered for tuition reimbursement, the employee must be in good standing and have been employed by the city for at least one year. All requests for tuition reimbursement will be considered on a case-by-case basis by the city administrator, with final approval/disapproval provided by the City Council.

Courses taken for credit at an approved educational institution must meet the following criteria to be approved for reimbursement:

- Courses must be directly related to the employee's present position (whether required for a degree program or not); OR
- Courses must be directly related to a reasonable promotional opportunity in the same field of work as present position (whether part of a degree program or not).

The city will pay the cost of tuition upon successful completion (C grade or better; "pass" in a pass/fail course) of the approved course. Reimbursements will be prorated for part-time employees. The maximum reimbursement per course will be based on an average course cost at the University of Minnesota. Employees may elect to attend a more costly school provided they pay the difference in cost. Employees must reimburse the city if they voluntarily leave employment within twelve (12) months of receiving tuition reimbursement from the city. Tuition reimbursement for an individual employee will not exceed \$_____ per year.

Extract from

3.1. Work Day/Hours, Work Week, Flexitime

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The City Administrator, Department Directors certain titled officials, and other supervisory personnel who are exempt from the Fair Labor Standards Act are given reasonable freedom in their hours. They shall have no rigid work hours or work weeks except that their hours shall be such as to best supervise their employees or as directed by the City Council.

4.1. Pay Period, Pay Days

Employees shall be paid every-other Thursday, for the period of the preceding two weeks ending on Saturday at 12:00 a.m. When a pay day falls on a holiday, employees shall receive their pay the preceding work day.

4.2. Payroll Deductions

The City is required to deduct from all employees' checks Federal and State income tax and Social Security tax if applicable. The City serves as the collection agency and passes the money on to the State and Federal government. The City is also required to deduct contributions to the Public Employees Retirement Association (PERA).

There are other payroll deductions which may be taken into consideration on payroll checks. Some of these are as follows: union dues, deferred compensation, savings bonds, insurance premiums, and United Way contributions. Employees desiring to enroll in any of these programs should contact the Finance Department.

4.3. Overtime

Unless they are exempt under the Fair Labor Standards Act (FLSA), employees are entitled to overtime compensation at a rate of one and one-half hours for each hour of overtime worked in excess of eight (8) hours within a twenty-four (24) hour period or forty (40) hours in a work week. The compensation may be in cash or in compensatory time off. Arrangements for compensatory time off in lieu of overtime pay in cash shall be made part of the collective bargaining agreement governing the respective employee.

Overtime is due only for time actually worked over 40 hours in a work week. If an employee takes compensatory time off or paid vacation, personal leave or sick leave, those hours are not counted as part of the 40-hour work week for purposes of determining whether overtime is due, because those hours were not actually worked.

5.3. Holidays/Scheduled Days Off

Employees shall receive regular compensation for eight (8) hours of work for each of the holidays listed in their collective bargaining agreement. When a holiday falls on a Saturday, the previous day will be designated as a holiday. When on a Sunday, the following day will be a holiday.

When a holiday falls during a vacation period or when an employee is on sick leave, the employee will not be charged for vacation or sick leave for that day provided the holiday falls on a day they are normally scheduled to work. If an employee works on a holiday, they receive pay or compensatory time in lieu of pay as per the governing collective bargaining agreement of the employee.

Permanent part-time employees are entitled to pay on a holiday only if they would normally be scheduled to work on the day of the week designated as the holiday, and they shall be paid only for the number of hours they would have worked.

5.4. Life Insurance/Supplemental Life Insurance

The City of Willmar provides group term life insurance with accidental death and dismemberment for all full-time employees and any permanent part-time employee that consistently works 20 hours per week all year long. The cost of the plan is paid by provisions of the employee's respective collective bargaining agreement.

5.5.1. The City of Willmar provides a standard medical and hospitalization health insurance plan for all full-time employees and any permanent part-time employee that consistently works twenty (20) hours per week all year long. The cost of the plan is paid by provisions of the employee's respective collective bargaining agreement. Permanent part-time employees eligible for medical and hospitalization health insurance shall pay a pro-rated share of a monthly premium based on the average hours worked per 40 hour work week.

5.6. Disability Insurance

The City of Willmar provides a long-term disability insurance policy for all full-time employees and any permanent part-time employee that consistently works thirty (30) hours per week all year long. Permanent part-time employees eligible for disability insurance shall pay a pro-rata share of the monthly premium based on the average hours worked per 40-hour work week.

An employee qualifying for the insurance (minimum consecutive months of disability must be met) will receive 60 percent of the employee's monthly basic wage or salary up to a maximum of \$4,000 per month.

