



Minnesota Regional Transit  
Board: Records.

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2/1/92

REGIONAL TRANSIT BOARD  
ROLL CALL AND ATTENDANCE SHEET

DATE: 3/15/93

Member Name Present Vote Vote Vote Vote Vote Vote Vote Vote  
ISSUE Res 93-0f

John Riley	✓								
Maryann Campo	✓								
Doris Caranicas	✓								
Sharon Feess	✓								
Ruth Franklin	✓								
Val M. Higgins	✓								
<del>Sandra Hilary</del>									
Ruby Hunt	✓								
<del>Tom Sather</del>									

Visitors

~~M. Robertson, Arnie Entzel, Carol Kummer, Bonnie~~  
~~Featherstone, George Bentley,~~  
 C. Kayler  
 K Lyman

Staff

GLA JH HB EK SH SM MF ~~JE~~ ~~BU~~ ~~LS~~ MO  
 S Eln



**PUBLIC HEARING ON PROPOSED  
RESTRUCTURING OF MTC ST. PAUL ROUTE 35N  
WEEKDAY AND NORTH SUBURBAN LINES  
WEEKDAY COMMUTER II**

**7:00 P.M., TUESDAY, MARCH 9, 1993  
ARDEN HILLS CITY HALL  
1450 W. HIGHWAY 96  
ARDEN HILLS, MINNESOTA**

**ATTACHMENTS:      PROPOSED ROUTE  
                             PROPOSED SCHEDULE**

**PROCESS AND TENTATIVE TIMELINE FOR PROPOSED CHANGES:**

**RTB POLICY COMMITTEE REVIEW AND APPROVAL - MONDAY, MARCH 22, 1993**

**RTB FULL BOARD REVIEW AND APPROVAL - MONDAY, APRIL 5, 1993**

**IMPLEMENTATION: JUNE 1993**

**(PUBLIC COMMENTS ACCEPTED UNTIL APRIL 5, 1993)**



**PUBLIC HEARING ON PROPOSED  
RESTRUCTURING OF MTC ST. PAUL ROUTE 35F  
WEEKDAY AND NORTH SUBURBAN LINES  
WEEKDAY LEXINGTON ROUTE**

**7:00 P.M., THURSDAY, MARCH 11, 1993  
SHOREVIEW CITY HALL  
4665 NORTH VICTORIA STREET  
SHOREVIEW, MINNESOTA**

**ATTACHMENTS:      PROPOSED ROUTE  
                             PROPOSED SCHEDULE**

**PROCESS AND TENTATIVE TIMELINE FOR PROPOSED CHANGES:**

**RTB POLICY COMMITTEE REVIEW AND APPROVAL - MONDAY, MARCH 22, 1993**

**RTB FULL BOARD REVIEW AND APPROVAL - MONDAY, APRIL 5, 1993**

**IMPLEMENTATION: JUNE 1993**

**(PUBLIC COMMENTS ACCEPTED UNTIL APRIL 5, 1993)**



**REGIONAL TRANSIT BOARD**  
Mears Park Centre, 230 East 5th Street  
St. Paul, Minnesota 55101

**Meeting of the  
REGIONAL TRANSIT BOARD  
Mears Park Centre Chambers  
Monday, March 15, 1993  
4 p.m.**

**AMENDED AGENDA**

- A. CALL TO ORDER AND ROLL CALL**
- B. APPROVAL OF AGENDA**
- C. APPROVAL OF MINUTES:**
  - 1. Policy Committee Meeting, February 22, 1993
  - 2. Regional Transit Board Meeting, March 1, 1993
- D. CHAIR'S REPORT**
  - 1. Update on Legislation
- E. MEMBERS' REPORTS**
- F. EXECUTIVE DIRECTOR'S REPORT**
- G. REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE**  
Val Higgins, Vice Chair
  - 1. December 1992 Unaudited Financial Statements
  - 2. I-35W Environmental Assessment Third Lane/High Occupancy Vehicle Lane Project
  - 3. 1993 Provider Capital Funding and Contracts
  - 4. Southwest Metro Transit Commission 1992 Budget Amendment
  - 5. Request for Proposal for Agency Annual Audit Services
  - 6. 1993 Regional Transit Board Personnel Code
  - 7. Request to Issue Refunding Bonds
- H. OTHER BUSINESS**
- I. PUBLIC COMMENT**

**John H. Riley**  
Chairman

mff  
3/15/93



REGIONAL TRANSIT BOARD  
Mears Park Centre, 230 East 5th Street  
St. Paul, Minnesota 55101  
612/229-2700

**Minutes of the Meeting of the  
REGIONAL TRANSIT BOARD  
March 15, 1993**

**MEMBERS PRESENT:** John H. Riley, Chair; Maryann Campo; Doris Caranicas; Sharon Feess; Ruth Franklin; Val Higgins; Ruby Hunt

**MEMBERS EXCUSED:** Tom Sather

**OTHERS PRESENT:** Carol Kummer, Metropolitan Council Liaison to RTB, Mike Robertson, Legal Counsel; Arnie Entzel, Amalgamated Transit Union; Connie Kozlak and Karen Lyons, Metro Council; Gregory L. Andrews, Judy Hollander, Stephanie Eiler, Howard Blin, Suzanne Hanson, Sherry Munyon, Mike Opatz, Mary Fitzgerald, RTB staff

**CALL TO ORDER AND ROLL CALL**

The chair called the meeting to order at 4 :10 p.m. and roll was taken.

**APPROVAL OF AGENDA**

Campo moved and Hunt seconded approval of the amended agenda. The motion carried unanimously.

**APPROVAL OF MINUTES**

Higgins moved and Feess seconded approval of the minutes of the Policy Committee meeting of February 22, 1993. The motion was unanimously approved.

Campo moved and Caranicas seconded approval of the minutes of March 1, 1993. The motion was unanimously approved.

**CHAIR'S REPORT**

Riley reported on the transit funding bill. Bipartisan efforts are being made in the Senate to develop a bill that both caucuses can approve. The details are less important than the fact that high-ranking legislators are working toward meeting the need for transit funding. They are considering a gas tax increase for highways and Motor Vehicle Excise Tax (MVET) dedication for transit, but they do not yet have a bill written. What happens in the House depends upon what the Senate does.

Last week the chair spent three days at a seminar in Washington that dealt with how to leverage public funds in subsidized projects such as transit, light rail and high speed rail. It was intense and very instructive. Riley also met with Secretary Pena of the U. S. Department of Transportation. The modal agencies are still being managed by senior-level civil servants. They expect it will be two more months before Clinton Administration appointees are in place.

Early this month an interim replacement had to be found for Mike Christenson, who resigned as chief administrator of the Metropolitan Transit Commission. The commissioners selected Tom Sather, who has taken a 90-day leave from his business to serve at MTC. If a local search for a chief administrator is not successful, a national search will be conducted. Since Mr. Sather has been a member of the Regional Transit Board, Riley said he expects that this will forge a closer working relationship between the two agencies.

**REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE**

Committee Chair Franklin reported on the committee meeting of March 8, 1993.

**DECEMBER 1992 UNAUDITED FINANCIAL STATEMENTS**

Franklin moved and Caranicas seconded:

That the Regional Transit Board receive the December 1992 unaudited financial statements and direct that they be placed on file.

The motion was unanimously approved.

**I-35W ENVIRONMENTAL ASSESSMENT THIRD LANE/HIGH OCCUPANCY VEHICLE (HOV) LANE PROJECT**

Franklin moved and Caranicas seconded:

That the Regional Transit Board approve the Finding and Conclusions in the February 23, 1993 staff report as the board's comments on the I-35W Third Lane/High Occupancy Vehicle Lane Project Environmental Assessment and direct that they be submitted to the Metropolitan Council and the Minnesota Department of Transportation.

The chair asked Stephanie Eiler to make a brief presentation on this project. Hunt asked if, after the Environmental Assessment is completed, the Minnesota Department of Transportation (Mn/DOT) will start construction on the temporary third lane. Is there space to do it now? Riley said Mn/DOT always viewed this project as separate from I-35W. It was in the 1992-1993 construction budget and funds were programmed. Only two pieces of additional land had to be acquired to accomplish it. The suburban communities consider this to be their number one priority. They understand that most suburban-generated vehicular traffic splits off at 494. The temporary third lane would address Representative Connie Morrison's primary concern. It could have been built years ago, but I-35W has caught up with it. There have been some efforts to hold this hostage for a commitment to build LRT. The Minneapolis City Council passed a resolution urging that the third lane project not be commenced until the full 35W Environmental Impact Statement (EIS) is completed. Mayor Fraser vetoed that measure because the project will reduce congestion and because he dislikes hostage tactics. So far there has not been an effort to override the veto, but that may happen. Riley said he hopes no one gets into this kind of hostage legislating. We should stay with the process of endorsing the main project, which is very transit-oriented. This third lane will help a great deal and should be considered a separate project. One of the reasons people will not ride buses is the perception that buses are too slow. This would help correct that.

Franklin said that when this project came to the Transportation Advisory Board as part of the Transportation Improvement Program, some officials from Anoka County and from Minneapolis opposed it, but it was narrowly approved.

