Carlton County, Minnesota
Committee of the Whole Agenda

CARLTON COUNTY
COMMITTEE OF THE WHOLE AGENDA

Carlton County Transportation Building, County Board Room
February 4, 2020 at 4:00 p.m.

1. Call to Order
2. Approval of Agenda
3. Approve November 5, 2019 Meeting Minutes
4. New Business
   - A. COORDINATOR / HUMAN RESOURCES / PROPERTY MANAGEMENT
     1. Policy Committee policy list
     2. Strategic Plan update
     3. Property Management Budget Update
     4. Discuss Tobacco Ordinance
     5. Personnel Policy Manual Discussion
     6. Committee updates
   - B. INFORMATION TECHNOLOGY
     1. County and Fond du Lac broadband (fiber) initiatives and partnerships
   - C. TRANSPORTATION
     1. Monthly construction update (info only).
     2. Monthly maintenance update (info only).
     3. Monthly budget update (info only)
5. Other Business
   - A. Department Updates
   - B. The next regular meeting date is scheduled for March 3, 2020 at 4:00 p.m. located at the Carlton County Public Health & Human Services Building in the St. Louis River/Nemadji Room.
6. Adjournment.

Carlton County Policy Tracking Form

10/23/2019

Priority	Policy	Created By/Working On	Date Created	30 Day Comment Period	COW Date	County Board Approval & Adoption
1	Internet Use / Social Media Policy / Email (fundraising), Electronic Communication Policy	Pete (see list below)				
3	Accounting Policy with Manual	State Auditor recommendation (Kathy)	1-Oct-15			
3	Performance Review Policy	Kim Franek	1-Sep-14			
3	Purchasing Policy	Dennis Genereau/Auditor-Treasurer	1-Sep-18			
3	Catastrophic Leave Policy	Dennis/Kim				
3	Health Equity Policy	Donna Lekander				
3	Capital Assets Policy	Auditor/Treasurer's Office				
SafeAssure	Carlton County Safety Program Policy AWAIR	Safety Committee (Karola in the loop), Safe Assure will assist				
SafeAssure	Carlton County PH&HS Emergency Procedures Guide	For Review Only - on hold				
SafeAssure	Courthouse Emergency Response and Evacuation Plan	Joe - on hold, Safe Assure will possibly assist				
SafeAssure	Safety Committee Bylaws	Safety or Policy Committee review (Rob Carr), Safe Assure?				
On hold	County Board Guidelines (On hold)	Coordinator's Office		(30 day commissioner comment period deadline July 13, 2017)	Sept. 5	County Board did not wish to adopt
IT	IT Standard on Acceptable Technology Use	Procedure				
IT	IT Standard on Mobile Device Use	Procedure				
IT	IT Standard on Network Access	Procedure				
IT	IT Standard on Passwords	Procedure				
IT	IT Standard on Portable Computing Use	Procedure				
IT	Social Media/Internet/Email Policy	Policy				
IT	IT Standard on Virus and Malware	Procedure				
IT	IT Standard on Website	Procedure				

4A1.

Approved Carlton County Policy Tracking Form

8/14/2018

Policy	Created By	Date Created	30 Day Comment Period	COW Date	County Board Approval & Adoption
Cellular Phone Policy	Policy Committee	Jun-14	June 4, 2014 - July 4, 2014	Approved 8/5/2014	8/12/14
Lactation Policy	Policy Committee	Jun-14	June 19, 2014 - July 18, 2014	Approved 8/5/2014	8/12/14
Human Resources Internal Complaint Form	Coordinator's Office	May-14	June 19, 2014 - July 18, 2014	Approved 8/5/2014	8/12/14
Cellular Phone Policy and Procedure	Pete Gould		Approved by Policy Committee on 2/17/15		
Smoke and Tobacco Free Workplace Policy	Mike Tardy requested/Jeff B draft	November 17, 2014	November 19, 2014 - December 18, 2014	February 3, 2015	March 10, 2015
HR External Complaint Form	Kim Franek				February 17, 2015
Item For Consideration Form Policy (IFC)	Coordinator's Office	May-14			March 10, 2015
Nepotism Policy	Jeff Boucher	March 16, 2015	March 19, 2015 - April 17, 2015	May 5, 2015	May 12, 2015
County Issued Credit Card Policy	Kathy Kortuem	February 1, 2015	February 20, 2015 - March 21, 2015	May 5, 2015	May 12, 2015
Family Medical Leave Act Policy (FMLA)	Kim Franek / Jeff Boucher	March 16, 2015	March 17, 2015 - April 15, 2015	June 2, 2015	June 9, 2015
Lobbying by County Staff	Requested by Commissioner Bodie - Jeff Boucher	February 1, 2015	May 19, 2015 - June 17, 2015	July 7, 2015	July 14, 2015
Policy for no additional signature on DH timesheets	State Auditor's Office - Kathy/Paul	September 1, 2015	Resolution will act as the policy	N/A	September 28, 2015
AED Policy	Becky Rudd/Kim Franek		9/23/2015 - 10/22/2015	Nov 3	November 10, 2015
Facility Closing Policy and Procedure	Kim Franek	April 1, 2015	April 28, 2015 - May 22, 2015	Nov 3	November 10, 2015
Carlton County Personal Appliance Policy	MCIT / Kim Franek	MCIT template	September 23, 2015 - October 22, 2015	Nov 3	November 10, 2015
Data Practices Policy	Attorney's Office	June 1, 2014	8/19/15 - 9/17/15	December 1, 2015	December 8, 2015
Public Hearing Rules of Procedure & Decorum	Dennis/Jeff		January 22 - February 20, 2016	March 1, 2016	March 8, 2016
Auditor - Wire Transfer Policy	Kathy K		July 19, 2016 - August 19, 2016	September 6, 2016	September 13, 2016
HR Internal / External Complaint Procedure	Kim Franek		May 17, 2016 - June 15, 2016	February 7, 2017	February 14, 2017
Data Retention Policy	Attorney's Office		November 22, 2016 - December 21, 2016	March 7, 2017	March 14, 2017
Travel and Meal Reimbursement Policy	Kathy K and Dennis		December 20, 2016 - January 18 2016	March 7, 2017	March 14, 2017 (goes into effect July 1, 2017)
Construction/Renovation Project Change Order	State Auditor recommendation -Finance Committee recommends working on this soon (DG talking with Rob & Tony Mancuso) Draft sent to Paul Gassert for review	October-15			September 5, 2017
Conflict of Interest Policy	Jeff		March 21 - April 19, 2017	October 3, 2017	October 10, 2017
Voucher Approval & Claims Payment Policy	Kathy K		3/20/18 - 4/18/18	May 1, 2018	May 8, 2018
Credit Card & Electronic Payment Acceptance Policy	Kathy K		3/20/18 - 4/18/18	May 1, 2018	May 8, 2018
Drug and Alcohol Free Workplace Policy	Kim/Jeff		June 21 - July 20, 2018	COW - ran out of time to review (straight to Brd Mtg)	August 14, 2018
Equal Employment Opportunity and Affirmative Action Policy	Kim/Jeff	1-Apr-17	June 19 - July 18, 2018	COW - ran out of time to review (straight to Brd Mtg)	August 14, 2018
Limited English Proficiency Policy	Kim Franek		January 23 - February 21, 2019	April 2, 2019	April 9, 2019
Harassment/Bullying Policy	Kim is working on a draft policy	1-Apr-17	January 23 - February 21, 2019	April 2, 2019	April 9, 2019
~~Animals in County Buildings Policy~~	~~Jeff Boucher~~	~~1-Mar-18~~	~~5/21 - 6/19~~	~~August 6, 2019~~	~~August 13, 2019~~
OTHERS:					
Policy Committee Operating Policy & Procedure	Policy Committee	May-14	May 13, 2014 - June 12, 2014	Approved 8/5/2014	8/12/14
Policy Committee Procedure for Policy Requests and Revisions	Policy Committee	May-14	May 13, 2014 - June 12, 2014	Approved 8/5/2014	8/12/14
HRAT Bylaws	HRAT	May-14	May 30, 2014 - June 28, 2014	Approved 8/5/2014	8/12/14
Supervisors Committee	Supervisors Committee	May-14	June 4, 2014 - July 4, 2014	Approved 8/5/2014	8/12/14
Management Team Operating Policy and Procedure	Management Team	Nov-14	None	None	11/24/2014
Wellness Committee Operating Policy & Procedure	Wellness Committee	June 1, 2014	Sept 17, 2014 - Oct 16, 2014	Approved 12/2/2014	12/22/14
Building Committee Bylaws	Building Committee	August 1, 2014	January 26, 2015 - February 24, 2015	May 5, 2015	May 12, 2015
Carlton County Justice Partners Bylaws	Paul, Kelly	November 1, 2015	January 22 - February 20, 2016	March 1, 2016	March 8, 2016
Finance Committee Bylaws	Finance Committee		April 5 - May 4, 2017	June 6, 2017	June 13, 2017
Finance Committee Budget Policy	Finance Committee (Dennis)		April 5 - May 4, 2017	September 5, 2017	August 28, 2017

Carlton County Strategic Plan 2020

Carlton County, Minnesota

WORKING DOCUMENT FOR DEPARTMENT HEAD MEETING

Carlton County Mission: "Mission of Carlton County is to Protect and Enhance the Quality of Life."

Five Year Vision: *"Carlton County government working collaboratively with quality technology for optimum public safety and effectiveness in delivering county services."*

Priority Issue Areas 2020:

- **Modernize technology to improve service to Carlton County constituents.**
- **Develop internal leadership skills that will improve how the county deals with challenges over the next five years.**
- **Improve County behavioral health efforts including mental health, CD reduction and child protection.**
- **Improve public safety through increased attention to funding and providing safe roads and jail facilities in Carlton County**

ACTION PLANS with goals, strategies, point people and timelines.

