

## Management Committee

Meeting date: July 26, 2017

For the Metropolitan Council meeting of August 9, 2017

**Subject:** Employees in the Workplace Policy Update

**District(s), Member(s):** All

**Policy/Legal Reference:** 4 – Employees in the Workplace

**Staff Prepared/Presented:** Marcy Syman, Director of Human Resources, 651-602-1417

**Division/Department:** Human Resources

### Proposed Action

That the Metropolitan Council approve changes to the Employees in the Workplace Policy.

### Background

Policies must be presented to the Council for approval and adoption. The Metropolitan Council has a legal obligation to adopt a personnel code that governs appointment of Council employees and the terms and conditions of employment.

### Rationale

The policy has been in place since 1998 and last revised in 2006. This policy is the all-encompassing policy that governs all other Employees in the Workplace policies. Changes to the policy include sentence structure, language clean up, updated policy references and are not substantial in nature.

### Thrive Lens Analysis

This item supports stewardship and the efficient, effective use of public financial resources through the orderly administration of Council policies.

### Funding

Not Applicable

### Known Support / Opposition

The policy and associated procedural changes have been reviewed by Council stakeholders including the Office of General Counsel.

**POLICY – EMPLOYEES IN THE WORKPLACE**

Section/Number: 4	Regional Administration	Total Pages: 1
Dept. Responsible:	<del>Departments and Offices MGES and Metro Transit</del> [TD1] <u>Human Resources</u>	Effective Date: 9/11/98
Special Note:	This policy supersedes previous employees in the workplace policies	Last Revision Date:
		Last Review Date: 6-9-2017
		Revision No. 2 (2/15/06) 3

**I. Policy**

The Metropolitan Council ~~shall assure [ws2] that will recruit, manage, develop, and retain~~ a dynamic and efficient staff, dedicated to excellence in public service and aligned with Council goals and outcomes, ~~is recruited, managed, developed, and retained within the~~ consistent with applicable legal, contractual, and financial limits and obligations.

The Metropolitan Council shall establish and ~~effectively~~ implement policies, procedures, and practices for:

- Recruitment and selection;
- Job classification, compensation, reporting, and record keeping;
- Performance ~~appraisal management, review,~~ discipline, and development;
- Employee benefit programs; and
- Safe and healthy work environments.

**II. Purpose of policy**

This policy provides a framework for uniform and effective human resources, diversity, and risk management systems ~~that which~~ support organizational objectives, address quality of work life concerns, and ~~which~~ meet the budgetary and regulatory obligations of the Council.

~~This policy, and all associated policies and procedures [ws3], supersede the Metropolitan Council Personnel Code, adopted by the Council in April 1987 and most recently revised in December 1996. [ws4]~~ The provisions of this policy and related Employees in the Workplace policies apply to all employees, unless specifically modified in appropriate collective bargaining ~~labor~~ agreements.

**III. Background and reasons for policy**

The Metropolitan Council believes that a critical dimension of providing quality [ws5] effective public service is the quality, commitment, and development of ~~qualified and its~~ professional [ws6] staff in every classification and type of employment. In addition, the Metropolitan Council has a legal obligation to adopt a personnel code that governs appointment of Council employees and the terms and conditions of employment (Metropolitan Council By-laws, Article IV, B.A.2 [TD7] and Minnesota Statutes, section 473.129, subdivision 2).



## IV. Implementation/Accountability

~~Implementing Related policies and implementing procedures~~ include<sup>[ws8]</sup>:

<del>Staffing</del>	<del>Employee Conduct</del>
<del>Data Practices</del>	<del>Workplace Violence Prevention</del>
<del>Diversity, Equal Opportunity</del>	<del>Employee Indemnification</del>
<del>Use of Council Property</del>	<del>Learning and Development</del>
<del>Security</del>	<del>Safety and Health</del>
<del>Compensation</del>	<del>Performance Management</del>
<del>Indemnification</del>	<del>Employee Recognition</del>
<del>Benefits</del>	<del>Labor Relations</del>
<del>Workers' Compensation</del>	<del>Discrimination, Harassment and Inappropriate Behavior</del>

~~Some provisions of employees in the workplace policies~~ <sup>[TD9]</sup> ~~may be superseded by collective bargaining labor agreements or statutory law.~~

Accountability:

A. The Metropolitan Council is accountable for approving all Employees in the Workplace policies and any amendments to the policies at the <sup>[initiation]</sup><sup>[ws10]</sup> of the Regional Administrator or designee, or <sup>[the Council]</sup><sup>[ws11]</sup>.

~~B.~~ The Regional Administrator or designee has the responsibility and authority for all matters of inherent managerial policy not explicitly addressed in these policies, ~~including, but not limited to: the function, program~~<sup>[ws12]</sup>, ~~and budget of the Council; utilization of technology; organizational structure; and selection, direction, and number of employees, and schedules of work.~~

~~B.~~ The Regional Administrator or designee is responsible for ~~the administration of the provisions of administering~~ these policies, ~~for~~ establishing procedures to implement the policies, and ensuring ~~that the~~ procedures are necessary and consistent with these policies.

~~C.~~ ~~General Managers of Environmental Services and Metro Transit, and the Chief of the Metro Transit Police Department~~ are responsible for all employee safety and health issues, ~~as well as for employment action related to appointment~~<sup>[ws13]</sup>, ~~discipline, and discharge of employees within of their respective units.~~<sup>[TD14]</sup> All employment actions taken must be made in accordance with applicable Metropolitan Council policies and administrative procedures.