Riley reported on a recent Women in Transportation Seminar (WTS) meeting that featured Rep. Morrison and Senator Flynn. Both lawmakers went out of their way to make sure that there were no fireworks. The truth is, we need both projects.

Responding to Higgins' question, Eiler said this is an interim project to get a bus and HOV lane for this portion of 35W and eventually into Minneapolis. The motion was approved (Campo abstained).

**1993 PROVIDER CAPITAL FUNDING AND CONTRACTS**

Franklin moved and Campo seconded:

That the Regional Transit Board approve the 1993 capital funding and authorize the executive director to enter into capital contracts with the following providers in amounts not to exceed:

Human Services Incorporated (HSI)	\$24,168
Dakota Area Resources and Transportation for Seniors (DARTS)	\$75,480

The motion was unanimously approved.

**SOUTHWEST METRO TRANSIT COMMISSION, 1992 BUDGET AMENDMENT**

Franklin moved and Campo seconded:

That the Regional Transit Board authorize its executive director to amend the Southwest Metro Transit 1992 contract (Contract No. 91/18/11-16) by \$110,377 from \$1,352,623 to \$1,463,000.

The motion was unanimously approved.

**REQUEST FOR PROPOSAL FOR AGENCY ANNUAL AUDIT SERVICES**

Franklin moved and Feess seconded:

That the Regional Transit Board authorize the executive director to issue a Request for Proposal for audit services for the annual Regional Transit Board financial audits for the three years beginning with 1993.

The motion was unanimously approved.

**1993 RTB PERSONNEL CODE**

Franklin moved and Feess seconded:

That the Regional Transit Board adopt the updated and revised 1993 Personnel Code.

The chair said this document was very well done; however, there are two minor points that should be clarified.

On Page 13, Item (4) states, "Sick leave shall also be granted for absence necessitated by illness of the employee's spouse, minor or dependent children...for such periods as the employee's presence is necessary." This could be construed to mean the employee would be paid sick leave for whatever time is necessary. He suggested clarifying the intent by deleting "shall" and saying "...sick leave may also be used...." Higgins moved and Hunt seconded:

That the 1993 Personnel Code, Page 13, Item (4) be amended as follows:

Sick leave *may* also be used for absence necessitated by illnesses of the employee's spouse, minor or dependent children, or parent living in the household of the employee for such periods as the employee's presence is necessary.

Franklin asked if this would mean sick leave can be used even if the employee has not accrued sick leave. Riley said it does not. The original wording seemed to mandate granting sick leave regardless of whether enough leave has been earned. That was not the staff's intent. The code should clarify that sick leave can be used for that purpose only if it has been previously earned.

Caranicas asked how this compares with the Metropolitan Council's policy. Andrews said the council sets a model code to which other agencies must conform. This code has not been updated since 1986. There have been some statutory changes that must be incorporated into the RTB code. Riley said if this ambiguity is in the council's code their code should be changed.

Regarding use of sick leave to attend a funeral (Page 13, Item (6)), Riley said it is important that the leave be agreed to prior to departure and that it be for a reasonable time. He recommended:

That the 1993 Personnel Code, Page 13, Item (6) be amended as follows:

"To attend the funeral of a relative of the employee or the stepchild, parents or grandparents of the employee's spouse, for a reasonable period approved *by the employee's supervisor*...including necessary travel time.

Hunt so moved and Caranicas seconded the motion, which was unanimously approved. approval of the 1993 Personnel Code, as amended. The motion was unanimously approved.

#### **REQUEST TO ISSUE REFUNDING BONDS**

Franklin moved and Feess seconded:

That the Regional Transit Board request the Metropolitan Council to issue \$7,825,000 of bonds to refund the remaining balance of the 1988B issue.

On a roll call vote, the motion and resolution were unanimously approved.

#### **OTHER BUSINESS**

The chair said that some members have suggested that since there are several vacancies on the board it would be easier to make a quorum if the standing committees

meet as Committees of the Whole until the new members are appointed. Kummer said the council expects to make the appointments on March 25, 1993.

Franklin asked if a meeting is planned for the fifth Monday of March. Riley said the meeting schedule should be maintained and agreed that this is a good time to hold some sessions on funding and governance. Higgins asked when a meeting of the Committee of the Whole is declared. Riley said it would have to be announced in advance in the same way as any other standing committee. Franklin moved and Feess seconded:

That the Regional Transit Board's standing committees will meet as Committees of the Whole for a period of 90 days.

Campo said that in the past when new members joined the board they were encouraged to attend as many meetings as possible to keep abreast of issues before the board. Riley clarified that for the next 90 days all standing committees of the board will function as Committees of the Whole. Those committees will continue to be chaired by their current chairs. Since Member Sandra Hilary has resigned, Riley moved:

That Val Higgins be named Chair of the Policy Committee for 90 days.

Feess seconded the motion and it was unanimously approved.

The chair read Tom Sather's letter into the record. In the letter, Sather requests a leave of absence from the board in order to avoid a possible conflict of interest that could arise as a result of his having been appointed Interim Chief Administrator of the Metropolitan Transit Commission. Hunt moved and Franklin seconded:

That the Regional Transit Board grant Tom Sather a leave of absence from his duties as a member of the Regional Transit Board for 90 days or until the Metropolitan Council appoints a replacement, whichever occurs first. The leave of absence is effective on March 9, 1993.

The motion was unanimously approved.

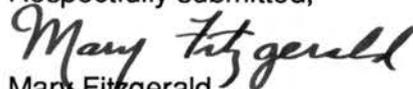
Feess said she strongly supports holding joint meetings with the Metropolitan Transit Commissioners and would like them to continue. She asked that a joint meeting be scheduled shortly after new members join the board.

Hunt said Rep. Irv Anderson is holding a hearing in Washington County on how public officials view the Metropolitan Council. He has already heard from the West Metro Area.

There being no other business, Higgins moved and Caranicas seconded that the meeting be adjourned. The motion was unanimously approved and the meeting was adjourned at 5:10 p.m.

I hereby certify that the foregoing constitutes a true and accurate record of the Regional Transit Board's meeting of March 15, 1993.

Respectfully submitted,

  
Mary Fitzgerald  
Secretary

Approved by the Regional Transit Board on this fifth day of April 1993.



REGIONAL TRANSIT BOARD  
Mears Park Centre, 230 East 5th Street  
St. Paul, Minnesota 55101  
612/229-2700

**Minutes of the Meeting of the  
POLICY COMMITTEE  
February 22, 1993**

**MEMBERS PRESENT:** Val M. Higgins, Vice Chair; Maryann Campo; Ruby Hunt

**MEMBERS EXCUSED:** Sandra Hilary

**OTHERS PRESENT:** John Riley, RTB Chair; Doris Caranicas, Tom Sather, Sharon Feess, RTB Member; Bev Auld and Bob Thompson, Metropolitan Transit Commission (MTC); Arnie Entzel, Amalgamated Transit Union, Local 1005; Gregory L. Andrews, Judy Hollander, Edward Kouneski, Howard Blin, Len Simich, Paul Moline, Suzanne Hanson, Randy Rosvold, Mary Fitzgerald, RTB staff

**CALL TO ORDER AND ROLL CALL**

Vice Chair Higgins called the meeting to order at 4:07 p.m. and roll was taken.

**APPROVAL OF AGENDA**

An amended agenda had been distributed which changed the order of business. Chair Riley explained that he would be obliged to leave the meeting early in order to make a presentation on transit funding to the IR caucus. Hunt moved and Campo seconded approval of the amended agenda. The motion was unanimously approved.

**COMPETITIVE TRANSIT POLICY**

Kouneski reviewed his February 16 staff report which discusses several new and revised competitive transit policies for inclusion in the RTB's Five-Year Transit Plan. Higgins agreed with Riley that this is a very important issue for the board and this staff report helps clarify it. Kouneski said the final recommendations are still being debated at the staff level.

Riley said this has been slowed by the transition. This, the need for a funding bill, and restructuring Metro Mobility are the three most important issues facing the board this year. Before the size of the system can be increased, the board must have policies in place. The providers, MTC and the unions will have an opportunity for informed comment. The board must ensure that there is enough competitive bidding to keep everyone at their most efficient state and maintain the MTC as the primary provider. He asked members to call him and staff with their questions and comments over the next few weeks.

Responding to Higgins' questions, Kouneski said this year RTB is not pursuing an amendment at the Legislature that would permit RTB to own vehicles.

Sather said he would be reluctant to exclude all core area bidding because of the large routes that might fit as a combined service area where a few fragments can turn into very profitable routes. With regard to the list of recommendations on MTC marginal pricing (page 3), Sather suggested that at the first meeting of the month, MTC should set their current rates by resolution. Feess asked staff to include a map of the core area. The effect of these policies on Route 52 should be addressed.

Entzel this subject is of concern to MTC employees. Even after meetings with RTB and MTC staff, there is resistance to the core area. RTB can also be operated less expensively by eliminating benefits and per diems. The core area transit service can be operated cheaply if people are cut out. Since so many people are affected, he suggested that all plans take a longer look at those impacts. No action was taken.