PRIORITY ISSUE: Modernize technology to improve service to Carlton County constituents

(Subcommittee: Kris Basilici, Pete Gould, Kathy Kortuem, Dave Lee, Dennis Genereau)

2020 Management Team Action(s)

Goal #1: Goal Credit Cards/Cash Drawer

Action Steps	Assigned	Deadline
a. Identify processing needs and who already has this service in place	Auditor's Office (Kathy)	Early Fall 2020

On-Going Management Team Actions

Goal: Social Media / Software Deployment / PIO / Broadband

Action Steps	Assigned	Actions
a. Social Media (Facebook, Twitter), Authorizations & Protocols	IT, Management Team Subcommittee (Coordinator, Attorney, Sheriff, Zoning, PHHS)	Set Committee members on 12/3/2019
b. Office 365 – Verify funding	IT	Begin implementing in January 2020
c. PIO (Public Information Officer)	Coordinator & Economic Development	
d. Implement recommendations, partner and make application for state broadband grants	Economic Development, Coordinator, IT	

PRIORITY ISSUE: Modernize technology to improve service to Carlton County constituents

(Subcommittee: Kathy Kortuem , Kris Basilici, Pete Gould, *Paul Gassert, Dave Lee, Dennis Genereau)

Completed Management Team Actions

Goal: Electronic Timesheets - HR Module / Internet-Intranet / Broadband / Software Deployment

Action Steps	Assigned	Completed
a. Cost analysis and maintenance review – **PayCom selected vendor**		Will be implemented 1/1/2020
b. Assisted with Karpel Implementation Carlton County Attorney's Office		10/2019 Complete
c. Choosing which software system(s) to move forward with. RT Vision, ADP, AS400, etc. RT Vision will be the vendor and will begin in Sept/Oct. of 2017 with a few smaller departments.	Management Team, Auditor's Office, HR Office	June 1, 2017 – change to 1/1/18?
c. Establish Intranet – Check with CivicPlus	Coordinator's Office, IT	Completed 3/6/18
d. RFP for broadband study – RFT has been sent, study will begin on June 14, 2016 when the County Board approves it. (Final report will be ready end of October)	Pete Gould, Dennis Genereau, Marv Bodie, Connie Christenson	Complete

*Member 2016-2019

PRIORITY ISSUE: ***Update County Comprehensive Plan (Zoning) / Implement Marketing Tools Which Highlight County Amenities / Research Housing Needs and Housing Trends for the County***

(Subcommittee: Heather Cunningham, Mary Finnegan, Land Records/Tax Departments / Human Resources)

2020 Management Team Action(s)

Goal #1: Zoning Comprehensive Plan / County Marketing Tools / Overview County Housing, Infrastructure, Tax Base

Action Steps	Assigned	Deadline
a. 2001 – latest version of County's Comprehensive Plan	Zoning, Economic Development	December 2021
b. Marketing tools that highlight strong County amenities (Housing, Schools, Broadband, Land Use, Recreation, Utilities etal)	Economic Development Work with consultant(s) for grant potential for Agricultural tourism (St. Louis County may be a resource for this type of grant application)	December 2021
c. Housing Needs/Housing Potential, Tax Base, Infrastructure	Human Services, Assessor, Land Records, Auditor/Treasurer, Transportation, Coordinator	December 2022

PRIORITY ISSUE: ***Develop employee leadership efforts and training that will improve the county's ability to deal with the challenges they will face over the next five years including; increased needs in cross-training, succession planning mentorship, internships and creative approaches to solving county issues***

(Subcommittee: Dennis Genereau, Donna Lekander, Mary Finnegan, Kyle Holmes, Kim Franek, additional staff)

2020 Management Team Action(s)

Goal #1: Develop a Countywide Performance Appraisal Process

Action Steps	Assigned	Deadline
a. Feedback received on reports, did the Jannati training, seeking clarification on what county will use as the measurement for the appraisal process	Human Resources	2020

PRIORITY ISSUE: ***Develop employee leadership efforts and training that will improve the county's ability to deal with the challenges they will face over the next five years including; increased needs in cross-training, succession planning mentorship, internships and creative approaches to solving county issues***

(Subcommittee: Dennis Genereau, Donna Lekander, Mary Finnegan, Kyle Holmes, Kim Franek, additional staff)

On-Going Management Team Actions

Goal: Develop Knowledge Transfer / Promoting County as an Employment Opportunity / Create a Training and Continuous Improvement Plan

Action Steps	Assigned	Actions
a. Cross training, job shadowing other counties, internally	Department Focused	
b. Succession planning by department under way through restructuring of departments to support the development of knowledge transfer	Management Team, Human Resources	
c. Mentoring / Cross Training	Department Focused	
d. Partnering with colleges to promote job opportunities with county Zoning use job fairs, Assessor's use St. Cloud State & St. Thomas Real Estate degree program participants Indeed.com has been utilized for job postings Email notifications are set out to interested parties who have signed up for notifications for county job openings (county website) Organizations are notified as requested by department heads Merit system postings are also utilized	Department Focused	
d. Expand and encourage internships	Management Team	
e. Types of training: Job specific, technology (Outlook, basic Microsoft)	Management Team, IT, Coordinator, PHHS	Suggested that IT work with St. Louis County for training opportunities Suggested to make a library of tutorials available for staff Suggested that training for beginners, intermediate and advanced workers could be shared with other counties
f. Safe Assure – safety training	Coordinator, Bldg. Maintenance, Human Resources	
g. Partnering with colleges for future educational needs of staff	Department specific for licensure – Department focused	

Completed Management Team Actions None

PRIORITY ISSUE: ***Improve County behavioral health efforts including mental health, CD reduction and child protection***

(Subcommittee: Dave Lee, Donna Lekander, Sheriff Lake) ***Last updated 11.20.17***

2020 Management Team Action(s)

Goal #1: Address Mental Health Needs of Incarcerated Individuals / Build, Maximize and Strengthen Working Relationships with Fond du Lac

Action Steps	Assigned	Deadline
a. Expand MH access (Pysch. Time/ Rule 25/NERCC) utilizing I.T.P.	PHHS/Law Partners	Dec. 2020
b. Identify appropriate space for client needs – work with provider	Duluth Bethel/Bldg. Committee	ASAP

On-Going Management Team Actions

Goal: Address Mental Health Needs of Incarcerated Individuals / Create Resource Directory / Build, Maximize and Strengthen Working Relationships with Fond du Lac

Action Steps	Assigned	Actions
a. All department heads to provide information on services and resources provided and desired to be provided (new county website, COW meetings)	Management Team	Ongoing
b. Department Head Manual Electronic Version	Management Team Chair and Vice-Chair	Early 2020
c. Coordination of mobile crisis teams (HDC/FDL)	PHHS	
d. Partner with FDL around trauma informed and ACE's work locally and regionally	PHHS/Initiatives Dept.	

PRIORITY ISSUE: *Improve County behavioral health efforts including mental health, CD reduction and child protection*

(Subcommittee: Dave Lee, Donna Lekander, Sheriff Lake) ***Last updated 11.20.17***

Completed Management Team Actions

Goals: Address Mental Health Needs of Incarcerated Individuals / Create Resource Directory / Build, Maximize and Strengthen Working Relationships with Fond du Lac

Action Steps	Assigned	Completed
a. Research sustainable housing options for MH/CD clients and explore halfway house models i.) Schedule a planning meeting to explore halfway house options ii.) Explore and identify potential public/ private housing partnerships	PHHS/Initiatives Dept.	Dec 2019 Dec 2017 Dec 2018
b. Expansion of school-linked mental health services	Initiatives Dept	June 2018
c. Develop a plan from the Jail & Criminal Justice System Study recommendations to expand and strengthen behavioral health services i.) Public release at the COW meeting of the plan and recommendations ii.) Explore the Yellow Line Project concept as a possible fit for Carlton County – Community Based Coordinator iii.) RFP – Jail Consultant position	Law Partners	Dec 2017 June 2018
d. Research, select and implement a new jail management data collection system – Zuercher Technologies	Law Partners	April 2018
e. Develop a local mobile crisis response team	PHHS & regional partners	Completed Nov. 2017
f. Develop a RAP Team	PHHS/Law Partners	Completed Aug. 2017
g. Department Head Handbook	Connie Christenson	Complete in 2017 (Paper version only)
h. Management Team to create a work group to guide process (refer to 211 and use the county's pocket resource guide)	Management Team Pocket guide- Public Health	Completed in 2017

PRIORITY ISSUE: ***Improve public safety through increased attention to funding and providing safe roads and jail facilities in Carlton County***

(Subcommittee: JinYeene Neumann, Sheriff Lake, Donna Lekander, Dennis Genereau, Kathy Kortuem)

2020 Management Team Action(s)

Goal #1: Create a Safe, Secure, Family-friendly County Jail

Action Steps	Assigned	Deadline
a. Consider and address changes within policies, systems and environments which are responsive to needs to promote well-being of children of incarcerated parents	Jail staff	December 2020

PRIORITY ISSUE: ***Improve public safety through increased attention to funding and providing safe roads and jail facilities in Carlton County***

(Subcommittee: JinYeene Neumann, Sheriff Lake, Donna Lekander, Dennis Genereau, Kathy Kortuem)

On-Going Management Team Actions

Goal: Infrastructure – Capital Improvement Plan / Budget Planning / Proactive Use of Restorative Justice

Action Steps	Assigned	Actions
a. By need and funding availability Since 2015, Revenue has been collected at $4,381,815.72; $1,675,800.15 spent on completed road projects as of 11/2017; $83,964.05 to MN Dept of Revenue that, $83,964.05 was transferred to MN Dept of Revenue by mandate; $1,675,800.15 spent on projects.	Transportation	Annual Priority
b. Continue to work with the State Towards Zero Death Coalition focusing on the enforcement, education, engineering goals of TZD * This is not part of the ½ cent sales tax, but safety related	Transportation/Sheriff's Office	
c. Establish Capital Improvement Budget	Finance Committee	Department's submitted improvements to Building Committee; Committee will prioritize with jail and other building futures taken into consideration
d. Determine funding resources and annual allocation	Finance Committee	Met with department heads on budget structure, 5305 budget line recommend to roll over every year in addition to assigning project specific funding for departments to draw down all the dollars that are available to see grant funding where possible
e. Finalize County budget proposal – Present to County Board	Finance Committee Chair	
f. Maintain and expand the county Restorative Justice Juvenile Program and Expand the Restorative Practices Program into the schools across the county	RJ Division	
g. Meet with department heads to consult with budgets well in advance of budget submission due date	Finance Committee Chair (R. Brenner)	
h. Explore the develop an 18-27 year old Restorative Justice Program for nonsexual low level crimes	RJ Division and County Attorney's Office	
i. expand community education outreach around Restorative Justice, trauma and adverse childhood experiences	RJ Division	
j. Explore Yellow Medicine's program "Circle of Hope" regarding chemical dependency	RJ Division	