Accrued sick leave shall be reduced during the qualifying period equal to the normal schedule of bi-weekly hours of the employee. Upon fulfilling the qualifying period, approved sick leave will be coordinated with the disability insurance payments on a pro-rata basis equal to, but not exceeding, the net compensation amount paid prior to the disability.

Long-term disability insurance payments may be offset by qualifying PERA disability payments to the minimum benefit leave of \$50 per month dependent upon existing PERA disability criteria.

5.10. Retirement Program/PERA/FICA

The City of Willmar is a member of the State Public Employees Retirement Association and also participates in the Federal FICA program. Membership for full-time employees is mandatory at date of employment. The City and member employees contribute to the retirement plans and may be either a coordinated member or a basic member of PERA. Coordinated means an employee is eligible for both PERA and FICA benefits. A basic employee is eligible for PERA only (employed prior to 1966). If an employee separates from City employment before retirement, he/she may request a refund from PERA of employee contributions.

EMPLOYEES EXCLUDED FROM MEMBERSHIP IN PERA AND EXEMPTED FROM FICA TAX:

- A. Temporary Employees. Employees who hold positions of an essentially temporary or seasonal character are exempt provided such employment does not continue for a period in excess of one hundred twenty (120) working days in any calendar year.
- B. Full-time Students. Part-time employees are exempt if they are full-time students who are enrolled and regularly attending classes at an accredited school, college or university. Full-time students must provide proof of status in order to meet this exemption.
- C. Part-time Employees. An employee who earns less than \$325 per month is not eligible for membership. The \$3,900 per calendar year rule may be used only if annual earnings are stipulated in advance in writing. The document must be signed at the time the employee was hired or at the beginning of contract year.
- D. Medicare. An amount for Medicare coverage shall be withheld from wages of employees in the above classifications until such time as any one of the exclusions is no longer met. Withholdings shall be at full rates thereafter.

5.13. Personal Leave Days

Each employee desiring to take personal leave, and having leave with pay to his/her credit in accordance with the provisions of a collective bargaining agreement, shall make application for such leave to their supervisor. The application shall be approved if it will not seriously affect the services of the Department.

Personal leave days accruing on an annual basis shall be prorated for new hires on an hourly basis per hours remaining in the calendar year. Personal leave days shall be available for immediate use, specifically inclusive of probation, and may be used in full as soon as a new year begins.

Personal leave days may be used in hourly increments but may not be carried over into a new calendar year. In no event shall an employee receive severance pay for unused personal leave days when an employee's services are terminated.

2.7. Promotions/Transfers (replaced in 3rd Section of new policy)

The City of Willmar's policy is to promote existing employees where possible. A promotion shall be based on seniority, qualification, and ability to perform the duties of the new position and based on the recommendation of the respective Department Director. A transfer between Departments should be discussed and approved by both Department Directors and the City Administrator.

6.5. Pre-employment Physical (replaced in 3rd Section of new policy)

An employee may be required to submit to a medical examination before permanent and full-time employment is finalized. Such examination shall be conducted by a City-appointed physician and shall be at the expense of the City.

LEAVES OF ABSENCE

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

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

Sick Leave

Sick leave is authorized absence from work with pay, granted to qualified full-time and part-time employees. Sick leave is a privilege, not a right.

Employees are to use this paid leave only when they are unable to work for medical reasons and under the conditions explained below. Sick leave does not accrue during an unpaid leave of absence.

- Full-time employees will accumulate sick leave at a rate of one (1) day per month.
- Part-time employees regularly scheduled to work at least 30 hours per week will accrue sick leave on a pro-rated basis of the full time employee schedule.
- Part-time employees regularly scheduled to work fewer than 30 hours per week will not earn or accrue sick leave.
- Temporary and seasonal employees will not earn or accrue sick leave.
- Sick leave may be used only for days when the employee would otherwise have been at work. It cannot be used for scheduled days off.

Sick leave may be used as follows:

- When an employee is unable to perform work duties due to illness or disability (including pregnancy).
- For medical, dental or other care provider appointments.
- When an employee has been exposed to a contagious disease of such a nature that his/her presence at the work place could endanger the health of others.
- To care for the employee's injured or ill children, including stepchildren or foster children, for such reasonable periods as the employee's attendance with the child may be necessary.
- To take children, or other family members to a medical, dental or other care provider appointment.
- To care for an ill spouse, father, father-in-law, mother, mother-in-law, stepparent, grandparent, grandchild, sister or brother.

