

EQUAL EMPLOYMENT OPPORTUNITY

The City of Austin will comply with all applicable laws governing equal employment opportunity. This policy extends to all applicants and employees and to all aspects of the employment relationship, including, but not limited to, recruiting, hiring, promotion, transfer and compensation.

Specifically, the City will provide equal employment and advancement opportunity on the basis of merit within the context of its unique environment, and without regard to race, creed, color, religion, age, sex, marital status, national origin, sexual preference, and disability, status with regard to public assistance or veteran status.

RECRUITMENT AND SELECTION

Appointments to all positions shall be made on the basis of education, experience, merit, aptitude and physical capability.

The basic recruitment and selection policies of the City are to take whatever measures as are necessary to seek out and to encourage properly qualified individuals to apply for positions at all levels of City service and to provide assurance that the best qualified applicants are properly inducted into City service. The procedures outlined herein shall apply to all persons who wish to obtain employment with the City except former City employees who may be re-employed through the reinstatement process as may be required in a collective bargaining agreement. The City shall enforce the equal opportunity employment guidelines and administer affirmative action procedures in recruitment.

Competition for positions shall be open to all applicants who meet the qualifications established for the class of position for which application is made. No person shall in any way be favored or discriminated against because of race, color, creed, age, marital status, gender, political opinion or affiliation, disability, sexual orientation, or welfare assistance status. Applications for employment shall be kept on file for one (1) year following the date of their submission to the City.

In making a selection from among candidates to fill City vacancies, the City may use written, oral or performance tests, an evaluation of training and experience, or any combination of these. Investigations of background, character, education, experience or physical fitness may also be required.

EMPLOYMENT STATUS

The following definitions are provided to enable you to understand the handbook sections which follow regarding time off and employee benefits:

Regular Full-Time Employee – A person who is regularly scheduled to work forty (40) or more hours per week.

Regular Part-Time Employee – A person who is regularly scheduled to work less than forty (40) hours per week but at least twenty (20) hours and who has worked at least 1,040 hours.

Paid On-Call Firefighter – A person employed by the Fire Department with no regular schedule who is compensated for emergency response, training and all other work assigned.

Temporary/Seasonal Employee – Temporary status will be identified for you upon hire or when your job status changes. A temporary/seasonal employee is paid only for hours worked and receives no benefits or paid holidays.

RESPONSE TIME REQUIREMENTS FOR EMERGENCY PERSONNEL

Firefighters shall reside at a location from which they can respond to the Fire Station within eleven (11) minutes.

PROMOTION FROM WITHIN SERVICE

It is the policy of the City when filling non-management vacancies to give consideration to current employees when job relevant qualifications are equal. This is not a guarantee the current employee will be selected for the position.

PROBATIONARY PERIOD

A probationary period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The City uses this period to evaluate employee capabilities, work habits and overall performance. The City may end the employment relationship at any time during the probationary period, with or without cause or advance notice.

All new or rehired employees work on a probationary basis for the first six months after their date of hire. Employees who are promoted or transferred within the City must complete a secondary probation period of six months with each reassignment to a new position. Any significant absence will automatically extend a probationary period by the length of the absence. If the City determines that the designated probationary period does not allow sufficient time to thoroughly evaluate the employee's performance, the probationary period may be extended for a specified period, with approval of the City Administrator.

In cases of promotions or transfers within the City, an employee who, in the sole judgment of management, is not successful in the new position can be removed from that position at any time during the probationary period. If this occurs, the employee may be allowed to return to their former job or to a comparable job for which the employee is qualified, depending on the availability of such positions and the City's needs.

Upon satisfactory completion of the initial probationary period, employees enter the "regular" employment classification. Regular employment status is not changed during the secondary probationary period that result from a promotion or transfer within the City.

LAYOFFS

Fourteen (14) calendar days after written notice, the City Administrator, following approval by the City Council, may lay-off or terminate regular employees because of reduction of work or funds, abolition of positions, or other reasons. Department heads may lay-off or terminate temporary or seasonal employees with no prior notice and without City Council approval.

FLEX TIME

In an attempt to respond to the needs of our employees while not compromising the service to our citizens, the following policy is adopted. Flex-time is not meant to change the number of hours worked, but to give more flexibility in scheduling.

This policy does not apply to individuals who follow a specific schedule as a requirement of their job (shift employees). Flex-time schedules must be approved by departmental supervisors prior to implementation. All flex-time will be pre-approved and remain in effect until a change is warranted. The need for direct supervision of employees will be left to the discretion of the supervisor.

RELIEF PERIODS

Fulltime employees are authorized relief periods as per departmental policy. Lunch breaks are unpaid (except for police officers, firefighters and community service officers) and are not included in the computation of overtime nor included in the computation of a normal work shift or payroll period.

NURSING MOTHERS, LACTATING EMPLOYEES, AND PREGNANCY ACCOMMODATIONS

Minnesota Statutes 181.939 provides for certain rights and accommodations for nursing mothers and lactating employees, along with reasonable accommodations related to pregnancy or childbirth.

Lactating employees have the right to reasonable paid break times to express milk at work unless they are expressing milk during a break that is not usually paid, such as a meal break. Employers should provide a clean, private and secure room that is not a bathroom near the work area that includes access to an electrical outlet for employees to express milk.

Pregnant employees have the right to request and receive reasonable accommodations, which may include, but are not limited to, more frequent or longer breaks, seating, limits to heavy lifting, temporary transfer to another position, temporary leave of absence or modification in work schedule or tasks. An employer cannot require an employee to take a leave or accept an accommodation.