PRIORITY ISSUE: *Improve public safety through increased attention to funding and providing safe roads and jail facilities in Carlton County*

(Subcommittee: Kathy Kortuem, JinYeene Neumann, Sheriff Lake, Donna Lekander, Dennis Genereau, *Paul Gassert)

Completed Management Team Actions

Goals: Public Safety – Release RFP for new jail analysis – needs assessment / Highway and Roadways – ½ cent sales tax – Transportation

Action Steps	Assigned	Completed
a. Develop a work plan to respond to the results of the assessment in the following areas: website, exterior, lobby, visiting, parent education	Donna Lekander & Stephanie Upton	June 15, 2018
b. Complete the 'Safe and Secure, Family-friendly Visiting in Jails and Prisons: A toolkit for addressing the Correctional Facility Environment' Assessment from the University of MN	Jail staff	June 1, 2018
c. Working on update of the Road/County Safety Plan document, also includes adding updated lighting at major county road intersections	Transportation	Spring 2018
d. Final Report of Jail Needs Assessment presented at C/W Meeting Carlton County	By: Wold Architects/Dr. Allen Beck	December 5, 2017
e. Final Proposal to County Board	Kelley Lake	December 13, 2016
f. Selection Process	Paul Coughlin	November 18, 2016
g. Public RFP – Jail Needs Assessment / Look at new facility Recommendations	Kelly Lake	October 10, 2016

*Member 2016-2019

Property Management Expenditures

** January totals are not accurate as the month has not been closed out.

Expenditures	January '20	Year to Date	Annual Budget	Remaining total
6102 Salaries Full Time	$ 19,052.52	$ 19,052.52	$ 533,483	$ 514,430.48
6103 Salaries Part Time	$ 1,756.23	$ 1,756.23	$ 98,003	$ 96,246.77
6105 Overtime Pay	$ 392.92	$ 392.92	$ 10,000	$ 9,607.08
6162 Retirement Pera - County Share	$ 1,523.85	$ 1,523.85	$ 46,702	$ 45,178.15
6172 Fica & Medicare - County Share	$ 1,578.33	$ 1,578.33	$ 49,073	$ 47,494.67
6203 Telephone and Telegraph	$ 90.00	$ 90.00	$ 4,600	$ 4,510.00
6248 Licenses	$ 96.25	$ 96.25	$ 1,300	$ 1,203.75
6305 Repairs to Buildings	$ 5,640.88	$ 5,640.88	$ 375,000	$ 369,359.12
6332 Private Auto Mileage	$ 37.58	$ 37.58	$ 500	$ 462.42
6334 Travel Expense - Meals - Lodging	$ -	$ -	$ 800	$ 800.00
6412 General Operating Supplies	$ 27.92	$ 27.92	$ 12,000	$ 11,972.08
6415 AED Supplies & Equipment	$ -	$ -	$ 3,000	$ 3,000.00
6603 Furniture, Fixtures, etc.	$ -	$ -	$ 3,000	$ 3,000.00
Building Maintenance Expenditures	$ 30,196.48	$ 30,196.48	$ 1,137,461.00	$ 1,107,264.52

Carlton County Tobacco Ordinance (Licensing)

ARTICLE 1. TITLE, AUTHORITY, PURPOSE, AND SEVERABILITY

Section 1. Title

This Ordinance shall be known and may be referred to as the Carlton County Tobacco Ordinance; when referred to herein, it shall be known as "this Ordinance."

Section 2. Authority and Jurisdiction

This ordinance governs the licensing and regulation of the sale of tobacco, tobacco-related devices, electronic delivery devices, and nicotine or lobelia delivery products in the unorganized territory of Carlton County and in any city or town located in Carlton County that does not license and regulate retail sales of tobacco, tobacco-related devices, electronic delivery devices, and nicotine or lobelia delivery products in conformance with the minimum requirements of Minn. Stat. § 461. Retail establishments licensed by a city or town are not required to obtain a second license for the same location under this ordinance.

Section 3. Purpose

Because the County recognizes that the sale of commercial tobacco, tobacco-related devices, electronic delivery devices, and nicotine or lobelia delivery products to persons under the age of 18 violates both state and federal laws; and because studies, which the county accepts and adopts, have shown that youth use of any commercial tobacco product has increased to 26.4% in Minnesota; and because nearly 90% of people who smoke begin smoking before they have reached the age of 18 years, and that almost no one starts smoking after age 25; and because marketing analysis, public health research, and commercial tobacco industry documents reveal that tobacco companies have used menthol, mint, fruit, candy, and alcohol flavors as a way to target youth and young adults and that the presence of such flavors can make it more difficult to quit; and because studies show that youth and young adults are especially susceptible to commercial tobacco product availability, advertising and price promotions at tobacco retail environments; and because commercial tobacco use has been shown to be the cause of many serious health problems which subsequently place a financial burden on all levels of government, this ordinance is intended to regulate the sale of commercial tobacco, tobacco-related devices, electronic delivery devices, and nicotine or lobelia delivery products for the purpose of enforcing and furthering existing laws, to protect youth and young adults against the serious health effects

associated with use and initiation, and to further the official public policy of the state to prevent young people from starting to smoke, as stated in Minn. Stat. § 144.391, as it may be amended from time to time.

In making these findings, the County Board accepts the conclusions and recommendations of: the U.S. Surgeon General reports, *E-cigarette Use Among Youth and Young Adults* (2016), *The Health Consequences of Smoking—50 Years of Progress* (2014) and *Preventing Tobacco Use Among Youth and Young Adults* (2012); the Centers for Disease Control and Prevention in their studies, Tobacco Use Among Middle and High School Students — United States, 2011- 2015(2016), and Selected Cigarette Smoking Initiation and Quitting Behaviors Among High School Students, United States, 1997(1998); and of the following scholars in these scientific journals: Chen, J., & Millar, W. J. (1998). Age of smoking initiation: implications for quitting. *Health Reports*, *9*(4), 39-46; D'Avanzo, B., La Vecchia, C., & Negri, E. (1994). Age at starting smoking and number of cigarettes smoked. *Annals of Epidemiology*, *4*(6), 455-459; Everett, S. A., Warren, C. W., Sharp, D., Kann, L., Husten, C. G., & Crossett, L. S. (1999). Initiation of cigarette smoking and subsequent smoking behavior among U.S. high school students. *Preventive Medicine*, *29*(5), 327-333; Giovino, G. A. (2002). Epidemiology of tobacco use in the United States. *Oncogene*, *21*(48), 7326-7340; Khuder, S. A., Dayal, H. H., & Mutgi, A. B. (1999). Age at smoking onset and its effect on smoking cessation. *Addictive Behaviors*, *24*(5), 673-677; Luke, D. A., Hammond, R. A., Combs, T., Sorg, A., Kasman, M., Mack-Crane, A., Henriksen, L. (2017). Minnesota Department of Health. (2018). *Data Highlights from the 2017 Minnesota Youth Tobacco Survey.* Saint Paul, MN; Tobacco Control Legal Consortium. (2006). Xu, X., Bishop, E. E., Kennedy, S. M., Simpson, S. A., & Pechacek, T. F. (2015) Annual healthcare spending attributable to cigarette smoking: an update. *American Journal of Preventive Medicine*, *48*(3), 326-333, copies of which are adopted by reference.

Section 4. Severability and Repeal of Conflicting Ordinances

If any section or provision of this ordinance is held invalid, such invalidity will not affect other sections or provisions that can be given force and effect without the invalidated section or provision.

ARTICLE 2. DEFINITIONS

Except as may otherwise be provided or clearly implied by context, all terms are given their commonly accepted definitions. For the purpose of this ordinance, the following definitions apply unless the context clearly indicates or requires different

meaning:

1. Child-Resistant Packaging. Packaging that meets the definition set forth in Code of Federal Regulations, title 16, section 1700.15(b), as in effect on January 1, 2015, and was tested in accordance with the method described in Code of Federal Regulations, title 16, section 1700.20, as in effect on January 1, 2015.

2. Cigar. Any roll of tobacco that is wrapped in tobacco leaf or in any other substance containing tobacco, with or without a tip or mouthpiece, which is not a cigarette as defined in Minn. Stat. § 297F.01, subd. 3, as may be amended from time to time.

3. Compliance Checks. The system the county uses to investigate and ensure that those authorized to sell licensed products are following and complying with the requirements of this ordinance. Compliance Checks involve the use of persons under the age of 21 who purchase or attempt to purchase licensed products. Compliance Checks may also be conducted by the county or other units of government for educational, research, and training purposes or for investigating or enforcing federal, state, or local laws and regulations relating to licensed products.

4. Electronic Delivery Devices. Any product containing or delivering nicotine, lobelia, or any other substance, whether natural or synthetic, intended for human consumption through the inhalation of aerosol or vapor from the product. Electronic Delivery Device includes, but is not limited to, devices manufactured, marketed, or sold as e-cigarettes, e-cigars, e-pipes, vape pens, mods, tank systems, or under any other product name or descriptor. Electronic Delivery Device includes any component part of a product, whether or not marketed or sold separately. Electronic Delivery Device does not include any product that has been approved or certified by the U.S. Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is marketed and sold for such an approved purpose.

5. Flavored Product. Any licensed product that contains a taste or smell, other than the taste or smell of tobacco, that is distinguishable by an ordinary consumer either prior to or during the consumption of the product, including, but not limited to, any taste or smell relating to chocolate, cocoa, vanilla, honey, fruit, or any candy, dessert, alcoholic beverage, herb, or spice. A public statement or claim, whether express or implied, made or

disseminated by the manufacturer of a licensed product, or by any person authorized or permitted by the manufacturer to make or disseminate public statements concerning such products, that a product has or produces a taste or smell other than a taste or smell of tobacco will constitute presumptive evidence that the product is a flavored product. Menthol, mint and wintergreen flavored products are expressly removed from the definition of flavored products.