#### **METROPOLITAN TRANSIT EDUCATION**

Hanson reviewed her February 16 staff report. Campo said she is pleased this has finally come together. Following comments on the RTB's State Fair exhibit, Riley said the Department of Transportation has space available. RTB and MTC should approach them asking to use some of their extra space for a transit exhibit with a state-wide approach. Higgins said he opposed the State Fair booth in the past and felt it should be discontinued, but he would support teaming up with MTC. Regarding a speakers bureau, Higgins said he has been surprised by the public's lack of information. We did not accomplish enough by going through the local officials. People do show great interest in transit hubs and he would like more emphasis placed on the speakers bureau. Riley said he would like to develop some alliances in the bus groups. People do not realize that our plan lays the groundwork for circular service. No action was taken.

(Riley and Campo excused themselves and left the meeting.)

#### **FINAL RECOMMENDATIONS FOR HIGH SUBSIDY ROUTES: MTC ST. PAUL ROUTE 10 SUNDAY, MTC ST. PAUL ROUTE 20 WEEKDAY, AND MTC ST. PAUL ROUTE 31 WEEKDAY**

Rosvold reviewed the February 12 staff report and used slides to explain the staff recommendation to restructure Route 31 Weekday service.

Paul Moline reviewed Route 10 Sunday service. Feess said she has real reservations about this staff recommendation and feels an alternative to cancellation should be found. Moline said attempts were made in the past to save this route by restructuring it. Staff believes this is an unlikely candidate to bid out.

Hunt said she rode Route 10 on Sunday to take a look at it. She was disturbed by the concern of the people who depend on the service to get to church. For some older people this is an extremely important part of their lives. She asked if staff explored eliminating some of the starting and ending trips. Moline said staff found that riders are scattered throughout the day. He will provide members with the figures on what would be saved by eliminating the last two trips, but it is unlikely to save enough to bring the route under the standard. Hunt said this seems like a place that dial-a-ride would be better. Until the bus reached Seventh Street there was only one woman on the bus. Blin said subsidy standards are a benchmark for a route. If the board members feel there are compelling reasons to keep the routes, they can make that policy decision.

Caranicas said dial-a-ride service would be much cheaper to provide. Sending a taxi would be cheaper than running a bus for one person.

Moline used slides to illustrate the proposed restructuring of Route 20 service.

Higgins said this will be transmitted to the board without recommendation since there is no longer a quorum. The staff recommendations are:

That the Regional Transit Board:

1. Eliminate Metropolitan Transit Commission (MTC) Route 10 Sunday service.
2. Restructure MTC St. Paul Route 20 weekday service to eliminate the Route 20 north of Maplewood Mall and consolidate MTC Route 15 and 20 services provided to Lakewood Community College and St. Paul Northeast Metro Technical College.
3. Restructure MTC Route 31 weekday service to:
  - a. Retain peak, express service in New Brighton, Arden Hills, and Roseville;
  - b. Eliminate route duplication in Falcon Heights and St. Paul; and
  - c. Re-route Route 31 to utilize the Rosedale Transit Hub and park-and-ride lot; and add one afternoon peak trip on Route 31 to provide a comparable level of bus service during peak times.

#### OTHER BUSINESS

Hunt reported that with all the new bills on restructuring of the transit agencies, the Citizens League has appointed a committee to study the governance issue. She is a member of that committee, which may recommend that no action be taken in haste.

There being no other business, the meeting was adjourned at 5:20 p.m.

I hereby certify that the foregoing constitutes a true and accurate record of the Regional Transit Board's Policy Committee meeting of February 22, 1993.

Respectfully submitted,

Mary Fitzgerald  
Secretary

Approved by the Regional Transit Board on this fifteenth day of March 1993.



REGIONAL TRANSIT BOARD  
Mears Park Centre, 230 East 5th Street  
St. Paul, Minnesota 55101  
612/229-2700

**Minutes of the Meeting of the  
REGIONAL TRANSIT BOARD  
March 1, 1993**

**MEMBERS PRESENT:** John H. Riley, Chair; Maryann Campo; Doris Caranicas; Sharon Feess; Ruth Franklin; Val Higgins

**MEMBERS EXCUSED:** Tom Sather and Ruby Hunt

**OTHERS PRESENT:** Esther Newcome and Steve Alderson, Metropolitan Council; Jo Higgins; Arnie Entzel, Amalgamated Transit Union; Gregory L. Andrews, Judy Hollander, Howard Blin, Dave Jacobson, Paul Moline, Mary Fitzgerald, RTB staff

**CALL TO ORDER AND ROLL CALL**

The chair called the meeting to order at 4 p.m. and roll was taken.

**APPROVAL OF MINUTES**

Feess moved and Caranicas seconded approval of the minutes of the Administration and Finance Committee meeting of February 8, 1993. The motion was unanimously approved.

Franklin moved and Caranicas seconded approval of the minutes of February 16, 1993. The motion was unanimously approved.

**CHAIR'S REPORT**

Riley reported on his trip to Washington D.C. last week, which focused on lobbying Minnesota priorities. He tried to get a sense of where the administration is going, but that is unclear because federal appointments have not been made below the secretary level. President Clinton's energy tax proposal would impose a different tax level per BTU on each form of energy, depending upon whether it is more or less favored. There is zero tax on solar energy and the highest tax is on petroleum derivatives (i.e., gasoline). The tax would be levied at the point of origin. The administration concluded the proposed tax, if approved, would add eight cents to the price per gallon, phased over three years, in addition to the two-and-a-half cents per gallon portion of the current federal gas tax scheduled to sunset next year, which they do not intend to allow. The administration will propose that the two and a half cents be made permanent. None of this money will go through the Highway Trust Fund. It will go directly to the general treasury for deficit reduction or any new spending programs. The existing twelve cents will go through the trust fund, but nothing will be added. Finally, the proposed tax would be indexed to the Gross National Product price deflator, not gas prices. That indexing is highly controversial. The cold weather states are breaking away and the legislation will

have to move it through the process in the near future or suffer continued erosion of support.

There is \$750 million for additional funding for transit capital expenditures, two-thirds of which goes through Section 9. The rest goes to the discretionary bus program. The federal administration wants it committed within 60 days of the bill's passage. If we have not committed it, it will be drawn back. The same is true of the funds for buses. We are fortunate to have the "Vision" defined. Meetings will be scheduled with MTC quickly to work out a joint effort to get as much for Minnesota as possible. Beyond that, Riley said, he will try to contact some editorial boards in the next few days.

#### **APPROVAL OF THE AGENDA**

An amended agenda, adding Item H.4. Authorization to Contract with Additional Metro Mobility Providers, was distributed. Caranicas moved and Higgins seconded approval of the agenda as amended. The motion was unanimously approved.

#### **MEMBERS' REPORTS**

Feess reported on her meeting earlier in the day with MTC planners and Todd Paulson about restructuring Northwest Corridor. They are discussing setting up a transit summit and including RTB and representatives from the communities along the Northwest Corridor.

#### **CONTRACT NEGOTIATIONS WITH METRO MOBILITY PROVIDERS**

The chair said the RTB has taken the position with the providers that the Trip Assurance Program must be restored by April 1. Of the 12 providers, 10 providers have signed the contract, Ebenezer has indicated they are prepared to sign, and National School Bus withdrew. Staff is working as hard as they can to backfill. RTB had only two weeks' notice, but because of staff's extremely hard work, all but eight standing orders were covered as of 8:00 a.m. today, February 16. It was discovered that National has informally contracted for standing orders outside the system. Those riders are being accommodated when they are found. Of the 177 standing orders, all but 8 have been covered. There are some people who will feel the pain of the transition; however, rides declined per month have averaged approximately 2,500 and even with the transition pains, the new system will be a major improvement. Rides per month have declined by approximately 2,000, but this is a major improvement. Riley thanked staff members for their hard work in accomplishing the transition. Caranicas asked how National set up standing orders without the knowledge of the Metro Mobility Administrative Center (MMAC). The standing order fee was not collected by MMAC because the standing order was never registered. Riley said this is further evidence that we are moving toward a better system.

#### **REPORT OF THE POLICY COMMITTEE**

Acting Committee Chair Higgins reported on the committee's February 22 meeting. A quorum was not present throughout the meeting so the committee took no formal action and referred the staff recommendations, shown below, to the board without committee approval. Higgins recommended that the following recommendations be considered individually.

Final Recommendations on high-subsidy routes:

That the Regional Transit Board:

1. Eliminate Metropolitan Transit Commission (MTC) Route 10 Sunday service.
2. Restructure MTC St. Paul Route 20 weekday service to eliminate the Route 20 north of Maplewood Mall and consolidate MTC Route 15 and 20 services provided to Lakewood Community College and St. Paul Northeast Metro Technical College.
3. Restructure MTC Route 31 weekday service to:
  - a. Retain peak, express service in New Brighton, Arden Hills, and Roseville;
  - b. Eliminate route duplication in Falcon Heights and St. Paul; and
  - c. Re-route Route 31 to utilize the Rosedale Transit Hub and park-and-ride lot; and add one afternoon peak trip on Route 31 to provide a comparable level of bus service during peak times.