~~D.C.~~ The Regional Administrator or designee is responsible for all employee safety and health issues, as well as for employment actions related to appointment, discipline and discharge of all Council employees ~~other than Metropolitan Transit Police personnel whose appointment, discipline, and discharge are the responsibility of the Metropolitan Transit Police Chief pursuant to Minnesota Statutes section 473.407, subdivision 4 these referred to in section IV(C), as noted above.~~ All employment actions ~~taken~~ <sup>[TD15]</sup> must be made in

accordance with applicable Metropolitan Council policies and administrative procedures.<sup>[TD16]</sup> and applicable laws and regulations.

~~E. Management<sup>[TD17]</sup> is responsible for the direct supervision of Council employees in accordance with all applicable Metropolitan Council policies and administrative procedures. A manager or supervisor must notify his/her manager or director when infractions<sup>[WS18]</sup> occur.<sup>[WS19]</sup>~~

Related policies and implementing procedures include:

- 4-1 Talent Recruitment and Selection Policy
- 4-1-1 Data Practices Policy
- 4-2 Diversity Equal Opportunity and Affirmative Action Policy
- 4-2-1 Discrimination and Harassment and Inappropriate Behavior Policy
- 4-2-2 Disability Management Policy
- 4-3 Compensation Policy
- 4-4-1 Workers Compensation Policy
- 4-4-2 Post Retirement Option (PRO) Policy
- 4-5 Employee Learning and Development Policy
- 4-6 Employee Conduct Policy
- 4-6-3 Use of Council Property
- 4-6-4 Security Policy
- 4-6-5 Telework Policy
- 4-7 Performance Management Policy
- 4-7d Operator Performance Bus Operators
- 4-7-1 Employee Recognition Policy
- 4-8 Organized Labor Relations Policy
- 4-9 Safety and Health Policy
- 4-9-1 Drug Free Workplace Policy
- 4-9-2 FTA Safety Sensitive Drug and Alcohol Program Policy
- 4-9-3 Drug and Alcohol Testing Program Policy for Non-FTA Employees

Links:

*Revision/Review Tracking*

Date	Revision No.	Review Only – No changes
02/15/2006	1	
06/09/2017	2	

**POLICY – EMPLOYEES IN THE WORKPLACE**

Section/Number: 4	Total Pages: 2
Dept. Responsible: Human Resources	Effective Date: 9/11/1998
Special Note: This policy supersedes previous Employees in the Workplace policies	Last Revision Date: 07/07/2017
	Last Review Date: 07/07/2017
	Revision No. 2

**I. Policy**

The Metropolitan Council will recruit, manage, and develop a dynamic, efficient staff dedicated to excellence in public service and aligned with Council goals and outcomes consistent with applicable legal, contractual, and financial limits and obligations.

The Metropolitan Council shall establish and implement policies, procedures, and practices for:

- Recruitment and selection;
- Job classification, compensation, reporting, and record keeping;
- Performance management, discipline, and development;
- Employee benefit programs; and
- Safe and healthy work environments

**II. Purpose of policy**

This policy provides a framework for uniform and effective human resources, diversity, and risk management systems that support organizational objectives, address quality of work life concerns, and meet the budgetary and regulatory obligations of the Council.

The provisions of this policy and related Employees in the Workplace policies apply to all employees, unless specifically modified in appropriate collective bargaining agreements.

**III. Background and reasons for policy**

The Metropolitan Council believes that a critical dimension of providing effective public service is the quality, commitment, and development of its staff in every classification and type of employment. In addition, the Metropolitan Council has a legal obligation to adopt a personnel code that governs appointment of Council employees and the terms and conditions of employment (Metropolitan Council By-laws, Article IV, A.2 and MS, section 473.129, subdivision 2).

**IV. Implementation/Accountability**

Accountability:

- A. The Metropolitan Council is accountable for approving all Employees in the Workplace policies and any amendments to the policies at the request of the Regional Administrator or designee or the Council.



- B. The Regional Administrator or designee has the responsibility and authority for all matters of inherent managerial policy not explicitly addressed in these policies.
- C. The Regional Administrator or designee is responsible for administering these policies, establishing procedures to implement the policies, and ensuring the procedures are necessary and consistent with these policies.
- D. The Regional Administrator or designee is responsible for all employee safety and health issues, as well as for employment actions related to appointment, discipline and discharge of all Council employees other than Metropolitan Transit Police personnel whose appointment, discipline, and discharge are the responsibility of the Metropolitan Transit Police Chief pursuant to Minnesota Statutes section 473.407, subdivision 4. All employment actions must be made in accordance with applicable Metropolitan Council policies and administrative procedures, as well as applicable laws and regulations.

Related policies and implementing procedures include:

- 4-1 Talent Recruitment and Selection Policy
- 4-1-1 Data Practices Policy
- 4-2 Diversity Equal Opportunity and Affirmative Action Policy
- 4-2-1 Discrimination and Harassment and Inappropriate Behavior Policy
- 4-2-2 Disability Management Policy
- 4-3 Compensation Policy
- 4-4-1 Workers Compensation Policy
- 4-4-2 Post Retirement Option (PRO) Policy
- 4-5 Employee Learning and Development Policy
- 4-6 Employee Conduct Policy
- 4-6-3 Use of Council Property
- 4-6-4 Security Policy
- 4-6-5 Telework Policy
- 4-7 Performance Management Policy
- 4-7d Operator Performance Bus Operators
- 4-7-1 Employee Recognition Policy
- 4-8 Organized Labor Relations Policy
- 4-9 Safety and Health Policy
- 4-9-1 Drug Free Workplace Policy
- 4-9-2 FTA Safety Sensitive Drug and Alcohol Program Policy
- 4-9-3 Drug and Alcohol Testing Program Policy for Non-FTA Employees

*Revision/Review Tracking*

Date	Revision No.	Review Only – No changes
02/15/2006	1	
07/07/2017	2	