6. Indoor Area. All space between a floor and a ceiling that is bounded by walls, doorways, or windows, whether open or closed, covering more than 50 percent of the combined surface area of the vertical planes constituting the perimeter of the area. A wall includes any retractable divider, garage door, or other physical barrier, whether temporary or permanent. A standard window screen (0.011 gauge with an 18 by 16 mesh count) is not considered a wall.

7. Licensed Product. The term that collectively refers to any tobacco, tobacco-related device, electronic delivery device, or nicotine or lobelia delivery product.

8. Loosies. The common term used to refer to single or individually packaged cigars or cigarettes, or any other licensed product that has been removed from its intended retail packaging and offered for sale. Loosies does not include individual cigars with a retail price, after any discounts are applied and before any sales taxes are imposed, of at least $4.00 per cigar.

9. Moveable Place of Business. Any form of business that is operated out of a kiosk, truck, van, automobile or other type of vehicle or transportable shelter and not a fixed address store front or other permanent type of structure authorized for sales transactions.

10. Nicotine or Lobelia Delivery Product. Any product containing or delivering nicotine or lobelia intended for human consumption, or any part of such a product, that is not a tobacco or an electronic delivery device as defined in this section. Nicotine Or Lobelia Delivery Product does not include any product that has been approved or otherwise certified for legal sale by the U.S. Food and Drug Administration as a tobacco-cessation product, a tobacco-dependence product, or for other medical purposes, and is being marketed and sold solely for that approved purpose.

11. Retail Establishment. Any place of business where licensed products are available for sale to the general public. The phrase includes but is not limited to grocery stores, tobacco products shops, convenience stores, gasoline

service stations, bars, and restaurants.

12. Sale. Any transfer of goods for money, trade, barter or other consideration.

13. Self-service Display. The open display of licensed products in any manner where any person has access to the licensed products without the assistance or intervention of the licensee or the licensee's employee.

14. Smoking. Inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. SMOKING also includes carrying or using an activated electronic delivery device.

15. Tobacco. Any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product including but not limited to cigarettes; cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco does not include any product that has been approved by the U.S. Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

16. Tobacco-related Device. Any rolling papers, wraps, pipes, or other device intentionally designed or intended to be used with tobacco products. Tobacco-Related Device includes components of tobacco-related devices or tobacco products, which may be marketed or sold separately. Tobacco-Related Devices may or may not contain tobacco.

17. Vending Machine. Any mechanical, electric or electronic, or other type of device that dispenses licensed products upon the insertion of money, tokens, or other form of payment directly into the machine by the person seeking to purchase the licensed product.

18. Youth-oriented Facility. Any facility with residents, customers, visitors, or inhabitants of which 25 percent or more are regularly under the age of 21 or

that primarily sells, rents, or offers services or products that are consumed or used primarily by persons under the age of 21. Youth-Oriented Facility includes, but is not limited to, schools, playgrounds, recreation centers, and parks.

ARTICLE 3. LICENSE

Subd. A. License Required. No person shall sell or offer to sell any licensed product without first having obtained a license to do so from the county.

Subd. B. Application. An application for a license to sell licensed products must be made on a form provided by ~~the~~ Carlton County. The application must contain the full name of the applicant, the applicant's residential and business addresses and telephone numbers, the name of the business for which the license is sought, and any additional information the county deems necessary. Upon receipt of a completed application, the County Auditor will forward the application to the Carlton County Board of Commissioners for action at its next regularly scheduled meeting. If the County Auditor determines that an application is incomplete, it will be returned to the applicant with notice of the information necessary to make the application complete.

Subd. C. Action. The Carlton County Board of Commissioners may approve or deny the application for a license, or it may delay action for a reasonable period of time to complete any investigation of the application or the applicant deemed necessary. If the Carlton County Board of Commissioners approves the application, the County Auditor will issue the license to the applicant. If the Carlton County Board of Commissioners denies the application, notice of the denial will be given to the applicant along with notice of the applicant's right to appeal the decision.

Subd. D. Term. All licenses issued are valid for one calendar year from the date of issue.

Subd. E. Revocation or suspension. Any license issued may be suspended or revoked following the procedures set forth in Article 12.

Subd. F. Transfers. All licenses issued are valid only on the premises for which the license was issued and only for the person to whom the license was issued. The transfer of any license to another location or person is prohibited.

Subd. G. Moveable place of business. No license will be issued to a moveable place of business. Only fixed-location businesses are eligible to be licensed.

Subd. H. Display. All licenses must be posted and displayed at all times in plain view of the general public on the licensed premises.

Subd. I. Renewals. The renewal of a license issued under this ordinance will be handled in the same manner as the original application. The request for a renewal must be made at least 30 days, but no more than 60 days, before the expiration of the current license.

Subd. J. Issuance as privilege and not a right. The issuance of a license is a privilege and does not entitle the license holder to an automatic renewal of the license.

Subd. K. Proximity to youth-oriented facilities. No license will be granted to any person for a new retail establishment location that is within 1,000 feet of a youth-oriented facility, as measured by the shortest line from the property line of the space to be occupied by the proposed licensee to the nearest property line of a youth-oriented facility. This restriction does not apply to an existing license holder who has been licensed to sell licensed products in that same location for at least one year before the date this section was enacted into law. The sale or transfer of ownership of a retail establishment that is in proximity to a youth-oriented facility and is an existing license holder shall not be considered to be a new retail establishment for purposes of this ordinance.

Subd. L. Smoking prohibited. Smoking, including smoking for the purpose of the sampling of licensed products, is prohibited within the indoor area or within 25 feet from any external door, wall, or window of any retail establishment licensed under this ordinance. Smoking for the purpose of sampling licensed products is also prohibited in these areas.

Subd. M. Samples prohibited. No person shall distribute samples of any licensed product free of charge or at a nominal cost.

Subd. N. Instructional program. Licensees must ensure that all employees complete a training program on the legal requirements related to the sale of licensed products and the possible consequences of license violations. Any training program must be pre-approved by the county. Licensees must maintain documentation demonstrating their compliance and must provide this documentation to the county at the time of renewal, or whenever requested to do so during the license term.

ARTICLE 4. FEES

No license will be issued under this ordinance until the appropriate license fees are

paid in full. The fees will be established by the county's fee schedule and may be amended from time to time.

ARTICLE 5. BASIS FOR DENIAL OF LICENSE

Subd. A. Grounds for Denial. Grounds for denying the issuance or renewal of a license include, but are not limited to, the following:

1. The applicant is under 21 years of age.
2. The applicant has been convicted within the past five years of any violation of a federal, state, or local law, ordinance provision, or other regulation relating to licensed products.
3. The applicant has had a license to sell licensed products suspended or revoked within the preceding 12 months of the date of application.
4. The applicant fails to provide any of the information required on the licensing application, or provides false or misleading information.
5. The applicant is prohibited by federal, state, or other local law, ordinance, or other regulation from holding a license.
6. Except as may otherwise be provided by law, the existence of any particular ground for denial does not compel the county to deny the license.

Subd. B. Mistaken Issuance or Renewal. If a license is mistakenly issued or renewed to a person, it will be revoked upon the discovery that the person was ineligible for the license under this ordinance. The county will provide the license holder with notice of the revocation, along with information on the right to appeal.

ARTICLE 6. PROHIBITED ACTS

Subd. A. In general. No person shall sell or offer to sell any licensed product:

1. By means of any type of vending machine.
2. By means of loosies as defined.
3. Containing opium, morphine, jimson weed, bella donna, strychnos, cocaine, marijuana, or other deleterious, hallucinogenic, toxic, or controlled substances except nicotine and other substances found naturally in tobacco or added as part of an otherwise lawful

manufacturing process. It is not the intention of this provision to ban the sale of lawfully manufactured cigarettes or other products subject to this ordinance.

4. By any other means, to any other person, ~~on~~ or in any other manner or form prohibited by federal, state or other local law, ordinance provision, or other regulation.

Subd. B. Legal age. No person shall sell any licensed product to any person under the age of 21.

1. **Age verification.** Licensees must verify by means of government-issued photographic identification that the purchaser is at least 21 years of age. Verification is not required for a person over the age of 30. That the person appeared to be 30 years of age or older does not constitute a defense to a violation of this subsection.

2. **Signage.** Notice of the legal sales age and age verification requirement must be posted prominently and in plain view at all times at each location where licensed products are offered for sale. The required signage, which will be provided to the licensee by the county, must be posted in a manner that is clearly visible to anyone who is or is considering making a purchase.

Subd. C. Self-service sales. No person shall allow the sale of licensed products by any self-service displays where the customer may have access to those items without having to request the item from the licensee or the licensee's employee and where there is not a physical exchange of the licensed product from the licensee or the licensee's employee to the customer. All licensed products must be stored behind the sales counter, in another area not freely accessible to customers, or in a case or other storage unit not left open and accessible to the general public.

Subd. D. Flavored Products. No person shall sell or offer for sale any flavored products. This prohibition does not apply to retail establishments that:

1. Prohibit persons under 21 from entering at all times;

2. Derive at least 90 percent of their gross revenues from the sale of licensed products; and

3. Meet all of the following standalone building or structural criteria:

    i. Shares no walls and has no part of their structure adjoined to any

authorized county officials during regular business hours. From time to time, but at least twice per year, the county will conduct compliance checks. In accordance with state law, the county will conduct at least one compliance check that involves the participation of a person between the ages of 15 and 17 and at least one compliance check that involves the participation of a person between the ages of 18 and 20 to enter licensed premises to attempt to purchase licensed products. Prior written consent from a parent or guardian is required for any person under the age of 18 to participate in a compliance check. Persons used for the purpose of compliance checks will be supervised by law enforcement or other designated personnel.