Higgins moved and Caranicas seconded approval of the staff recommendation regarding Route 20. Rosvold used slides to explain the proposal for restructuring Route 20 weekday service. The motion was unanimously approved.

Rosvold reviewed the proposed restructuring of Route 31. Higgins moved and Feess seconded approval of the staff recommendation to restructure Route 31. The motion was unanimously approved.

Rosvold displayed a map of the current Route 10 route of Sunday service. The current subsidy is \$3.40 per person as opposed to the standard of \$3.25 per person. Riley asked if there is any reconfiguration that would bring the route under the standard. If the last two eastbound and westbound trips were combined, Riley asked, would the savings bring the route under the standard? Rosvold said it would be closer; the annual subsidy is \$24,000. Higgins said people who favored the route are church-goers. He asked if the members feel obliged to keep it running. Feess said she would strongly encourage the board to maintain the route in some fashion because these are transit-dependent people. Franklin said an additional driver has to be brought in for the last two trips. Could a part-time driver be used for the 6 p.m. trip, which would make that the only return trip? Rosvold said staff will check with MTC. He pointed out that many stores close at 6 p.m. on Sunday and there may be some store employees using the bus.

Riley said that he believes in biting the bullet, but this route is only 15 cents away from the guidelines. He moved and Campo seconded:

That the Regional Transit Board refer the question of Metropolitan Transit Commission Route 10 Sunday service to the Policy Committee with instructions to develop a variety of options to bring the route's subsidy below the guidelines. The route will be re-evaluated in six months.

The route will be retained if performance improves, which may provide incentive to riders to help market the route. The motion was unanimously approved.

The final recommendations approved by the board are shown below.

That the Regional Transit Board:

1. That the Regional Transit Board refer the question of Metropolitan Transit Commission Route 10 Sunday service to the Policy Committee with instructions to develop a variety of options to bring the route's subsidy below the guidelines. The route will be re-evaluated in six months.
2. Restructure MTC St. Paul Route 20 weekday service to eliminate the Route 20 north of Maplewood Mall and consolidate MTC Route 15 and 20 services provided to Lakewood Community College and St. Paul Northeast Metro Technical College.
3. Restructure MTC Route 31 weekday service to:
  - a. Retain peak, express service in New Brighton, Arden Hills, and Roseville;
  - b. Eliminate route duplication in Falcon Heights and St. Paul; and
  - c. Re-route Route 31 to utilize the Rosedale Transit Hub and park-and-ride lot; and add one afternoon peak trip on Route 31 to provide a comparable level of bus service during peak times.

#### OTHER BUSINESS

#### Resolutions of Appreciation for Michael J. Ehrlichmann, Tom Workman and Don Scheel, Res. Nos. 93-01, 02 and 03

Sather moved and Higgins seconded approval of the above resolutions. The motions were unanimously approved.

#### Authorization to Contract with Additional Metro Mobility Providers

The chair said staff is seeking board authorization to contract with additional paratransit providers. Andrews added that staff met with Special Transportation Services (STS) and other taxi companies that have expressed interest in providing service. Staff is asking for authorization to allow contract with other companies for delivery of paratransit services.

Franklin moved and Caranicas seconded:

That the Regional Transit Board authorize the executive director to negotiate and enter into contracts with paratransit providers with new Metro Mobility providers for service to be rendered through October 1, 1993. Upon 30 days' notice to the contractor, RTB may extend the term for up to an additional 90 days.

The motion was unanimously approved.

**Travel Behavior Inventory Overview**

Steve Alderson of the Metropolitan Council distributed fact sheets on the council's 1990 Travel Behavior Inventory and discussed the major conclusions of the study.

The chair said this kind of data is absolutely critical to good planning. The inventory was last done in 1970, which provides a basis for comparison. There are eight fact sheets in all, which are backed up by technical reports. More detailed information is available upon request.

Overall, the transportation system kept up with demand and the transit system exceeded it. Riley noted the average length of time per trip has been cited as an example of why people do not use transit. Alderson said if some amenities are added you can compensate for the difference. The concept of freedom should be stressed in transit marketing.

Higgins suggested that Alderson be invited to make another presentation to the board. The chair agreed. This kind of information sheds light on why people don't ride as well as why they do.

**PUBLIC COMMENT**

Lisa Lee noted that her testimony at the recent route hearing should be clarified. Before you can attract new customers you must retain the customers you already have. People at the Route 31 hearing expressed satisfaction with the service. She discussed the problems with transfers. Restructuring should be delayed until after First Bank moves 1,200 employees to Energy Park. She did not say money should not be spent on employees. MTC plans to hire 27 new employees to service the new fareboxes. She meant that on-the-road service should be the highest priority. Further, the feeder bus funds for light rail will come out of the regular budget, but it should come from LRT budgets of the counties or RTB. She emphasized in November 1992 that MTC's future is focused on the customer. It is important to consider door-to-door travel time, not just time spent actually on the bus. She now has to walk two blocks farther to catch the bus. That time does not show on a bus schedule but it is a factor for the customer. The chair thanked her for her interest and comments.

There being no other business, Caranicas moved and Sather seconded that the meeting be adjourned. The motion was unanimously approved and the meeting was adjourned at 5:25 p.m.

I hereby certify that the foregoing constitutes a true and accurate record of the Regional Transit Board's meeting of March 1, 1993.

Respectfully submitted,

Mary Fitzgerald  
Secretary

Approved by the Regional Transit Board on this fifteenth day of March 1993.

## REGIONAL TRANSIT BOARD

Mears Park Centre  
230 East Fifth Street, St. Paul, Minnesota 55101

DATE: March 1, 1993  
TO: Administration and Finance Committee  
FROM: Robert Dietrick, Personnel Administrator *Rob D*  
SUBJECT: Regional Transit Board 1993 Personnel Code

### ACTION REQUESTED

That the Administration and Finance Committee recommend for Board approval the revision and update of the Regional Transit Board 1993 Personnel Code.

### BACKGROUND

The personnel administration of the Regional Transit Board is governed by Minnesota Statutes 473.141, subd. 9. This legislation spells out what items should be in the personnel code and it also mandates that each metropolitan agency adopt a personnel code which is in general conformance with the personnel code of the Metropolitan Council.

The current Regional Transit Board personnel code was adopted in 1986 and was based on the personnel code of the Metropolitan Council. The Regional Transit Board's personnel code has not been revised since 1986, and several legislative changes have impacted the code since that time. In addition, the Metropolitan Council personnel code, which the Regional Transit Board must be in general conformance with, has been revised several times since 1986.

The revised personnel code which is being presented for approval incorporates new legislative mandates and agency administrative changes made since 1986 and it is in conformance with the existing Metropolitan Council personnel code.

New legislative mandates included in the code are:

- Parental leave for birth or adoption of child. ✓
- Parental leave for school conferences. ✓
- Sick leave to care for employee's sick child. ✓
- Incorporation of veteran's preference in hiring process.

Some of the administrative changes made to the Code include:

- New method for sick leave accrual.
- Compressed-time schedule. ✓
- Clarified policy on funeral leave

Administration and Finance Committee  
1993 Personnel Code  
Page 2

- Expanded section on disciplinary action and grievance procedures.
- Strengthened requirements for the probationary period.

The agency solicited staff comments on this code and several of the staff suggestions were incorporated into the final document.

**RECOMMENDATION**

That the Regional Transit Board adopt the updated and revised 1993 Personnel Code.

**REGIONAL TRANSIT BOARD**

**PERSONNEL CODE**

1993

Regional Transit Board  
Personnel Code

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REGIONAL TRANSIT BOARD  
PERSONNEL CODE

**SECTION I: AUTHORITY, PURPOSE, SCOPE, ADOPTION AND AMENDMENT**

**1.1 Authority.** This personnel code is adopted pursuant to Minnesota Statutes, Section 473.141, Subdivision 9, and 473.373, and the bylaws of the Regional Transit Board.

**1.2 Purpose.** This Personnel Code is adopted to establish personnel rules for employees of the Regional Transit Board. It is the purpose of this Personnel Code to establish a uniform and effective system of personnel administration within the framework of an approved organizational structure and budgetary requirements and in accord with requirements established by applicable law, regulation and ordinance, and the bylaws adopted by the Regional Transit Board.

**1.3 Scope.** In accordance with applicable legal requirements and consistent with the provisions of this Code, the responsibility and authority for all matters of inherent managerial policy not explicitly discussed herein is vested exclusively in the Board, the Chair and Executive Director, including, but not limited to, such matters as the function, program, and budget of the Board, utilization of technology, organizational structure, the selection and direction and number of personnel, and schedules of work.

**1.4 Adoption and Amendment.** This Code and amendments hereto shall be effective only upon approval of the Board. The consideration of an amendment to this Code may be initiated by the Chair, Executive Director or the Board. The Board may approve, reject or modify any amendments presented to it for consideration.

**1.5 Administration.** The Executive Director is responsible for administering the Personnel Code in accordance with approved Board policy. The Executive Director shall interpret the provisions contained herein and issue administrative memoranda interpreting or establishing procedures for the implementation of the rules contained in this Code provided that such procedures are necessary and consistent with the provisions of this Code. The Executive Director shall be responsible for the appointment and supervision of Board employees in accordance with the provisions of this Code and applicable law.

