

## RELEVANT LINKS:

[Personnel Policy Template](#)

# PERSONNEL POLICIES

## CHAPTER OVERVIEW

The League of Minnesota Cities recommends that cities have written personnel rules and procedures. Cities generally use either an ordinance or a policy manual to establish such rules. For better flexibility in stating the terms, conditions, privileges and responsibilities of employment and ease in updating changed practices, the League recommends a policy manual or handbook over the ordinance approach.

The Personnel Policy Chapter of the HR Reference Manual is designed to provide cities with information about those public sector personnel practices that can be effectively managed, at least in part, by following well written policy language. A personnel policy template with sample policy language was developed for use in conjunction with this chapter. Cities are encouraged to review both the Personnel Policy Chapter and the personnel policy template before revising existing personnel policies or creating new ones. The personnel policy template can be accessed by clicking on the link at the beginning of every section of this chapter.

## Personnel Policies Chapter Checklist

### A. General Guidelines

- ✓ What is the form of government used by the city?
- ✓ Who has the authority to make decisions (final and preliminary) on personnel management issues?
- ✓ Are the city's personnel guidelines in ordinance or policy format?
- ✓ How is personnel policy information shared with employees?
- ✓ Whose responsibility is it to ensure that employees are familiar with the city's policies?
- ✓ Has the city established a regular schedule for review of existing personnel policies?
- ✓ Are any city employees covered by a bargaining agreement (union contract)?
- ✓ Are any city employees covered by civil service bylaws or rules?
- ✓ Are individual departments given the authority to establish policies or work rules to supplement the city's overall personnel policies? If yes, who is responsible for documenting such work rules and for sharing them with employees?

### B. Purpose

- ✓ Who is responsible for ensuring compliance with city personnel policies?
- ✓ Are city employees considered "at will" or can they only be disciplined or terminated per the "just cause" standard?
- ✓ Do any employees have employment contracts with the city?

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- ✓ Has the city developed a “sign-off” sheet to verify that each employee received a copy of the personnel policies/updates?
- ✓ Is it clear that revised personnel policies will always supersede any and all past versions of the policies?

**C. Application**

- ✓ Who is covered by the city’s personnel policies?
  - Full-time employees
  - Part-time employees (what about temporary and/or seasonal)
  - Elected and/or appointed officials
  - Firefighters
  - Volunteers
- ✓ Does the city have any independent contractors?
- ✓ Are there any employee groups covered only by specific personnel policies (rather than all of the city’s personnel policies)?

**D. Definitions**

- ✓ Are the key terms used in the city’s personnel policies clearly defined?
- ✓ Are definitions found in state and/or federal law used where appropriate?
- ✓ Who is responsible for interpreting the definitions established in the city’s personnel policies?

**E. EEO / AA**

- ✓ Does the city’s equal employment opportunity statement identify protected classes?
- ✓ Does the city receive any funds from state or federal grants? If so, does the grant agreement require the city to have an affirmative action plan?
- ✓ Is there policy language acknowledging the protections afforded by the Americans with Disabilities Act?

**F. Recruitment and Selection**

- ✓ Who has authority to make the hiring decisions for the city?
- ✓ Who is responsible for managing the hiring process?
- ✓ How will openings be posted (e.g., internally, externally, both)?
- ✓ Will all vacancies be advertised?
- ✓ What is the basis for the hiring decision (merit, fitness, etc.)?
- ✓ How will applications be reviewed (e.g., rated on 100 point scale)?

## RELEVANT LINKS:

- ✓ How will promotional opportunities be handled?
- ✓ What types of exams and testing may be used (e.g., medical, psychological, drug and alcohol)?
- ✓ Will background checks be conducted? If yes, who will be responsible for conducting/coordinating them?
- ✓ Does the city currently apply a probationary period to new hires?

## G. Compensation

- ✓ Does the city have an up to date compensation and classification plan (comparable worth plan for pay equity)?
- ✓ How are paychecks distributed?
- ✓ Are employees required to participate in direct deposit?
- ✓ Are timesheets used to track hours worked? If yes, who is responsible for signing them?
- ✓ In general, who is eligible for overtime compensation?
- ✓ Must overtime be approved before it is worked?
- ✓ Are there any circumstances under which it would be acceptable to work overtime without prior approval? If yes, when?
- ✓ Will time taken as paid leave and/or paid holidays count as “time worked” for the purpose of calculating overtime?
- ✓ Does the city provide compensatory time in lieu of overtime compensation?
- ✓ What is the maximum accrual for compensatory time?
- ✓ Is compensatory time paid out or bought down at any point during the year?
- ✓ Are there any defined work situations where overtime will always be paid out and others where compensatory time will always be earned?
- ✓ During what hours are exempt and non-exempt employees expected to be at work?
- ✓ Do department supervisors have flexibility in determining employee work schedules (start, end, breaks, etc.)?