ARTICLE 9. OTHER PROHIBITED ACTS

Unless otherwise provided, the following acts are an administrative violation of this ordinance:

Subd. A. Prohibited furnishing or procurement. It is a violation of this ordinance for any person 21 years of age or older to purchase or otherwise obtain any licensed product on behalf of a person under the age of 21. It is also a violation for any person 21 years of age and older to coerce or attempt to coerce a person under the age of 21 to illegally purchase or attempt to purchase any licensed product.

Subd. B. Use of false identification. It is a violation of this ordinance for any person under the age of 21 to use any form of false identification, whether the identification is that of another person or has been modified or tampered with, to represent an age older than the actual age of the person using that identification in order to purchase licensed products.

ARTICLE 10. Exceptions and Defenses.

Subd. A. Religious, Spiritual, or Cultural Ceremonies or Practices. Nothing in this ordinance prevents the provision of tobacco or tobacco-related devices to any person as part of an indigenous practice or a lawfully recognized religious, spiritual, or cultural ceremony or practice.

Subd. B. Reasonable Reliance. It is an affirmative defense to a violation of this ordinance for a person to have reasonably relied on proof of age as described by state law.

ARTICLE 11. VIOLATIONS AND PENALTIES

Subd. A. Violations.

1. **Notice.** A person violating this ordinance may be issued, either personally or by mail, a citation from the county that sets forth the alleged violation and that informs the alleged violator of his or her right to a hearing on the matter and how and where a hearing may be requested, including a contact address and phone number.

2. **Continued violation.** Each violation, and every day in which a violation occurs or continues, shall constitute a separate offense.

Subd. B. Administrative penalties.

1. **Licensees.** Any licensee found to have violated this ordinance, or whose employee violated this ordinance, will be charged an administrative fine of $200 for a first violation; $500 for a second offense at the same licensed premises within a 24-month period; and $750 for a third or subsequent offense at the same location within a 36-month period. Upon the third violation, the license will be suspended for a period of not less than 30 consecutive days. Upon a fourth violation, the license will be revoked.

2. **Other individuals.** Individuals, other than persons under the age of 21 regulated by subdivision (B)(3) of this section, who are found to be in violation of this ordinance will be charged an administrative fine of $50.

3. **Persons under the age of 21.** Persons under the age of 21 who use a false identification to purchase or attempt to purchase licensed products may only be subject to non-criminal, non-monetary civil penalties such as tobacco-related education classes, diversion programs, community services, or another penalty that the county determines to be appropriate. The Carlton County Board of Commissioners will consult with court personnel, educators, parents, children, and other interested parties to determine an appropriate penalty for persons under the age of 21 in the county. The penalty may be established by ordinance and amended from time to time. (Restorative Justice?)

4. **Statutory penalties.** If the administrative penalty authorized to be imposed by Minn. Stat. § 461.12, as it may be amended from time to time, differ from that established in this section, then the higher penalty will prevail.

Subd. C. Misdemeanor prosecution. Nothing in this section prohibits the county from seeking prosecution as a misdemeanor for any alleged violation of this ordinance by a person 21 years of age or older.

ARTICLE 12. EFFECTIVE DATE

Approved and adopted this ___ day of _____ ~~2019~~2020, by the Carlton County Board of Commissioners.

This Ordinance shall be in full force and effect on the ___ day of _____ ~~2019~~2020, after its approval and publication as provided by law.

_____

~~[insert name],~~Marv Bodie, Board Chair

ATTEST:

_____

~~[insert name],~~Kathy Kortuem, County Auditor

Personnel Policy Manual changes

- Changed name from "personnel policy manual" to "personnel manual"
- Changed "policies" to "procedures" throughout purpose paragraph
- Preface: reduced Articles applicable to elected from 8 to 5
- Tables of Contents: reduced Articles from 29 to 23
- Article 1 (Work Week): clean up (include 40-hour work week positions other than Chief Deputy)
- Article 2 (Holidays): remove Good Friday holiday and increase personal leave (12/17/18 Board action); change personal leave days to hours; add clarification of need to be in pay status day before & day following holiday to be eligible for holiday pay; clean up
- Article 3 (Sick Leave): clean up; add other eligible persons in compliance with statute; clarified note may be required for absences greater than 5 working days; remove excess sick leave cap at level in effect at time of first election (previous Board action); add Board resolution numbers to sick leave to MSRS HCSP; update max retirement payout to 130 days
- Article 4 (Retirement): no change
- Article 5 (Medical Leave): clean up; change all available paid leave applied to FMLA to retain up to 6 weeks paid leave (consistent with FMLA Policy); change return to work notice sent to HR rather than department head (consistent with HIPAA)
- Article 6 (Annual Leave): change PT total accumulation from 80 hours to pro-rated based on FTE and 25 day max
- Article 7 (Funeral Leave): add stepparent; add personal leave and comp time to vacation as options for additional leave
- Article 8 (Leaves of Absence): clean up; clarification of benefits during leave; add parental leave under MN statute not in addition to FMLA; update parental leave language consistent with CBAs and statute; add statutory leaves (mandated by state)
- Article 9 (Jury Duty): no change
- Article 10 (Conferences and Meetings): change title to Expenses; clean up; add uniforms for Sheriff's Office staff and required safety equipment
- Article 11 (Resignations): no change
- Article 12 (Mileage): clean up to reflect Travel & Meal Reimbursement Policy
- Article 13 (Probationary Period): clean up; remove anniversary date for pay purposes (consistent with Keystone compensation plan)

- Article 14 (Job Posting and Seniority): clean up; defined temporary position
- Article 15 (Rehire After Termination): no change
- Article 16 (Job Classification): remove and replace with Position Re-Evaluation language from CBAs (consistent with Keystone compensation plan)
- Article 17 (Salaries: Elected and Appointed Department Heads): remove and replace with Wages (consistent with Keystone compensation plan)
- Article 18 (Insurance – Medical, Life and Dental): add PT employee eligibility for health at .7 FTE and above (10/11/16 Board action); sunset retiree health effective 1/1/19 (12/11/18 Board action); add 15 years of service eligibility for percentage contribution to retiree health; increase life insurance to $50,000 (12/11/18 Board action); add PT employee eligibility for dental at .7 FTE and above
- Article 19 (Military Leave): clean up
- Article 20 (Disciplinary Action): clean up
- Article 21 (Grievance Procedure): clean up; change from County Coordinator to Human Resources; add process if department head is HR Director
- Article 22 (Drug-Free Workplace Policy): remove (stand-alone countywide policy)
- Article 23 (Carlton County Policy Against Offensive Conduct, Harassment and Violence): remove (stand-alone countywide policy)
- Article 24 (Closing County Facilities): remove (stand-alone countywide policy)
- Article 25 (Use of County Vehicles): remove (incorporated into countywide Travel and Meal Reimbursement Policy)
- Article 26 (Tobacco-Free Policy): remove (stand-alone countywide policy)
- Article 27 (First Report of Injury): now Article 22; clean up; add report may be made by employee, supervisor and/or department head
- Article 28 (Payroll Deduction Criteria): remove (payroll office procedure)
- Article 29 (Employee Assistance Program): now Article 23; clean up

CARLTON COUNTY

PERSONNEL MANUAL

Revised ~~Sept. 2016~~Nov. 2017~~Dec. 2018~~December 2019

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PURPOSE OF PERSONNEL MANUAL

The purpose of this manual is to compile personnel ~~policies~~ procedures in a convenient form and to provide guidance to the Carlton County Board of Commissioners, Elected Officials, Department Heads, and staff not represented by a Collective Bargaining Agreement regarding the terms, conditions and benefits of employment. The ~~policies~~ procedures in this manual supersede all previous personnel ~~policies~~procedures. Additions, modifications and deletion to ~~these policies~~this manual may be made only by official action of the County Board at any time without prior notice to affected employees. ~~These~~ This personnel ~~policies~~ manual creates no vested rights, nor does ~~they~~it constitute an employment contract or a portion of an employment contract for any affected employee. Except where precluded by Collective Bargaining Agreements or Merit System directives, these ~~policies~~ procedures apply to all employees. ~~These policies are~~This manual is applicable to Elected Officials where specified herein.

PREFACE

The following Articles are applicable to Elected Officials:

Article 4	Retirement
Article 10	~~Conferences and Meetings~~Expenses
Article 12	Mileage
Article 15	Rehire After Termination
Article 17	Wages
Article 18	Insurance – Medical, Life and Dental

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ARTICLE 1. WORK WEEK

A. The standard work week for full-time employees shall be thirty-seven and one-half (37-1/2) hours, composed of five (5) consecutive seven and one-half (7-1/2) hour days, Monday through Friday, with the exception of ~~the Chief Deputy Sheriff who shall normally work~~those positions whose job description reflects a forty (40) hour work week, composed of five (5) consecutive eight (8) hour days, Monday through Friday. An employee shall be granted two (2) fifteen (15) minute paid breaks and one (1) one-half (1/2) hour unpaid break during a regular work day.

B. The normal workday for department heads shall be 7-1/2 hours. The normal hours of operation of the County are 8:00am to 4:00pm, Monday through Friday, with exceptions depending upon departmental operations. Department heads shall be expected to schedule their time in order to facilitate the operation of their respective departments. Per the Fair Labor Standards Act (FLSA), department heads are not eligible for overtime or compensatory time. However, it is recognized that department heads are ultimately responsible for the operations of their respective departments and must devote a great deal of time outside of normal office hours to the business of the County; to that end, department heads will be allowed to flex their time as may be appropriate and as operations permit.

C. Those employees in positions covered by the FLSA who are required to work in excess of 37-1/2 or 40 hours per week based on job description are eligible for overtime payment or compensatory time at the rate of 1-1/2 times the regular rate of pay for all hours worked in excess of 37-1/2 or 40. Those positions exempt from the FLSA may be eligible for overtime payment or compensatory time at the discretion of the department head. All overtime must be approved by the department head in advance, and whether time earned is paid or taken as time off shall be at the department head's sole discretion. Compensatory time totals for each unrepresented employee shall be reported to the County Board on an annual basis and may not exceed fifty (50) hours as of the reporting date of June 30 each year.