## SECTION II. DEFINITIONS

The following words and phrases whenever used in this Code shall have the meaning indicated below:

**Administrative Procedures** - Written process approved by the Executive Director and designed to provide the method for implementing a policy or management decision.

**Affirmative Action** - Positive actions taken by the Regional Transit Board to remedy the present effects of historical discrimination against women, minorities and persons with disabilities.

**Class** - A designation established in the Compensation Plan identifying one or more classified positions sufficiently similar with respect to duties and responsibilities. Each position allocated to the class will have the same general qualifications needed for performance of the duties of the class, with the same general entry requirements used to recruit and select employees. The same salary range shall be applied with equity to all positions in the class under the same or substantially the same employment conditions.

**Classified Service** - The employment category to which all regular full-time, probationary and temporary employees of the Board belong except those who are designated by the Board as being in the Unclassified Service.

**Complement** - The total number of regular, non-temporary positions authorized by the Board.

**Compressed Time** - A work schedule in which exempt employees may work eight nine-hour days and one eight-hour day in each pay period on a fixed hourly schedule with one day off in each pay period, subject to supervisory approval. Non-exempt employees may work four nine-hour days and one four hour day each week on a fixed hourly schedule, subject to supervisory approval.

**Days** - Unless otherwise indicated, refers to working days.

**Demotion** - The change of an employee's position in one class to a position in another class with lesser responsibility and a lower salary range.

**Employee** - Any person employed by the Board but not including persons performing volunteer services at the Board, consultants, independent contractors and persons employed by another agency while performing services for the Board pursuant to contract or other arrangements.

**Exempt** - Employees that are in positions that are not covered by the provisions of the Fair Labor Standards Act.

**Full-Time Employee** - A regular, probationary or temporary employee whose employee appointment is for a regular workweek of 40 hours, or if the employee is on compressed time, for a bi-weekly workweek of 80 hours.

**Grievance** - A grievance shall be defined as a dispute or disagreement raised by an employee involving the interpretation or application of specific provisions of the Personnel Code, excluding management decisions concerning performance evaluations and corresponding salary increases.

**Intern** - A person who does work at the Board for a specific, limited duration either in connection with attendance at an academic institution or immediately following graduation from an academic institution.

**Layoff** - Separation from Board employment of classified employees due to circumstances beyond an employee's control, which are not related to disciplinary action.

**Nonexempt** - Employees that are in positions that are covered by provisions of the Fair Labor Standards Act.

**Part-Time Employee** - A regular, probationary or temporary employee whose employee appointment is for less than a regular workweek of 40 hours.

**Payroll Period** - The two regular work weeks identified on employee timesheets and on which biweekly wage payments are based.

**Probationary Period** - An initial training period for an employee in a new position that serves as a working test period during which the employee is required to demonstrate fitness for the job by actual performance of the duties of the position.

**Promotion** - The change of an employee's position in one class to a position in another class with more responsibility and a higher salary range.

**Reclassification** - The reassignment of a position by reallocating an existing class from one salary range to another or by reallocating an existing position from one class to a new or existing class in the same or different salary range.

**Regular Position** - A full or part-time position that is part of the overall approved complement.

**Regular Workday and Workweek** - Eight (8) hours of service constitutes a regular workday and forty (40) hours of service constitute a regular workweek. For employees on the compressed time schedule, a regular work day is 9 hours and the regular workweek is an 80 hour bi-weekly pay period.

**Relative** - A spouse, parent, son, daughter, brother, sister, son- or daughter-in-law, brother- or sister-in-law, grandparent, grandchild, father- or mother in law, aunt, uncle, niece, nephew, first cousin, stepparent or stepchild.

**Service Credit** - The aggregate amount of paid employment in a regular position, including periods of leave without pay when followed by a return to work, periods of employment through interagency exchange; or periods of consecutive regular employment immediately preceding employment with the Board with any political subdivision within the state of Minnesota.

**Salary Range** - A range of pay established in the Compensation Plan to which one or more classes may be assigned for purposes of salary administration.

**Temporary Employee** - An employee, other than an intern, hired in a position for an explicit limited period of time.

**Transfer** - The movement of an employee from one position to another position that is within the same class and salary range.

**Unclassified Service** - The Chair, Executive Director, and any other employees so designated as being within such service by the Board.

**Veteran** - Any person who has been separated under honorable conditions from any branch of the armed forces of the United States after having served on actual duty for 181 consecutive days or by reason of disability incurred while serving on actual duty, and who is a citizen of the United States or resident alien.

### **SECTION III: EQUAL EMPLOYMENT OPPORTUNITY, AFFIRMATIVE ACTION, HARASSMENT**

**3.1 Equal Employment Opportunity.** It is the policy of the Regional Transit Board to provide equal opportunity in all areas of employment including recruitment, hiring, compensation, benefits, promotion, disciplinary action, demotion, transfer, layoff, termination and training. The Regional Transit Board shall not discriminate against any employee or job applicant on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, age, political affiliation, or sexual orientation.

**3.2 Affirmative Action.** The Regional Transit Board has adopted an affirmative action plan that is in compliance with Minnesota State law and will undertake a progressive program of affirmative and positive action to remedy the present effects of historical discrimination against women, minorities and persons with disabilities. The affirmative action plan will work to ensure that equal employment opportunities are provided to all people on the basis of individual qualifications. The affirmative action plan will identify and eliminate barriers to equal employment opportunity that are not based on specific job requirements in order to employ a representative workforce - one in which women, minorities and persons with disabilities are represented in numbers which are equal to or exceed their availability in the labor market.

**3.3 Harassment.** It is the policy of the Regional Transit Board to provide for its employees a work atmosphere free of sexual, racial and disability harassment, intimidation or coercion by other employees and by non-employees. Employees are prohibited from engaging in the harassment of other employees and non employees in the course of carrying out their job duties. The complete harassment policy of the Regional Transit Board is contained in the Equal Employment Opportunity/Affirmative Action Plan adopted by the Board.

## **SECTION IV: CLASSIFICATION, COMPENSATION**

**4.1 Classification.** The Regional Transit Board shall adopt a classification system governing all job classes in the classified and unclassified system. The Executive Director shall approve the allocation of classes to salary ranges, creation of new classes, and reclassification.

Classes shall be established in such a manner that positions substantially similar with respect to the type, difficulty and responsibility of work and required qualifications are included in the same class, and that the same salary range shall be applied to all positions in a class. Each job classification shall include a written job description that includes the job title, a description of the duties and responsibilities of the position, and a statement of the qualifications necessary for entry to the job class. Job descriptions shall not be construed as limiting the authority of the Board to assign, direct and control the work of the employees.

**4.2 Compensation.** The Board shall adopt a Compensation Plan establishing rates of pay for Board employees. Such a plan shall establish a salary range for each class and may include such performance increases, general increases or other types of compensation adjustments which the Board deems necessary or equitable.

In establishing the Compensation Plan, consideration shall be given to the following objectives:

- To establish and maintain salary structures which will enable the Board to attract and retain qualified and competent personnel essential to function effectively and achieve its stated objectives for quality and service.
- To encourage continual improvement in performance and the ongoing development of ability in each employee through a sound, well administered salary and performance review system.
- To follow the principal of equal pay for equal work and maintain salary relationships among positions within the organization which are internally consistent, and in compliance with applicable government requirements and regulations.
- To establish and maintain salary levels which compare favorably with salaries paid by employers in the various market areas from which the Board recruits.
- To provide flexibility within the salary program to meet changing economic and competitive conditions of the Board.
- To recognize the Board's financial resources and ability to pay.

The Compensation Plan shall be reviewed by the Board at least annually and the Plan and amendments shall take effect following final approval and on the date designated by the Board.

**SECTION V: INSURANCE, RETIREMENT, WORKERS COMPENSATION, UNEMPLOYMENT INSURANCE, DEFERRED COMPENSATION, FLEXIBLE SPENDING ACCOUNT.**

**5.1 Insurance.** The Regional Transit Board shall provide access for employees to a program of insurance benefits that includes health, dental, life and disability plans, of the types and in the amounts specifically authorized by the Board. Employees are eligible to participate in the insurance programs of the Board effective upon the first day of employment. Board and employee contributions to the plans shall be determined and approved by the Board on an annual basis. All full-time regular and probationary employees are eligible for insurance coverage's. Temporary employees and part-time employees, except interns, are also eligible for insurance coverage's if their appointment is for at least 6 months and for a normal work week of at least 20 hours. Part-time employees must have a work week of at least 30 hours in order to be eligible for disability insurance coverage.

**5.2 Retirement.** All regular full-time employees shall belong to and participate in the Minnesota State Retirement System (MSRS). This system is coordinated with Social Security and provides retirement annuities and disability benefits for employees and survivor benefits for dependents when an employee dies. The Board shall pay the employer's contribution on behalf of eligible employees for such retirement plan. Employees in the unclassified service may choose to be covered under the Unclassified Retirement Plan.

**5.3 Worker's Compensation.** Employees shall be eligible for worker's compensation insurance in accordance with M. S. 176.021.

**5.4 Unemployment Insurance.** Employees shall be eligible for unemployment insurance upon separation of employment in accordance with the requirements of state law.