Pursuant to Minn. Stat. §181.9413, eligible employees may use up to 160 hours of sick leave in any 12-month period for absences due to an illness of or injury to the employee's adult child, spouse, sibling, parent, grandparent, stepparent, parent-in-law (mother-in-law and father-in-law), and grandchild (includes step-grandchild, biological, adopted, or foster grandchild).

Safety leave: Employees are authorized to use sick leave for reasonable absences for themselves or relatives (employee's adult child, spouse, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent) who are providing or receiving assistance because they, or a relative, is a victim of sexual assault, domestic abuse, or stalking. Safety leave for those listed, other than the employee and the employee's child, is limited to 160 hours in any 12-month period.

After accrued sick leave has been exhausted, vacation leave may be used upon approval of the city administrator, to the extent the employee is entitled to such leave.

To be eligible for sick leave pay, the employee will:

- Communicate with his/her immediate supervisor, as soon as possible before the scheduled start of the work day, for each and every day absent;
- Keep his/her immediate supervisor informed of the status of the illness/injury or the condition of the ill family member;
- Submit a physician's statement upon request.

After an absence, a physician's statement may be required on the employee's first day back to work, indicating the nature of the illness or medical condition and attesting to the employee's ability to return to work and safely perform the essential functions of the job with or without reasonable accommodation.

Any work restrictions must be stated clearly on the return-to-work form. Employees who have been asked to provide such a statement may not be allowed to return to work until they comply with this provision. Sick leave may be denied for any employee required to provide a doctor's statement until such a statement is provided.

The city has the right to obtain a second medical opinion to determine the validity of an employee's workers' compensation or sick leave claim, or to obtain information related to restrictions or an employee's ability to work. The city will arrange and pay for an appropriate medical evaluation when it is required by the city.

Any employee who makes a false claim for sick leave will be subject to discipline up to and including termination.

Employees must normally use sick leave prior to using paid vacation, or compensatory time and prior to an unpaid leave of absence during a medical leave.

Sick leave will normally not be approved after an employee gives notice that he or she will be terminating employment. Exceptions must be approved by the city administrator.

Sick leave cannot be transferred from one employee to another except in the case of approved sick leave donations (see full Sick Leave Donation Policy). For employees with less than seven (7) years of continuous employment, earned sick leave has no cash value upon termination or retirement. For employees with seven (7) or more years of continuous employment, see full Sick Leave Upon Separation Policy. The maximum accumulation for sick leave is 840 hours.

Vacation Leave
Vacation Leave Schedule

Years of Service	Annual Accrual
1-4 Years	10/15 Days
5-9 Years	15/18 Days
10-14 Years	20 Days
15+ Years	25 Days

Eligibility

Full-time employees will earn vacation leave in accordance with the above schedule. New hires may only be placed at a higher accrual rate with the approval of the City Administrator.

Part-time employees who work at least 30 hours per week on a regular basis will accrue vacation leave on a prorated basis of the full-time employee schedule.

Part-time employees who work less than 30 hours per week on a regular basis, temporary and seasonal employees will not earn or accrue vacation leave.

Accrual Rate

For the purpose of determining an employee's vacation accrual rate, years of service will include all continuous time that the employee has worked at the city (including authorized unpaid leave). Employees who are rehired after terminating city employment will not receive credit for their prior service unless specifically negotiated at the time of hire.

Earnings and Use

Vacation leave may be used as it is earned, subject to approval by the employee's supervisor.

Requests for vacation must be received at least forty-eight (48) hours in advance of the requested time off. This notice may be waived at the discretion of the supervisor and city administrator.

Vacation can be requested in increments as small as one hour up to the total amount of the accrued leave balance. Vacation leave is to be used only by the employee who accumulated it. It cannot be transferred to another employee.

Employees may accrue vacation leave up to a maximum of two (2) times the employee's annual accrual rate. No vacation will be allowed to accrue in excess of this amount without the approval of the City Council.

Employees who have accumulated at least 120 vacation hours may cash in 40 hours of vacation one time per calendar year when they have used at least 40 hours of vacation time in the past 12 months.

Funeral Leave

Employees will be permitted to use up to three (3) working days, with pay, as funeral leave upon the death of an immediate family member. This paid leave will not be deducted from the employee's vacation or sick leave balance. Funeral Leave is only for days when the employee was regularly scheduled to work.

The funeral leave approval will be determined by the supervisor or city administrator depending on individual circumstances (such as the closeness of the relative, arrangements to be made, distance to the funeral, etc.).

Alternatively: The employee's immediate family is defined as father or father-in-law, grandfather, mother or mother-in-law, grandmother, sister or sister-in-law, brother or brother-in-

law, spouse, children, stepchildren, stepparents, or a member of the employee's own immediate household.