ARTICLE 2. HOLIDAYS

A. Paid holidays are as follows: New Year's Day, Martin Luther King Day, Presidents' Day, ~~Good Friday afternoon commencing at 12:00 noon,~~ Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving, the Friday after Thanksgiving, Christmas Eve, and Christmas Day. Legal holidays that fall on weekends shall be observed on the Friday prior to or the Monday following the holiday, as set by Federal statute.

~~A.~~B. To be entitled to receive a paid holiday, and employee must be in payroll status on the normal work day immediately preceding and the normal work day immediately following the holiday(s).

~~B.~~C. In addition, each employee shall receive ~~five (5) personal leave days each year~~41 (for 37.5 hours per week employees) or 44 (for 40 hours per week employees) personal leave hours each year, the date of use which must be mutually agreed upon by the employee and the department head. The personal leave ~~days~~ hours must be taken during the calendar year in which they are allotted; there shall be no carryover of ~~days~~ hours from year to year. Personal leave ~~days~~ hours may be utilized during the probationary period.

Personal leave ~~days~~ hours will be pro-rated in the first calendar year of employment according to the following schedule:

37.5 hours per week employees

Hire date	01/01-04/30	~~5 days~~41 hours
	05/01-08/31	~~3 days~~26 hours
	09/01-12/31	~~2 days~~18.5 hours

40 hours per week employees

Hire date	01/01-04/30	44 hours
	05/01-08/31	28 hours
	09/01-12/31	20 hours

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~~C.~~D. Part-time employees shall receive personal leave ~~days~~ hours based on the above schedule pro-rated in accordance with the percentage time of their appointment. Part-time employees normally scheduled to work the above-listed holidays shall be paid on a pro-rated basis.

ARTICLE 3. SICK LEAVE

A. Sick leave is defined as absence from work necessitated by the inability of an employee to perform his/her job duties by reason of the employee's illness, injury, necessity for medical or dental care or legal quarantine, or to care for the employee's spouse, child(ren), parent(s), stepchild(ren), ~~or~~ spouse's parent(s), or any other eligible person as defined by MN Statute 181.9413.

B. Full-time employees shall earn sick leave at the rate of one (1) day per month. Permanent part-time employees working more than fourteen (14) hours per week shall earn two (2) hours of sick leave for every forty (40) hours worked.

C. Where an injury has occurred on the job and workers' compensation insurance is making payments to an employee, sick leave may be used to insure the employee's full salary. This sick leave will be deducted from the employee's accumulation on a pro-rated basis. If sick leave payment has been made and it is determined that the time lost is covered by workers' compensation, the employee ~~will~~ may refund an appropriate amount to the County through the payroll process. Accumulated sick leave will be adjusted on a pro-rata basis.

D. A department head may require an employee to produce medical certification from a health care provider attesting to the need for sick leave and/or attesting that the employee is fit to return to work for absences greater than five (5) working days in duration.

E. Use of sick leave while on scheduled annual leave (vacation) will be authorized only when the department head is provided with documentation of hospital confinement during that period. Sick leave shall be limited to the date(s) of hospitalization.

F. Any misuse of sick leave may be cause for disciplinary action after an investigation has been made.

G. Staff operating under the personnel manual may accumulate two hundred (200) seven and one-half (7-1/2) or eight (8) hour days of sick leave as appropriate.

H. Employees reaching sick leave accumulation of one hundred eighty (180) days may elect to contribute unused days over the 180 days toward payment of the employee portion of their health insurance premium. Election must be made on an annual basis, cannot be changed during the year, and to be eligible, the employee must have reached the 180 days accumulation as of December 31 of the year immediately preceding the election.

I. Any employee who retires with 0-9 years of continuous service with the County shall not be entitled to payment for any day of accumulated sick leave. Retirees with ten (10) or more years of continuous service, or an employee who dies while in the employment of Carlton County, shall receive sick leave payout in accordance with the following schedule:

Less than 10 years of service	No payment
10 years of service	50% of any unused sick leave accumulation
11 years of service	60% of any unused sick leave accumulation
12 years of service	70% of any unused sick leave accumulation
13 years of service	80% of any unused sick leave accumulation
14 years of service	90% of any unused sick leave accumulation
15+ years of service	100% of any unused sick leave accumulation

All retiring employees operating under the personnel manual and eligible for sick leave payout shall have 100% of their eligible payout directed to the Minnesota State Retirement System (MSRS) administered Post-Retirement Health Care Savings Plan (HCSP) (see Board Resolution numbers 07-135 and 15-012), and be subject to all terms and conditions of said plan.

Sick leave payout upon retirement shall not exceed one hundred thirty (130) days.

Severance benefits will be paid to a deceased employee's legal representative or beneficiary in accordance with the above schedule.

ARTICLE 4. RETIREMENT

Selective retirement will be in accord with the procedures outlined by the Public Employees Retirement Association (PERA). Retirement means the individual is eligible for retirement benefits from PERA or other State system at the time employment ceases.

ARTICLE 5. MEDICAL LEAVE

A. Employees who have completed at least one (1) year of service and have worked at least 1,250 hours over the previous twelve (12) months, and who have a serious health condition as defined in the Family and Medical Leave Act ~~of 1993~~ (FMLA), may request up to twelve (12) weeks of leave per year during which their health insurance coverage will be maintained with the employee only responsible for the employee share of the premium. An employee may retain up to six (6) weeks of previously earned paid leave for use upon return to work.

B. Medical leave (beyond the limits prescribed by Section A above) of up to six (6) months may be granted upon written request by an employee to his/her respective department head, with final approval by the County Board. Such request must be supported by a written statement of a health care provider indicating the medical necessity for the leave and the time the employee will be unable to work. A medical leave may be extended for an additional six (6) months by following the above procedure. Medical leave will not be effective until all accrued sick leave has been utilized.

C. There shall be no continuation of benefits during non-FMLA medical leave except for medical and life insurance benefits, which will remain in effect, at County expense, for thirty (30) days after the start of the medical leave. Medical, dental and life insurance may be continued under the Consolidated Omnibus Budget Reconciliation Act (COBRA) for a period of up to eighteen (18) months at the employee's expense. County and department seniority will continue during a medical leave.

D. The treating health care provider's statement as to the employee's ability to return to work without restriction following medical leave shall be required by the Human Resources Office PRIOR to the employee's return to work.

ARTICLE 6. ANNUAL LEAVE (VACATION)

A. Annual leave (vacation) shall accrue at the following rates for permanent employees with the following continuous service:

1st year	½ day per month	6 days per year
2-4 years	1 day per month	12 days per year
5-9 years	1-1/4 days per month	15 days per year
10-14 years	1-1/2 days per month	18 days per year
15-19 years	1-3/4 days per month	21 days per year
20-24 years	2 days per month	24 days per year
25+ years	2-1/4 days per month	27 days per year

B. Permanent part-time employees shall accrue annual leave (vacation) at two (2) hours for every (40) hours worked, not to exceed a total accumulation ~~of eighty (80) hours~~pro-rated in accordance with both the percentage time of their appointment and the maximum accumulation of twenty-five (25) days. The accounting date for the maximum accumulation is January 1 each year.

C. There shall be no carry-over of annual leave (vacation) beyond twenty-five (25) days, with an accounting date of January 1 of each year. Although employees could accumulate more days during the year, the maximum on January 1 each year would be twenty-five (25) days.

ARTICLE 7. FUNERAL LEAVE

A. Up to five (5) days paid leave shall be allowed for mourning the death of an employee's spouse, child, parent, sibling, grandparent, stepparent, stepchild, grandchild, son-in-law, daughter-in-law, mother-in-law, father-in-law, sister-in-law, and brother-in-law, and the employee's spouse's grandparent. Up to three (3) days paid leave shall be allowed for the purpose of attending the wake and/or funeral of the employee's legal ward, aunt, uncle, niece and nephew. ~~Up to four (4) hours~~One (1) day paid leave may be granted for the purpose of attending the wake and/or funeral of a current Carlton County employee at the discretion of the employee's department head.

B. Additional days may be taken with the approval of the respective department head and shall be deducted from the employee's annual leave (vacation), personal leave or compensatory time accumulation.

ARTICLE 8. LEAVES OF ABSENCE

A. A leave of absence without pay may be granted by the department head, using his/her discretion and in consideration of departmental need, for a period not to exceed ten (10) working days in each calendar year. Medical and life insurance will continue during a department head-approved leave. A leave of absence in excess of ten (10) days may be granted by the County Board (for good and sufficient reason) given department head approval in consideration of departmental need. These requests shall be made in writing by the employee. Medical, dental and life insurance may be continued during a~~n~~ County Board-approved leave of absence under COBRA for a period of up to eighteen (18) months at the employee's expense.

B. Subject to the provisions of this section, up to twelve (12) weeks of unpaid parental leave shall be granted to a father or mother in conjunction with the birth or adoption of a child. The provisions of this Section shall not be in addition to FMLA leave and shall be consistent with MN Statutes 181.941 and 181.943. In order to be eligible for parental leave, the employee must have completed at least twelve (12) months of service and averaged at least twenty (20) hours of work per week over the preceding twelve (12) months, must commence the parental leave no more than twelve (12) months after the birth or adoption of the child, and must request the parental leave in writing to the employee's department head at least four (4) weeks in advance of the commencement of the leave. An employee may retain up to six (6) weeks of previously earned paid leave for use upon return to work.

   The length of the leave shall be determined by the employee, but may not exceed twelve (12) weeks unless agreed to by the department head with final approval by the County Board. Employees may request the parental leave be extended up to a maximum of six (6) months, which extension shall be optional at the sole discretion of the Employer.

   Upon expiration of the parental leave and return to work, the employee shall be assigned to his/her former position or a position of comparable duties, hours and pay. When an employee requests, and is granted, an extension of parental leave beyond twelve (12) weeks, if reasonable to the needs of the County, arrangements may be made for the employee to return to his/her position or a like position at the end of the extended parental leave period.

   If, during parental leave, the Employer experiences a layoff and the employee would have lost his/her position, pursuant to the layoff and recall provisions of this manual, had the employee not been on parental leave, then the employee is not entitled to reinstatement in the former or comparable position and, in such circumstances, the employee shall retain all rights under the layoff and recall provisions of this manual, as if the employee had not taken the parental leave.