## H. Holidays and Leave

- ✓ What public holidays does the city observe?
- ✓ Do employees receive pay on city observed holidays? If yes, what about part-time employees? Do employees who get called in to work on a holiday or who are scheduled to work on a holiday receive additional compensation?
- ✓ Does the city have paid leave programs?
  - Vacation leave
  - Sick leave

## RELEVANT LINKS:

- Funeral leave
- Paid time off (annual leave, personal leave)
- ✓ Which employees are eligible to accrue paid leave?
- ✓ Are paid leave hours counted as “hours worked” for calculating overtime under the Fair Labor Standards Act?
- ✓ Do the city’s policies address leaves that might be required according to state or federal law?
  - Family and medical leave
  - Parental leave
  - Leave for bone marrow donation
  - School conferences leave
  - Military leave
  - Jury duty
  - Voting
- ✓ Does the city provide for unpaid leaves of absence under any circumstances?
- ✓ What are the responsibilities of any employee or supervisor in the event that someone is injured on the job?
- ✓ How are employees informed of procedures that should be followed in the event of a workplace emergency?

**I. Performance Evaluation**

- ✓ Does the city have a formal or informal process of evaluating employee performance?
- ✓ Are employee job descriptions up to date?
- ✓ Do supervisors use forms when conducting performance evaluations?
- ✓ Do employees have an opportunity to provide input into their own performance evaluations (before or after the evaluation)?
- ✓ Are there guidelines in place to ensure that employees are evaluated solely on job related factors?
- ✓ Is employee performance tied to compensation?

**J. Length of Service Programs**

- ✓ Does the city have a clearly defined method for tracking an employee’s length of service with the city?
- ✓ Does the city provide longevity pay? If yes, are the parameters for earning longevity pay clearly defined?

## RELEVANT LINKS:

**K. Benefits**

- ✓ Does the city provide fringe benefits to employees? If yes, what benefits are provided?
- ✓ Which employees are eligible for which benefits?
- ✓ What portion of the benefit premiums are paid by the city/employee?
- ✓ Are there any benefits in which employee participation is required/optional?
- ✓ Are employees permitted to waive benefit participation?
- ✓ Does the city have any bargaining units (unions)? If yes, do the benefits offered to employees in the bargaining unit differ from those offered to nonunion employees?

**L. Discipline**

- ✓ Does the city's policy state that working for the city is considered "employment at will"?
- ✓ Does the city provide employees with an opportunity to respond to allegations regarding job performance (especially when termination is being considered)?
- ✓ In the absence of employment-at-will language, does the city's policy state that employee discipline will be subject to the "just cause" standard?
- ✓ Who has the authority to determine the appropriate level of discipline and to administer said discipline?
- ✓ If the city's policy states that discipline will be progressive, is there also a statement permitting the city to bypass certain disciplinary steps when deemed appropriate?
- ✓ Does policy language define potential disciplinary steps, such as:
  - Oral reprimand
  - Written reprimand
  - Paid suspension
  - Unpaid suspension
  - Discharge/termination

**M. Separation from Employment**

- ✓ Does the city payout an employee's accrued compensatory time and vacation leave, as required by law, when the employee separates from employment with the city?
- ✓ Are employees required to submit a resignation in writing?
- ✓ Does the city have a mandatory retirement age for any employees?
- ✓ Does the city offer benefits to early (under 65) and/or regular (65 +) retirees?
- ✓ In the event of a layoff, how does the city determine which employees to

## RELEVANT LINKS:

- layoff? Does “bumping” or any other seniority right apply during a layoff?
- ✓ Has the city considered establishing callback guidelines in the event that employees are needed to return to work following a layoff?
  - ✓ Is the city’s policy clear that the need for separation from employment due to any employee’s medical issues or disability will be evaluated on a case by case basis?

**N. Other Policies**

- ✓ Does the city have a written sexual harassment prevention policy? If yes, has the city provided employees with training on the policy?
- ✓ In the absence of a written policy, have employees been advised that sexual harassment is illegal under both state and federal law?
- ✓ Does the grievance policy within the city’s personnel policies clearly state those practices which may be grieved (e.g., the application, meaning or interpretation of the city’s personnel policies)?
- ✓ Are timeframes clearly established within the grievance policy?
- ✓ Does the city have policy language regarding the Minnesota Government Data Practices Act, such as:
  - Designating the responsible authority
  - Defining personnel data
  - Procedures for releasing data to the public
- ✓ Does the city have a safety committee and a written safety manual?
- ✓ Does the city have a drug and alcohol testing policy established under state law?
- ✓ Does the city have a drug and alcohol testing policy established under federal law for holders of commercial drivers’ licenses?
- ✓ If the city has computers, voice mail, cell phones, etc., is there a policy establishing appropriate use of such equipment?
- ✓ Does policy language clearly state that employees should not have any expectation of privacy regarding use of city owned equipment or technology?