**5.5 Deferred Compensation.** Employees are eligible, at their discretion, to participate in a deferred compensation plan approved by the Minnesota State Board of Investment.

**5.6 Flexible Spending Arrangement.** A flexible spending arrangement plan has been established which allows employees to use pre-tax dollars for certain medical, insurance and dependent-care expenses.

## SECTION VI: STAFFING

**6.1 The Complement.** The overall staff complement shall be established by the Board as part of the annual budget approval process. The appointment of all employees shall be in accordance with the approved complement and the rules adopted hereto; however, temporary, part-time and intern positions shall not be included in the complement.

**6.2 Recruitment.** Vacant regular positions in the classified service may be filled by internal transfer or through competitive recruitment and selection in accordance with this code.

The Chair may appoint a qualified person to a vacant position in the unclassified service with or without competitive recruitment and selection. Such appointment is subject to the approval of the Board.

The Executive Director shall establish uniform hiring procedures that shall be based upon equal opportunity, affirmative action and merit principals. The Personnel Administrator shall be responsible for supervising the hiring process in accordance with applicable policy and procedures.

The Executive Director may authorize the commencement of recruitment to fill a vacant position following the receipt of a request for the same and verification that the position is in the approved staff complement. A job description shall be drafted and approved and the position shall be assigned to a job class and salary range and minimum job-relevant qualifications shall be established before the commencement of recruitment.

Internal and external recruitment may be commenced and undertaken separately, exclusively or jointly. Internal recruitment shall, to the extent practicable, be given preference over external recruitment in order to ensure advancement opportunity. When external recruitment is used, every reasonable effort shall be made to publicize job openings so that all interested parties are informed.

The Executive Director must approve, in advance, any requests for payment of recruitment and/or relocation expenses for out of town applicants. This request must be made in writing by the hiring manager and the Personnel Administrator. No expenses will be paid without Executive Director approval.

The Executive Director may expedite, delay or suspend recruitment in unusual circumstances.

**6.3 Selection.** Specific, job-related criteria shall be established prior to recruitment for purposes of evaluating applicants for a vacant position. Such criteria shall be based on the specific activities, duties and responsibilities and required qualifications for the position; and shall be included in the notice of recruitment.

Procedures for evaluating and selecting candidates, both internal and external, shall be relevant to the criteria and may include oral and written examinations, performance tests, structured interviews, ratings of qualifying education, training and/or work or other experience, or any combination of the same. To the extent practicable, more than one person shall participate in the selection process. Procedures for evaluation and selection shall be applied uniformly to all candidates. The best qualified candidate shall be selected for appointment on the basis of the established criteria. Consideration shall also be given to the Board's affirmative action and internal advancement objectives.

In accordance with M. S. 197.455 and 43A.11, applicants for Board employment shall receive additional credit in the selection process for their veteran's status, provided that the veteran has been determined to meet the stated qualifications for the vacancy under consideration.

**6.4 Transfer.** The Executive Director may authorize a vacant position to be filled through the transfer of an employee from one position to another - with or without utilizing the competitive recruitment process - , provided the positions are in the same classification and salary range and the employee meets the qualifications of the position to which the transfer is to be made. A transferred employee shall not be required to serve a probationary period in the new position. An employee may request a voluntary transfer or the Executive Director may authorize the transfer of an employee to another position without the employee's consent under circumstances where the Executive Director determines that such action is necessary and in the best interest of the Board. Such transfer may not, however, be imposed as a disciplinary action. In the event of such a transfer, a notice of intent must be given to the employee at least five days prior to the effective date of the transfer.

**6.5 Temporary Employment.** The Executive Director may authorize the establishment of temporary positions and the appointment of temporary employees for a specified limited period of time when additional employees are needed due to leaves of absence, special projects of limited duration, or due to a temporary increase in the workload. A temporary appointment may not exceed one year in duration. Temporary positions shall not be included in the complement.

Normal recruitment and selection procedures, in accordance with sections 6.2 and 6.3 of this Code, must be used for all temporary positions of six months or longer duration. The Executive Director may waive the use of competitive recruitment for temporary positions of less than six months duration.

Employees in temporary positions may be considered internal candidates for vacant positions only as follows: if the temporary position becomes part of the approved staff complement, the employee currently holding the position may be considered an internal candidate or may be appointed to the position without further recruitment provided that the employee was initially hired through the regular recruitment process.

Temporary employees whose appointment is for six months or longer shall be eligible for the same insurance coverage's as regular full-time employees. Temporary employees may be terminated at any time during the duration of the temporary position without cause. There shall be no right to appeal such action.

A regular full-time employee assigned to a temporary position shall suffer no loss of benefits or service credit for the duration of the temporary assignment. At the conclusion of the temporary assignment, a regular employee shall be returned to the same position previously held.

**6.6 Interns.** The Executive Director may authorize the hiring of interns to assist in carrying out Board work program objectives. Intern appointments must be for a specific, limited period of time and interns must be advised of the duration of their employment status prior to their appointment. Eligible individuals for the Internship program must be students currently enrolled in an academic program at an accredited educational institution or a student who has just completed his/her course of study. Interns are not eligible to participate in the Board's employee benefit program. Any salaries paid to interns must be approved by the Executive Director and must be within approved budgetary provisions.

**6.7 Probationary Period.** All new and promoted Board employees appointed to regular full or part-time positions in the classified service shall be required to satisfactorily complete a probationary period. The purpose of the probationary period shall be to enable the supervisor to observe the employee's ability to perform the various duties, activities and responsibilities pertaining to the position, and to help the new employee adjust to the position.

The probationary period shall be for six (6) months and shall begin on the first day of work; any paid or unpaid periods of absence which exceed one (1) week shall not be counted as part of the total probationary period. The Executive Director may authorize an extension of the probationary period of up to three additional months upon the written recommendation of the employee's supervisor.

Prior to the end of the probationary period, the supervisor shall conduct a written evaluation of the employee's work to determine the employee's continued status.

No later than the conclusion of the probationary period, a probationary employee may be terminated without cause and there shall be no right to appeal that action to the Board. An employee shall accumulate vacation and sick leave during his/her probationary period and may be allowed to use the same during the probationary period subject to requirements established by this Code.

## SECTION VII: TIME OFF

Any absence from work that is not authorized by provisions of this Code shall be deemed to be absence without leave, shall be without pay and may be grounds for disciplinary action.

**7.1 Holidays.** The following days shall be holidays for all employees of the Board:

New Years Day	January 1
Martin Luther King Day	Third Monday in January
President's Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Thanksgiving Friday	Friday after Thanksgiving
Christmas Day	December 25

When New Year's Day, Independence Day, Veteran's Day or Christmas Day falls on a Saturday, the preceding Friday shall be the holiday for all employees. When any one of these four holidays falls on a Sunday, the following Monday shall be the holiday for all employees.

In addition to the above holidays, one personal holiday shall be granted to each eligible employee annually to be scheduled with the employee's supervisor in accordance with procedures for vacation leave. Employees hired during the year shall have their personal holiday pro-rated at 2 hours per quarter or portion thereof. The personal holiday must be used during the year and may not be carried over to a new calendar year. In addition, no employee shall be reimbursed for unused personal holiday leave outstanding at the time of termination or separation from Board employment.

**7.2 Religious Holidays.** Employees shall be entitled to observe a religious holiday not specified in section 7.1 that falls on the employee's regularly scheduled workday. Time off to observe the religious holiday may be taken as leave without pay or accumulated vacation.

**7.3 Vacation.** Regular and probationary full-time employees shall accrue vacation leave commencing on the first day of employment and continuing until the termination of employment. A full-time temporary employee whose appointment is for six (6) months or greater shall earn vacation leave in the same manner as regular full-time employees. Part-time employees whose appointment is for at least twenty (20) hours per week, except interns, shall earn vacation leave on a pro-rated basis.

Vacation leave shall not accrue during periods of layoff, suspension, leave without pay, or during periods of vacation taken immediately prior to a voluntary resignation.

The rate of accumulation of vacation leave shall be based on the employee's amount of service credit as defined in this Personnel Code. Changes in the rate of accumulation shall become effective at the beginning of the next payroll period following completion of the specified period of employment.

## Vacation Accrual Schedule for Full-Time Employees

<u>Service Requirements</u>	<u>Accumulation Rate</u>
During the first three years of service	Four hours per full payroll period
After three years and up to six years of service	Five hours per full payroll period
After six years and up to eight years of service	Six hours per full payroll period
After eight years and up to twenty years of service	Seven hours per full payroll period
After twenty years of service	Eight hours per full payroll period

The employee's supervisor shall approve employee requests to use accumulated vacation leave and the employee must receive prior approval from the appropriate supervisor before using vacation leave. Supervisors may deny requests for use of accumulated vacation leave if the employee's absence at the requested time would be detrimental to the work of the department.

Employees may not have an accumulation of more than 240 hours of unused vacation leave at the end of the calendar year. Any hours in excess of this maximum as of the end of the calendar year shall be forfeited.

When an employee is separated from Board employment by layoff, resignation, termination or death, the employee or the employee's heirs shall be paid for any unused accumulated vacation leave at the rate of pay the employee was receiving on the date of separation.