C. Seniority continues during medical leave but is frozen for the duration of any other unpaid leave of absence.

D. Following are the citations for leaves mandated by state statute. These leaves are subject to change or repeal.

   3.088 Leave of Absence to Serve as a Legislator or For Election to a Full-Time City or County Office

   15.62 Athletic Leave of Absence

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181.940 - 181.9413 Parenting Leave, School Conference and Activities Leave, Sick Leave Benefits; Care of Relatives
181.945 Bone Marrow Donation Leave
181.9456 Organ Donation Leave
181.946 Leave for Civil Air Patrol Service
181.947 Leave for Immediate Family Members of Military Personnel Injured or Killed in Active Service
181.948 Leave to Attend Military Ceremonies
192.26, 192.261 Military Service Leave
202A.135 Leave Time from Employment; Party Officers; Delegates to Party Conventions
202A.19 Precinct Caucus Leave
204B.195 Time Off From Work to Serve as Election Judge
204C.04 Time Off to Vote in an Election

~~C.~~ An employee's request for any of the above-listed leaves shall be submitted in writing to his or her department head. The request shall state the reason for the leave of absence and the dates requested.

ARTICLE 9. JURY DUTY

Carlton County will pay the difference between jury wages and regular wages for any County employee(s) selected for jury duty. If an employee is excused from jury duty during the working day, time permitting, the employee shall report ~~back~~ to work.

ARTICLE 10. ~~CONFERENCES AND MEETINGS~~EXPENSES

A. Where the expenses for conferences, meetings and training are included in the respective department budget and no overnight lodging is required, or for in-state meetings where overnight lodging is required, authorization may be granted by the department head.
B. Where the expenses for conferences, meetings and training are not included in the respective department budget, or where out-of-state travel and overnight lodging is required, prior authorization must be granted by the County Board.
C. The County shall provide and maintain uniforms for those Sheriff's Office employees whose position requires a uniform.
~~B.~~D. The County will pay the cost of protective equipment as required by the standards of the Minnesota Occupational Safety and Health Act and/or for those employees whose position description requires safety equipment.

Comment [KF1]: Positions in CCSO that wear civilian attire with CCSO logo?

ARTICLE 11. RESIGNATIONS

A. Any employee resigning from County employment must give a two (2) week written notice, absent extenuating circumstances, to the respective department head with copy to Human Resources.
B. Absence from work for three (3) consecutive days, without notification, may constitute a resignation after investigation of the facts concerning the absence.

ARTICLE 12. MILEAGE

A. County employees who use their personal car for County business shall be reimbursed for mileage at the rate prescribed by the County Board and in accordance with County policy.
B. ~~Any e~~Employees are required to have liability insurance in effect on all ~~who may use his/her~~ personal ~~car~~ vehicles that may be used for County business. ~~must furnish p~~Proof of such insurance must be furnished to the Human Resources Office ~~at least to the limits prescribed by the County Board~~upon hire.
C. County-authorized committee and/or task force members and Commissioners will be required to furnish certification of personal vehicle liability insurance in order to receive reimbursement of mileage expense.

ARTICLE 13. PROBATIONARY PERIOD

A. All new employees shall serve a probationary period of six (6) calendar months ~~full-time equivalent (FTE) work hours~~. At the discretion of the department head, the probationary period may be extended an additional ninety (90) days ~~FTE work hours~~.
B. During said probationary period, the County may, at its option, layoff or dismiss said probationary employee without recourse.
C. Employees in the probationary period shall not be eligible for any lateral transfer or position advancement (promotion) until satisfactory completion of the probationary period.
D. Annual leave (vacation) may not be used during the probationary period, but accruals will be credited to the employee after attainment of permanent status. Use of sick leave and personal leave is authorized during the probationary period.
E. Employees retained at the expiration of the probationary period shall become regular employees and shall be credited with seniority from the date of hire. ~~The anniversary date for pay purposes shall be the date of successful completion of the probationary period. If an employee successfully completes the probationary period following an extension, the anniversary date shall be established as the date of completion of six (6) months of probation.~~

ARTICLE 14. JOB POSTING AND SENIORITY

A. All position vacancies or new positions shall be posted on the bulletin board ten (10) working days prior to filling said vacancy or new position. Such notice shall state the minimum qualifications for the position to be filled and said qualifications shall be consistent with the requirements of the position. Employees shall apply for the vacancy or new position in writing, and only those applicants who meet the minimum qualifications will be considered.

   In making promotions and in filling vacancies or new positions, preference shall be given those employees with most seniority, provided, however, that the qualifications of the employees being considered for the position are relatively equal. In judging employee's qualifications for the position, the following factors shall be evaluated in total:

   1. Ability to perform essential functions;

2. Attitude;
3. Aptitude;
4. Versatility;
5. Efficiency;
6. Employment record; and
7. Seniority.

Interviews are required for full-time employees who have passed probation provided they have applied for and meet the minimum qualifications of the posted position. Interviews are required for part-time employees who have at least two (2) calendar years' experience with the County provided they, too, have applied for and meet the minimum qualifications of the posted position.

B. The successful applicant shall have up to ninety (90) calendar days' trial period in which to demonstrate the ability to perform the essential functions of the position. If during such period the department head and/or Employer consider the employee unqualified, the employee shall be returned to his/her former position and rate of pay without loss of seniority rights.

C. The Employer may make immediate temporary assignment(s) to fill any vacancy or new position while the position posting procedures are being carried out.

D. When funding for temporary/part-time position(s) has been included in the departmental budget, County Board approval is not required prior to filling such position(s). All part-time and temporary positions will be filled in accordance with established procedures. A temporary position is defined as a position with a duration of sixty-seven (67) working days or less.

E. Seniority/Layoff

1. Seniority is defined as the continuous, uninterrupted accumulation of paid service, excluding service in a temporary position. "Date of hire" seniority begins to accrue on the date that the employee first begins working for the County in a permanent position. "Department date" seniority begins to accrue on the date the employee begins work within a particular department in a permanent position or, in the case of an employee awarded a position posting pursuant to Section A of this Article, on the date the employee is awarded the position.
2. There shall be separate seniority lists maintained for each County department.
3. In the event of laying off employees during slack time or when reduction in force is to be effected, seniority as a principle is defined as the last person hired shall be the first person laid off, and, in calling employees back to work, the last person laid off shall be the first person returned to work. In the case of filling vacancies, new positions, or in making transfers to permanent positions, seniority based on length of service and qualifications shall prevail as herein provided.
4. No seasonal, part-time or temporary employee shall exceed in seniority a regular employee who fills a full-time position.
5. In the event the Employer determines to make a reduction in force in a classification in a department, seasonal and temporary employees within the classification shall be laid off first, then part-time employees in the inverse order of department seniority, then full-time probationary employees in the inverse order of department seniority, then permanent full-time employees in the inverse order of department seniority in the classification. Employees shall be given forty-five (45) days' notice prior to layoff.

6. In order to avoid layoff, an employee who has received a layoff notice pursuant to Section 5 above shall be entitled to exercise department seniority to bump the least senior employee, in terms of department seniority, in a lower paid classification within the department, provided the employee wishing to bump has greater department seniority than the employee to be bumped and is qualified to perform the essential functions of the lower classification without an excessive retraining period, defined as not more than thirty (30) days. (This language does not allow an employee in a confidential job classification to bump into a bargaining unit job classification.)
7. In order to avoid layoff, an employee who does not have sufficient department seniority to bump within the department pursuant to Section 6 above may exercise his/her date of hire seniority to bump the least senior employee, in terms of date of hire seniority, in the classification which the employee has most recently vacated in another department, provided the employee has greater date of hire seniority than the employee to be bumped and is qualified to perform the essential functions of the former classification without an excessive retraining period, defined as not more than thirty (30) days.
8. Employees shall be recalled to employment in a classification in the inverse order of layoff. Employee shall be retained on the recall list for a period of two (2) years, after which the employee shall be considered separated. The Employer shall provide a laid off employee with seven (7) days' advance written notice of recall mailed to the last address which the employee has on file with the Human Resources Office. No part-time employee shall be put to work until all regular full-time employees in the classification in layoff status have been given the opportunity for such work. In the event that a regular full-time employee in layoff status chooses not to perform the available work, the County may employ a part-time employee.

ARTICLE 15. REHIRE AFTER TERMINATION

Upon termination of employment, all benefits cease. In the event a previously terminated employee is rehired, s/he returns as a new employee. Previous sick leave and annual leave (vacation) accrual may be negotiated, as a condition of employment, at the time of rehire.

ARTICLE 16. POSITION RE-EVALUATION~~S PROCESS~~

It is understood that employee position descriptions and rates of pay need to be re-evaluated on a regular basis and in a fair and uniform manner that takes into consideration both internal and external factors. It is agreed that all Carlton County employees will have their position descriptions and rates of pay re-evaluated automatically on a regular schedule once every two years. The general understanding is that the schedule will involve dividing the membership of each of the County's ~~U~~unions and the non-bargaining/confidential unit into eight relatively equal groups, with one group being re-evaluated in each quarter of the two year period.

ARTICLE 17. WAGES

A. A newly hired employee's anniversary date for purposes of future step increases shall be the date of hire. A promoted employee's anniversary date for purposes of future step increases shall be the date of promotion.

B. New employees shall normally be paid at the minimum (Step 1) of the salary range for their classification. At the discretion of the employer, new employees may be started at Step 2 or higher if such higher placement is justified by exceptional qualifications of the new employee or by lack of available qualified eligible persons at the minimum rate. The employee so situated will progress to the next step at the appropriate step interval.

C. An employee's wage shall not exceed the established range for the employee's classification.

D. The County Board shall set a maximum salary for elected positions each year. At the time an elected position is filled, a determination will be made as to where the individual will start in relation to the maximum salary based on experience, qualifications, etc.

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ARTICLE 1~~7~~8. INSURANCE – MEDICAL, LIFE AND DENTAL

A. All permanent full-time employees shall have the insurance premium paid, by the County, for their single medical insurance. If dependent coverage is desired, the employee must pay 20% of the dependent portion of the coverage.