Sick Leave Donation Policy

With the express written approval of the City Administrator, City employees having accrued sick leave will be allowed to donate a portion of such accrued sick leave to fellow employees experiencing a major life threatening disease or a health condition suffered by the employee, spouse, children or stepchildren of either husband or wife or stepparents, and a member of the employee's immediate household.

The donation of sick leave from one employee to another shall be subject to the following terms and conditions:

1. An Employee will be eligible to receive donated sick leave only after all accumulated sick leave, vacation leave, and compensatory time have been used by the employee. The donating employee may pledge sick leave hours before the receiving employee exhausts all of their paid leave. Then once (or if) the receiving employee has exhausted all paid leave, the hours will be added to their sick bank. If the receiving employee ~~does not~~never exhausts all of their paid leave within the calendar year, the sick hours will revert back to the donor.
2. No employee will be allowed to receive more than forty (40) days of donated sick leave for any single major life threatening disease or condition without the express written approval of the City Administrator.
3. An employee may donate leave only if the donor will have a remaining balance of at least forty (40) hours of sick leave after donation.
4. An employee may donate no more than forty (40) hours per calendar year to a single fellow employee. This shall not be construed to prohibit donating forty (40) hours per year to another fellow employee.
5. A written request to donate sick leave must be made to the City Administrator on forms designated by the City for this purpose.
6. The City Administrator shall have the right to deny use of donated sick leave or limit its use as shall be determined in the best interests of the City of Willmar.

Sick Leave Upon Separation

Employees with seven (7) or more years of consecutive service with the Employer shall be granted, upon termination of employment with the Employer, the cash value of the accumulated total sick leave; computed at last current salary at time of severance, in accordance with the following schedule: seven (7) years, seventy (70%) percent; eight (8) years, eighty (80%) percent; nine (9) years, ninety (90%) percent; ten (10) years, one hundred (100%) percent. In the event an Employee with at least seven (7) years continuous service dies while so employed, his/her heirs as designated under the PERA plan shall be entitled to an amount equal to the percent of accrued sick leave benefits that said Employee would have earned under the termination clause (payable at the time of Employee's death). Termination and/or death benefits shall be limited to 840 hours

5.1. Vacation

Vacation with pay shall be granted to City employees except that no employee shall be allowed to use vacation leave until after the expiration of the employee's probationary period. The probationary restriction shall not apply to employee promotions and/or transfers.

Full-time employees shall accrue vacation leave according to the schedule of their collective bargaining agreement. Permanent part-time employees shall accrue vacation leave according to a rate equal to the average hours worked per week divisible by a forty (40) hour work week multiplied by the respective collective bargaining agreement vacation schedule.

Each employee desiring to take vacation leave and having vacation leave with pay to his/her credit in accordance with the foregoing provisions, shall make application for such leave to the immediate supervisor except when departmental rules require Department Director approval. The application shall be approved if it will not seriously affect the services of the Department.

The City of Willmar encourages all employees to take at least one week of vacation in a block. The balance of accrued vacation may be taken individually in a minimum of one (1) hour increments.

In case of sickness or accident not covered by Workers Compensation, an employee may request that all or part of the accrued vacation time be applied as sick leave and will be paid in the same manner as vacation time. Vacation may not be waived by an employee for the purpose of receiving extra pay for work during that period.

Vacation leave is accrued when vacation days, holidays, and sick days are taken. No vacation leave shall accrue during a leave of absence, except employees on the 15-day military leave with pay.

In the event an employee's services are terminated in good standing, they shall be compensated for the accumulated vacation hours at the rate of pay of the termination date. Employees who voluntarily terminate prior to completing the probationary period or who are dismissed at the end of the probationary period shall not be eligible for terminal vacation pay.

5.2. Sick Leave

Sick leave with pay shall be granted to City employees except that no employee shall be allowed to use sick leave until after the expiration of the employee's probationary period and City Administrator action granting full-time, year-round status. In cases of extreme emergency, and with the express approval of the Department Director, sick leave may be granted during the probationary period. Full-time, year-round employees shall accrue sick leave according to the schedule of their collective bargaining agreement. Permanent part-time employees shall accrue sick leave according to a rate equal to the average hours worked per week divisible by a forty (40) hour work week multiplied by the respective collective bargaining agreement sick leave schedule.

Employees may use sick leave for the following:

- A. Illness of the employee, causing absence from work.
- B. Injury to employee, causing absence from work.
- C. Need by employee for acute medical or dental care which cannot be obtained after working hours.
- D. Illness or injury to members of the immediate family - father or grandfather, mother or grandmother, sister or sister-in-law, brother or brother-in-law, spouse, children of either husband or wife, stepchildren or stepparents, and a member of the employee's immediate household.
- E. Pregnancy prior to delivery and up to four (4) months post-delivery.