**7.4 Sick Leave.** Regular and probationary full-time employees and full-time temporary employees whose appointment is for six (6) months or more, shall earn sick leave at 3.7 hours per pay period. Part-time employees whose appointment is for twenty (20) or more hours per week, except interns, shall earn sick leave on a pro-rated basis. An eligible employee may use sick leave upon the approval of the employee's supervisor. The supervisor may require that the employee furnish a statement from a medical practitioner as deemed necessary before approving the sick leave.

Employees may use sick leave for any of the following reasons:

(1) Inability to perform the duties of the position by reason of illness or injury. Pregnancy is treated the same as any other disability; an employee may use accumulated sick leave for the period she is certified by the attending physician to be medically unable to work.

(2) Necessity for medical or dental care which cannot satisfactorily be made outside of office hours.

(3) Exposure to contagious disease if the health of other employees or members of the public would be endangered by attendance on duty.

*Unlimited Paid Leave?*

*[may also be used]*

*W or  
W/o pay ? →*

(4) Sick leave ~~shall also be granted~~ for absence necessitated by illness of the employee's spouse, minor or dependent children, or parent living in the household of the employee for such periods as the employee's presence is necessary.

(5) Birth or adoption of an employee's child, not to exceed five days.

(6) To attend the funeral of a relative of the employee or the stepchild, parents or grandparents of the employee's spouse, for a reasonable period, including necessary travel time.

*approved by the employees  
supervisor*

Sick leave accumulation shall be unlimited; however, no employee shall be reimbursed for accumulated sick leave outstanding at the time of termination or separation from Board employment.

**7.5 Interagency Transfer of Accumulated Leave.** An employee of the metropolitan agencies, the State of Minnesota or any political subdivision in the State of Minnesota, transferring directly to an employment position with the Board, shall have his/her vacation accrual rate based on the service credit procedures of the Board. Any sick leave balance not paid to the employee as of the date of separation shall automatically be transferred as an obligation of the Board.

**7.6 Leave of Absence with Pay.** Full-time regular and probationary employees may be granted a leave of absence with pay in connection with the categories listed in this section. All such leaves must be requested by the employee, in writing, and approved by the Executive Director in advance of the leave in accordance with established administrative procedures. Accrual of leave time and service credit shall continue during a period of leave with pay.

a.) **Military Reserve Training.** In accordance with M. S. 192.26, an employee who is a member of a reserve component of the U. S. military forces shall be granted a leave of absence with pay not to exceed fifteen (15) working days in one calendar year when ordered to active duty or for purposes of participation in a reserve training program. The employee shall receive regular compensation for the period of the leave in addition to any military compensation received.

b.) **Jury Duty.** An employee called for jury duty shall receive regular compensation for the period of time required to actually serve. Any fees received by the employee, excluding paid expenses, shall be returned to the Board.

c.) **Court Appearance.** An employee whose appearance before a court or other judicial or quasi-judicial body is required in connection with Board employment or former public employment shall receive regular compensation for such appearance including necessary travel time. Any fees received by the employee, excluding paid expenses, shall be returned to the Board.

d.) **Election Leave.** An employee who is eligible to vote in any statewide general election or any election to fill a vacancy in the office of a representative in Congress shall receive leave time with pay for the purpose of voting during the forenoon of the election day in accordance with M. S. 204C.04. The employee must notify the appropriate supervisor in advance of taking such leave.

e.) Other Paid Leaves. Leaves of absence with pay other than those specified in this section may be authorized in special circumstances by the Executive Director. Participation in approved educational activities, including job-related seminars and conferences, shall be considered leave with pay provided such leave is approved by the appropriate supervisor.

**7.7 Leave of Absence Without Pay.** Employees are eligible to request a leave of absence without pay as specified in each category listed in this section. The Executive Director must authorize such leaves. Upon return from a leave of absence without pay, an employee may be reinstated to the same position held prior to the leave, if vacant, or an equivalent position with comparable duties and pay provided the employee is qualified. Accrual of vacation and sick time does not continue during an unpaid leave; accrual of service credit continues unless the leave is not followed by a return to work.

a.) Parental Leave of Absence. A leave of absence without pay of up to six (6) weeks shall be granted to a biological or adoptive parent (male or female) who requests such a leave in connection with the birth or adoption of a child. Eligible employees are those employed by the RTB for 20 or more hours a week for at least 12 months preceding the request for parental leave. Female employees who have a child through childbirth will, if requested, be granted parental leave at the end of their disability period. The leave may begin no more than six weeks after the birth or adoption; except that, in the case where the child shall remain in the hospital longer than the mother, the leave may begin no more than six weeks after the child leaves the hospital. An employee returning from a parental leave of absence shall be reinstated to the same position held prior to taking the leave. Requests for adoption leave shall be submitted six (6) weeks in advance, if possible. Requests for parental leave of absence shall be submitted six (6) weeks in advance of the anticipated due date, if possible.

*why 6 wks?  
shouldn't it be  
immediate?*

b.) School Conference and Classroom Activities Leave. In accordance with M. S. 181.740-744, employees may be granted up to sixteen (16) hours off without pay during a school year to attend school conferences for classroom activities related to the employee's child, provided that such conferences and activities cannot be scheduled during non-work hours. Such conferences and activities do not include extracurricular activities such as athletic, musical or dramatic events. The employee must provide reasonable prior notice of the leave so as not to disrupt unduly the operations of the Board. The employee may, at his/her option, use accumulated vacation leave or any other appropriate paid leave for the school conference provision.

c.) Military Leave - Active Duty. In accordance with M. S. 192.261, Subd. 1, an employee shall be granted a leave of absence without pay for service in the U. S. military forces with reinstatement at the expiration of such leave. Such leave shall be authorized only in cases where the employee has been officially called to active duty in the military service, and shall be authorized only as long as the employee is in the service as required by the government.

d.) Disability. An employee who has exhausted all accumulated sick leave benefits may be granted a leave of absence without pay upon submission of medical evidence of the disability. In the case of an employee who is granted long-term disability benefits under the Board's long term disability policy and who is eligible for disability retirement benefits under MSRS, an indefinite leave of absence without pay shall be granted until such time as the employee reaches retirement age. Service credit will not accrue during the period of such leave. All unused vacation leave will be paid to the employee in accordance with policies governing separation. In the event that the disability is anticipated to be less than one year, an employee may request up to a one year leave of absence.

e.) Leave for Public Office. Employees in classified positions may request and shall be granted leave of absence without pay for purposes of candidacy or holding of public office or to attend meetings related to the holding of public office. Employees in unclassified positions shall not be eligible for leaves of absence in connection with public office.

f.) Political Process Leave. In accordance with M.S. 202A.135 and 202A.19, leave shall be granted to any employee for the purpose of attending a political caucus/convention. Such leave must be requested, in writing, by the employee at least ten (10) days prior to the start of the leave.

g.) Other Leaves of Absence Without Pay. An employee may be granted a leave of absence without pay by the Executive Director provided that such leave shall not be to the detriment of the employee's work program or department, and provided that the granting of such leave can be shown to be in the best interests of the Board. A request for leave in excess of six (6) months shall require Board approval upon recommendation from the Executive Director.

Feb. 16, p. 3.  
2 wks from  
today next  
meeting w/  
Dottie.

## SECTION VIII: HOURS OF WORK

**8.1 Hours.** Eight (8) hours of work shall constitute the normal workday, forty (40) hours the normal workweek (with the exception of approved exempt employees on the compressed time schedule) and eighty (80) hours a normal payroll period. The normal workweek shall be Saturday through Friday. All nonexempt employees shall be paid at an hourly rate for actual hours worked.

Official Regional Transit Board office hours are 8:15 - 5:00, with a 45 minute unpaid lunch period and two 15 minute paid breaks. No employee may work a schedule that deviates from the official office hours of the agency unless the alternate work schedule has been approved in advance by the employee's supervisor. In no instance may an employee have a work schedule which does not include the lunch period. Employees working an approved compressed time schedule must have a work day consisting of 9 paid hours plus the 45 minute unpaid lunch period.

**8.2 Compressed Time Work Schedule.** All exempt regular, probationary and temporary full-time employees have the option of working an alternative work schedule, whereby they work eight 9 hour days and one 8 hour day each pay period on a fixed hourly schedule with one day off in each pay period. This alternative work schedule is only available with prior supervisory approval and is voluntary on the part of the employee.

All non-exempt regular, probationary and temporary full-time employees have the option of working an alternative work schedule, whereby they work four 9 hour days and one 4 hour day per week. This alternative work schedule is only available with prior supervisory approval and is voluntary on the part of the employee. At no time can a non-exempt employee work an alternative work schedule of over 40 hours per week.