~~A.~~B. Permanent part-time employees budgeted at .7 FTE and above shall receive a pro-rated contribution equal to their budgeted FTE toward the single health insurance premium. Any costs above that amount, including the cost to provide health insurance for the employee's dependents, shall be totally the employee's responsibility.

Comment [kf2]: 10/11/16 Board minutes

~~B.~~C. Employees hired on or after January 1, 2019, shall not be eligible for retiree health insurance. For employees hired prior to January 1, 2019, ~~T~~the premium shall be paid, by the County, for retired permanent ~~full-time~~ Elected Officials, department heads, and employees not represented by a bargaining unit who are eligible for retirement benefits per Article 4 ~~from age fifty-five (55) (or age 50 with 30 years of service) to age sixty-five (65)~~up to becoming eligible for Medicare, and their authorized dependents, according to the following schedule:

Ten (10) years of service	50% cost of County portion of premium
Fifteen (15) years of service	58% cost of County portion of premium
Twenty (20) years of service	66% cost of County portion of premium
Twenty-five (25) years of service	85% cost of County portion of premium
Thirty (30) years of service	Not to exceed the rates being paid for active County employees

If retirement is prior to ~~reaching age fifty-five (55) (or age 50 with 30 years of service)~~reaching eligibility for retirement benefits per Article 4, the retiree must maintain the total premium payments as his/her own expense until ~~reaching age fifty-five (55)~~becoming eligible for retirement benefits per Article 4. The benefits provided to retired employees under this Section are intended to equal the benefits provided to current employees. These benefits are subject to addition, modification or deletion depending on County Board action.

~~C.~~D. Employees separating with a minimum of eight (8) years of service, or employees retiring who meet the requirements of Article 4, or employees separating under a disability at any age shall have the opportunity to remain in the group health plan at their own expense until age sixty-five (65), with

the monthly premium being paid to the County Auditor/Treasurer by the 20th of the month prior to the month of coverage. Non-payment of premium(s) will result in termination of coverage.

~~D.~~E. The County will also provide term life insurance coverage on each employee (.5 FTE and above) with the premium being paid by the County.

Term life insurance for all elected officials, department heads, and employees not represented by a bargaining unit shall be $~~2~~50,000 or 100% of annual salary, whichever is greater, rounded to the ~~nearest~~ next highest $1,000 to a maximum of $75,000.

~~E.~~F. A voluntary employee-paid dental insurance plan is available to employees budgeted at .7 FTE and above. No cost shall accrue to the County as a result of the establishment or maintenance of said plan.

ARTICLE 1~~8~~9. MILITARY LEAVE

A. A leave shall be granted to employees for the purpose of fulfilling their voluntary and involuntary military obligation; job rights and benefits will continue in accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA).
B. For those employees in the Reserves or National Guard, the County shall guarantee an employee their regular salary for the period of attendance at annual required training, not to exceed fifteen (15) calendar days per calendar year.

ARTICLE ~~19~~20. DISCIPLINARY ACTION

A. Upon recognition of a violation of County policy, or an employee issue affecting the performance of duties of ~~sample~~ an employee and/or other employees (co-workers), the department head or designee shall serve notice on the employee by way of a verbal reprimand, indicating corrective action.
B. If a verbal reprimand does not resolve the issue, the department head shall serve a written notice upon the employee, and said written notice will be construed as a clear indication of possible suspension, demotion or dismissal ~~with the only separation benefit being paid the equivalent of their accrued annual leave~~. Said written notice shall clearly describe the nature of the violation and shall be signed by the department head and employee (as acknowledgement of being received). The department head shall then forward a copy to the Human Resources Office.
C. The department head reserves the right to execute an immediate dismissal in cases of insubordination or gross misconduct.
D. If the employee feels that s/he has been subject to unfair treatment, the employee may invoke the grievance procedure as set forth in Article 2~~0~~1 of the personnel manual.

ARTICLE 2~~0~~1. GRIEVANCE PROCEDURE

A. Any issue arising from the interpretation of, or adherence to, the terms and provisions of this manual shall be settled by the grievance procedure hereinafter set forth.
B. Any complaint or grievance shall be deemed to have been waived if not presented in writing by the aggrieved employee within fourteen (14) calendar days following the known occurrence out of which

the grievance arose, or from the first date of which the grievance could reasonably be assumed to be known.

C. Should a difference arise between the Employer and the employee as to the meaning and application of the provisions of this manual or as to the compliance of either party with any of their obligations per this manual, or should there be any complaint or grievance by an employee or Employer, an earnest effort shall be made to settle such difference(s) under the following procedures:

   a. Between the employee affected and the department head. The Human Resources Director or designee may be included, if desired by either party. In the case where the department head is the Human Resources Director, the issue may proceed directly to Subsection B.

   b. Should the employee feel the reply of the department head is unsatisfactory, the employee shall immediately submit the facts in writing to the Human Resources Office. The parties shall arrange for a meeting between the Employer and a representative of the County Board within five (5) business days for discussion of the issue. If the parties desire, the employee and the Employer may have additional representatives. If the issue remains unresolved, it shall be submitted to arbitration in accordance with Sub~~S~~section C.

   c. Any dispute, difference or grievance relative to the interpretation of or adherence to the Articles of this manual which has not been concluded through the above procedures within ten (10) business days after reduction to writing in the manner herein above provided, may be referred, by either party, within five (5) business days to an arbitrator jointly selected by the Employer and employee. Should the representative(s) of the employee and Employer fail to agree upon a third party within five (5) additional days, the arbitrator shall be appointed as follows:

      The Director of Mediation, State of Minnesota, shall be called upon to submit a panel of five (5) neutral arbitrators. After said panel has been submitted to the parties by the Director of Mediation, the neutral arbiter shall be selected by striking four (4) names; the first strike to be determined by drawing lots, the fifth remaining name shall be the neutral arbiter.

      The decision of the arbitrator shall be final and binding on the employee, the Employer and any employee affected in an issue so settled. If either party fails to abide by the decision of the Arbitrator, the parties will then be allowed to use whatever economic or legal recourse they deem necessary. The employee and Employer shall share equally any cost of the arbitrator.

ARTICLE 2~~1~~2. FIRST REPORT OF INJURY

A. ~~Supervisors (or department heads)~~Employees must report any and all workplace injuries or work-related illnesses to the Human Resources Office as soon as practical after the injury or illness has occurred. Reports may be made by the affected employee, the supervisor, and/or the department head. ~~immediately upon notification by the affected employee.~~

B. The ~~supervisor~~ employee making the report should note the time and date the event occurred and the date the supervisor was informed, if applicable. ~~If possible, t~~The following information should also be provided:

   a. If the injury or illness caused loss of time from work and the date of the first day of lost time;

b. Location where the injury or illness occurred;
c. Name and title of the supervisor who first received notice of the injury or illness, if applicable;
d. Name of treating physician, if applicable;
e. Description of the injury or illness; and
f. Name(s) of employee(s) who may have witnessed the event.

C. If any of the above information is unavailable, ~~supervisors~~ employees should **not** wait to contact Human Resources. A Human Resources staff will follow-up on all incidents to make sure the required information is obtained.

D. Filing a First Report of Injury does not mean a worker's compensation claim has been filed. It merely indicates that an event has occurred which requires an investigation by the County's claims administrator. It is they who determine whether or not a claim exists and whether or not they will cover it. They are also charged with the responsibility of defending those decisions.

ARTICLE 2~~2~~3. EMPLOYEE ASSISTANCE PROGRAM

A. Carlton County offers a no-cost comprehensive employee assistance program (EAP) to all regular, year-round employees. (Other employees may be considered on a case-by-case basis.) This confidential service is available to both qualified employees and members of their household who feel they may need professional assistance in dealing with any personal or work issue or crisis that may be affecting their ability to function.

B. Supervisors who observe employees experiencing issues which are affecting their job performance may refer them to the EAP for assessment and/or short-term counseling.

C. Employees who are referred by their supervisor shall be protected by the EAPs rules of confidentiality. However, they may be required to provide documentation of their visit to the EAP for purpose of sick leave verification. No additional information will be provided to the Employer without the employee's signed release.

4C2.

Carlton County, Minnesota

Transportation Department

Roads Bridges Airports Trails

1630 County Road 61, Carlton, Minnesota 55718
Office: 218-384-9150 Cloquet Airport: 218-879-4911
www.co.carlton.mn.us

Work Completed January 1 - January 31, 2020
HIGHWAY MAINTENANCE OPERATIONS

1. Snow and ice control for County and Township Roads.
2. Removed snow from bridges and guardrails.
3. Cleared snow from Multi Use Trail on Washington Ave.
4. Hauled salt and sand to Barnum Salt Shed.
5. Hauled salt and sand to MN DOT Carlton salt shed.
6. Removed snow and pushed back banks at numerous locations on County Roads.
7. Removed snow along CSAH 61 in front of Esko School.
8. Removed snow from Courthouse Parking Lot.
9. Removed snow from Health and Human Services Building.
10. Removed snow in the City of Barnum.
11. Steamed culverts on County and Township Roads.

Mechanics' Duties

1. Replaced front springs on units #1463 and #791 dump trucks.
2. Replaced rear drive differential on units #1666 and #1463 dump trucks.
3. Installed broom on unit #1817 skid steer.
4. Installed axle seal on unit #791 dump truck.
5. Installed wiper motor on unit #962 dump truck.
6. Reinstalled wing trip shaft on unit #1871 dump truck.
7. Welded front plow on unit #1463 dump truck.
8. Replaced wing arm on unit #1463 dump truck.
9. Installed new plow on unit #4578 Parks Department Ford pickup.
10. Reset pulleys and new belt on unit #885 grader.
11. Welded up and fixed wing support on unit #9912 grader.
12. General maintenance on County and Sheriff Vehicles.
13. Straightened unit #1857 snow blower.
14. Installed new tires on unit #9912 grader.
15. Set up broom on unit #1817 skid steer.
16. Fixed brake lines and lights on unit #4012 grader.

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"This Institution is an Equal Opportunity Employer"