It is against the law for an employer to retaliate, or to take negative action, against a lactating or pregnant employee for exercising their rights under this law. Employees who believe their rights have been violated under this law can contact the Minnesota Department of Labor and Industry's Labor Standards Division.

ATTENDANCE

Tardiness and absenteeism detract from the efficiency and service levels of City departments. If you cannot report to work at your scheduled starting time, notify your supervisor before your work shift begins. Failure to report for work and/or excessive tardiness is grounds for disciplinary action.

INCLEMENT WEATHER

City facilities will generally be open and in operation during established working hours during adverse weather. Due to individual circumstances, each employee will have to evaluate the weather and road conditions in deciding to report to work (or leave early). All employees should make every attempt to report for work, however, if employees are unable to report to work, the employee is responsible for contacting his/her supervisor or department head to indicate anticipated absence from work or late arrival to work and the reason. Employees not reporting to work for reasons of personal safety will be allowed to use accrued vacation time or compensatory time; or with department head approval may modify their work schedule or make other reasonable schedule adjustments.

Sworn police officers, firefighters and public works employees will generally be required to report to work regardless of weather conditions.

EMERGENCY CLOSINGS

When the City Administrator or appropriate department head determines that circumstances exist which pose a threat to the safety of employees and the public, or which prohibit the normal use of City facilities, they are authorized to close City facilities to protect the safety and welfare of City employees. The department head is responsible to ensure that proper notification is provided to the public and other City departments that may be affected by the closure.

In the event of an emergency closing, employees will be allowed to use accrued vacation, compensatory time or sick leave; or with department head approval may modify their work schedule or make other reasonable schedule adjustments. The use of sick leave is for emergency closings only, otherwise sick leave should be used per the City's sick leave policy.

RESIGNATION

Any employee wishing to leave the City in good standing must submit a written resignation to his or her department head at least fourteen (14) calendar days before leaving. The resignation must state the effective date of the resignation. Failure to comply with this procedure may be considered cause for denying such employee future employment by the City and forfeiting of all accumulated vacation and other benefits.

PART-TIME SERVICE WITH THE FIRE DEPARTMENT

The City of Austin recognizes the value of having regular, fulltime employees also serve as paid-on-call firefighters for the fire department. The City supports membership of regular, fulltime employees as paid-on-call staff. These employees may also respond to emergency calls during regular, fulltime hours under certain circumstances.

1. Primary employment shall be considered the employee's regular, fulltime position.
2. Supervisors/department heads of the employee's primary employment position have the authority to deny any employee's response to a paid on-call emergency which is made during regular working hours if fulltime job assignments have a more immediate and pressing need.

3. Employees who respond to a paid on-call emergency during regular working hours will be paid at their regular, fulltime rate of pay for that time spent responding to the emergency and a notation of such will be made on their timesheet.
4. Employees who respond to a paid on-call emergency during regular working hours shall return to their primary position once the emergency has ceased.
5. Overtime will be calculated as per the applicable labor agreement and/or the Fair Labor Standards Act. Exempt employees will not receive overtime, they will be paid the applicable paid on-call rate of pay for paid on-call firefighter duties outside the working hours of their regular fulltime position.
6. Employees who respond to a paid on-call emergency during non-regular working hours will be paid at the applicable paid on-call rate and that time will be reported on the employee's fire timesheet, with the time noted on when the call was worked (i.e., 5:30 – 7:30 PM).
7. Under no circumstances will time reported for responding to a paid on-call emergency be reflected on both the employee's regular timesheet and the employee's fire timesheet.
8. Employees who are absent from work or who leave early for a personal illness from their primary position are prohibited from responding to paid on-call emergencies until their next regular fulltime shift is scheduled to start, unless prior approval is granted by a supervisor. Supervisors are responsible for noting use of sick leave for purpose of personal illness on the regular timesheet for payroll purposes.
9. Employees who are absent from their primary position while using personal vacation, compensatory or holiday time off are eligible to receive their regular rate of pay from their regular fulltime position in addition to the applicable paid on-call rate for hours worked performing paid on-call firefighter duties.

City employees hired as part-time firefighters shall also be eligible to become members of the Austin Part-Time Firefighter Relief Association and receive the benefits as provided by the bylaws of the Austin Part-Time Firefighter Relief Association.

The Fire Civil Service Rules & Regulations require part-time firefighters to respond to a minimum of 50% of paged calls and attendance at a minimum of 80% of all training sessions during each calendar year.

PERSONNEL FILES

The City of Austin maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, resume, medical information, documentation of performance evaluations and salary increases, and other employment records.

Personnel files are the property of the City and access to the information they contain is restricted. Only management personnel of the City who have a legitimate reason to review information in a file are allowed to do so. Laws regarding data privacy are strictly followed.

The Human Resource Director keeps personnel files on all employees. Employees who wish to review their own file should contact the Human Resource Director and make an appointment. With reasonable advance notice, employees may review their personnel file in the presence of the Human Resource Director or City Administrator. Upon approval of the Human Resource Director, employees may include additional information in their files.

PERSONNEL DATA CHANGES

It is the responsibility of each employee to promptly notify the City of any changes in personal data. Therefore, be sure to notify the Human Resources Director immediately of any changes in the following:

- Personal mailing address
- Telephone number
- Marital status
- Names and birth dates of dependents
- Individuals to be contacted in the event of an emergency
- Beneficiary(s) designated to receive applicable benefits
- Spouse's insurance status (for opt-out)