When an employee is unable to report to work because of illness or injury, or because of illness in the immediate family, he/she shall report to the Department Director or First Line Supervisor, or cause to be reported, early enough so that arrangements may be made to carry on the employee's work. The Department Director may require a signed statement from the employee's physician or other evidence of the extent of the injury or condition of the employee or employee's family member during illness.

Sick leave is accrued when vacation days, holidays, and sick days are taken. No sick leave shall accrue during a leave of absence, except employees on military leave with pay.

Sick leave with pay shall not be granted to emergency or per diem employees. When incapacitating sickness or hospitalization occurs within a period of vacation leave, the period of illness may, upon presentation of a statement from the attending licensed physician, be charged as sick leave and the charge against vacation leave reduced accordingly.

The appointing authority may require the employee to produce medical certification from a registered, practicing physician attesting to the fact that the employee is fit to return to work.

Pregnancy is treated as a sickness. When the employee is unable to perform her job responsibilities, sick leave may be used prior to the maternity leave of absence within the following guidelines:

- A. Sick days may be used continuously until the employee has depleted the number of sick days accrued, after which the leave of absence would become effective.
- B. It is not required that all or any sick days be used for maternity leave, as it may be desired to save the sick days in case of illness or surgery. Maternity leave of absences are granted up to four (4) months after the date of delivery, regardless of the extent of sick days used.
- C. Sick days may only be used up to four months after the delivery.

Natural or adoptive parents may use sick leave for the following reasons:

- A. Pregnant employees requesting maternity leave may use paid sick leave prior to the birth of the child and up to four (4) months after the birth of the child unless all accumulated sick leave is exhausted at an earlier date.
- B. Male employees who become a natural or adoptive parent may use a maximum of three (3) sick days before or after the birth or arrival of the child.
- C. Female employees who become an adoptive parent may use a maximum of three (3) sick leave days before or after the arrival of the child.

Any employee sustaining an injury while on the job is eligible for Workers Compensation. Accumulated sick leave may be used in conjunction with the payment received from Workers Compensation so that the combined total will be equal to the employee's net salary (see Workers Compensation).

Donation of Sick Leave:

With the express written approval of the City Administrator, City employees having accrued sick leave will be allowed to donate a portion of such accrued sick leave to fellow employees experiencing a major life threatening disease or a health condition suffered by the employee, spouse, children or stepchildren of either husband or wife or stepparents, and a member of the employee's immediate household.

The donation of sick leave from one employee to another shall be subject to the following terms and conditions:

1. An Employee will be eligible to receive donated sick leave only after all accumulated sick leave, vacation leave, and compensatory time have been used by the employee. The donating employee may pledge sick leave hours before the receiving employee exhausts all of their paid leave. Then once (or if) the receiving employee has exhausted all paid leave, the hours will be added to their sick bank. If the receiving employee never exhausts all of their paid leave, the sick hours will revert back to the donor.
2. No employee will be allowed to receive more than forty (40) days of donated sick leave for any single major life threatening disease or condition without the express written approval of the City Administrator.
3. An employee may donate leave only if the donor will have a remaining balance of at least forty (40) hours of sick leave after donation.
4. An employee may donate no more than forty (40) hours per calendar year to a single fellow employee. This shall not be construed to prohibit donating forty (40) hours per year to another fellow employee.
5. A written request to donate sick leave must be made to the City Administrator on forms designated by the City for this purpose.

6. The City Administrator shall have the right to deny use of donated sick leave or limit its use as shall be determined in the best interests of the City of Willmar.

5.14. Retirement/Termination Pay

Employees retiring or terminating in good standing that are eligible for vacation and/or sick leave compensation as described in their labor contract, shall be allowed to receive payment of their accrued vacation and/or sick leave in a lump-sum payment or carried over three (3) calendar years and not on a monthly basis. All requests for multiple year payments must be in written form, signed and dated by the employee, and submitted to the Finance Director in a timely manner prior to leaving the employment of the City.

5.8. Funeral Leave

Employees may be allowed up to three (3) working days paid leave at the employee's straight time rate in the event of death of a member of the employee's immediate family. Such funeral leave days will not be deducted from sick leave. The employee's immediate family is defined as father or father-in-law, grandfather, mother or mother-in-law, grandmother, sister or sister-in-law, brother or brother-in-law, spouse, children of either husband or wife, stepchildren or stepparents, or a member of the employee's own immediate household. It is understood that payment under the above provisions is only for a day or days when the employee was scheduled to work and would have worked except for the death of such relative.