**8.3 Overtime/Compensatory Time.** Overtime and compensatory time shall be governed by applicable provisions of the Federal Fair Labor Standards Act and state law.

a.) Non-Exempt Employees. Employees, except for exempt executive, professional and administrative employees as defined in the Fair Labor Standards Act, shall be compensated for all overtime worked on the basis of 1-1/2 times their regular rate of pay for all hours worked over forty (40) in a week. Overtime must be approved in advance by the employee's supervisor.

b.) Exempt Employees. Executive, professional and administrative employees as defined in the Fair Labor Standards Act are exempt from the overtime requirements of the Fair Labor Standards Act. Exempt employees, except managers, shall receive compensatory time on an hour for hour basis for any hours worked in excess of eighty (80) in a bi-weekly pay period, per the approval and direction of the appropriate supervisor. Compensatory time must be credited and taken at a minimum of half hour units and may be accumulated up to a maximum of forty (40) hours. Compensatory time off should be used, to the extent practicable, within the immediate ensuing pay period with prior approval of the employee's supervisor.

The Executive Director shall determine positions which are to be classified as exempt and non-exempt and shall notify all employees by administrative memorandum of their status with regards to the Fair Labor Standards Act.

## **SECTION IX: EMPLOYEE DEVELOPMENT**

The Executive Director shall establish such training and education programs as deemed necessary and appropriate for the effective development and utilization of employees.

**9.1 Tuition Reimbursement.** A tuition reimbursement program shall be established for Board employees. This program provides support for individual employee educational efforts related to the employee's present position or for normal progression within the job, or to developmental activities identified in the employee's performance plan. Eligible activities include coursework and independent study through an academic institution. Only courses which meet outside of normal work hours are eligible under this program. Prior approval from the employee's supervisor and Executive Director is required. Reimbursement forms and rules governing eligibility for the program are available through the Personnel Administrator. The Executive Director shall annually establish and recommend for Board approval the amount of financial compensation that each employee is eligible for per calendar year for this program.

**9.2 Wellness Program.** A wellness program will be developed for Board employees in order to provide support for individual efforts in the area of employee health and wellness. The goals of the program are employee well being and productivity and health care cost containment. Rules governing eligibility and reimbursement are available from the Personnel Administrator. The Executive Director shall annually establish and recommend for Board approval the amount of financial compensation that each employee is eligible for per calendar year for this program.

**9.3 Professional Dues.** The Executive Director may authorize the payment of agency membership dues to professional organizations directly related to the work of the Board provided that such organizations do not directly influence Board policies, exist primarily for social reasons, have as their primary purpose the advancement of individual employee interests or restrict membership in violation of the Board's equal opportunity policy.

The Executive Director may authorize the payment of membership dues on behalf of an individual employee only if agency membership is not available and membership is necessary in order to receive necessary publications from the organization.

**9.4 Intergovernmental Exchange.** An employee of the Board may be temporarily assigned to work for another government agency and an employee of another government agency may be accepted for temporary assignment with the Board if such arrangement would benefit the Board. The status of such temporarily assigned employees shall be governed by agreements between the agency and Board concerning the payment and rate of salary, continuation of benefits, and accrual of vacation and sick leave. The Board shall consider for approval any assignment exceeding six (6) months and in no event shall such assignment exceed two (2) years.

## **SECTION X: PERFORMANCE APPRAISAL**

The Executive Director shall establish and implement an employee performance appraisal system governing all employees. This system shall include the establishment of goals and objectives for each position, the delegation of specific review responsibilities to supervisory employees, the development of specific written appraisals and appropriate participatory meetings between supervisors and employees. Performance appraisals for regular full-time employees shall be completed at least annually, in writing, and state the level and adequacy of performance by the employee in all areas of his/her activity and responsibility. At the time of the appraisal, the supervisor shall meet with the employee, show him/her a copy of the written evaluation and present an explanation. Employees shall be requested to sign the evaluation to acknowledge having seen it and may place written comments concerning the appraisal in their personnel file. The absence of such acknowledgment shall not render the appraisal ineffective. The content of performance appraisals shall not be subject to grievance.

Probationary employees shall be appraised of their progress during the probationary period and a performance appraisal shall be completed prior to the completion of the probationary period.

Performance appraisals shall be used, as appropriate, in making decisions concerning permanent status, promotion, training, pay increases and decreases, layoff, dismissal and other personnel actions.

## **SECTION XI: RULES OF CONDUCT**

**11.1 Ethics and Conduct.** No employee shall accept any gift, favor or service that might reasonably tend to improperly influence his/her employment duties, nor use or attempt to use his/her position to secure special privileges or exemptions for himself/herself or others including, but not limited to, those in connection with Board employment, proposed appointment or promotion.

No employee, officer, board member or agent of the board may participate in the selection, award, or administration of a contract supported by Federal funds if a conflict of interest, real or apparent, shall be involved. Such a conflict would arise when any of the parties set forth below has a financial or other interest in the firm selected for award:

- 1.) The employee, officer, board member, or agent;
- 2.) Any member of his/her immediate family;
- 3.) His or her partner;
- 4.) An organization that employs, or is about to employ, any of the above.

No employee, officer, board member or agent of the board may solicit or accept gratuities, favors or anything of monetary value from present or potential contractors or sub-recipients.

No employee or applicant for employment may intentionally provide information he or she knows to be false to the Board, its employees or agents or members of the public. Falsification of information in connection with an application for employment shall be grounds for dismissal.

### **Use of Confidential Information:**

An employee of the Board shall not use confidential information to further the employee's private interest, and shall not accept outside employment or involvement in a business or activity that will require the employee to disclose or use confidential information.

For purposes of this policy, confidential information shall be defined as any information obtained under government authority that has not become part of the body of public information and that, if released prematurely or in nonsummary form, may provide unfair economic advantage or adversely affect the competitive position of an individual or business.

**11.2 Nepotism.** Relatives of Board employees may not be employed or otherwise be engaged to perform services where one relative will or may exercise direct supervision or may otherwise directly influence the recruitment, employment, salary, fee or performance appraisal of another relative. Relatives of Board members may not be employed or otherwise engaged to perform services for the Board.

## SECTION XII: DISCIPLINE AND GRIEVANCE

**12.1 Disciplinary Action.** Supervisors may impose disciplinary action on employees for just cause only. For purposes of this section just cause includes, but is not limited to, consistent failure to perform assigned duties, substandard performance, incompetence, insubordination, misconduct, violation of written policies and procedures, theft or misuse of Board property and negligence. Prior to taking disciplinary action, a supervisor shall make a reasonable effort to discuss any performance problem that may lead to disciplinary action and to assist the employee in eliminating problems.

Disciplinary action shall normally take the form of oral warning, written reprimand, suspension, demotion or dismissal. However, depending on such considerations as the timeliness, severity, nature and other circumstances of an employee's activity, the disciplinary procedure may commence with any of the listed actions.

An oral reprimand shall be so identified and should be administered in private. A written reprimand should be clearly identified as such, and should specify reasons for the action. Changes expected and necessary to correct the deficiency should be clearly identified.

Suspension, demotion or discharge of an employee serving an initial probationary period shall not be subject to grievance.

Upon recommendation from the appropriate manager, the Executive Director may authorize the suspension, demotion or dismissal of a regular, classified employee for just cause by the following actions:

a.) Suspension. The Executive Director, upon recommendation from the employee's manager, may suspend an employee without pay for disciplinary reasons. The employee shall be furnished with a written statement setting forth the reasons for the suspension.

b.) Demotion. The Executive Director, upon recommendation from the employee's manager, may demote an employee only for just cause. The employee shall be furnished with a written statement setting forth the reasons for the demotion.

c.) Discharge. Employees who do not have regular status may be dismissed at any time without right of appeal, unless they are qualified veterans of military service.

Employees in the unclassified service may be dismissed by the Chair for any reason and without cause or right to appeal the decision to the Board or as a grievance under this Code.

No regular employee in the classified service shall be dismissed except for just cause. In the event of dismissal, the employee shall be furnished with a written statement setting forth the reasons for such action. All dismissals shall be authorized by the Executive Director.

Employees who are eligible veterans of military service shall be dismissed in accordance with M. S. 197.46.

**12.2 Grievances.** Employees shall have the right to present grievances individually or as a group through use of the appropriate procedure. In so doing, employees shall be assured freedom from restraint, interference, discrimination and reprisal.

An employee who has a complaint that concerns a Board member, but which does not fall within the definition of a grievance, may bring such complaint to the attention of the Executive Director who shall take appropriate action.

**Grievance Procedure:** Grievances shall be presented, in writing, by the employee and shall state the nature of the dispute; the facts upon which it is based; the alleged violation of any policy or provision of the personnel code; and the remedy requested.

**Step 1:** Within 21 calendar days after the event giving rise to the dispute, the employee shall present the grievance to his/her immediate supervisor, in writing. The supervisor shall meet with the employee within 10 calendar days following receipt of the grievance and shall respond, in writing, within 10 calendar days. If the dispute has not been resolved satisfactorily, the employee may appeal, in writing, within 10 calendar days after the receipt of the supervisor's response to Step 1. Such written record shall become part of the file on the grievance.

In the event that the employee feels that the nature of the grievance precludes presentation to the immediate supervisor the grievance may commence with Step 2 provided that an explanation for non-submission to the supervisor be included in the written grievance.

**Step 2:** If the grievance is not resolved in Step 1, the employee may, within 10 calendar days following receipt of the supervisor's answer to the appeal, present the grievance in writing to the Department Director. The Department Director shall respond to the employee within 10 work days following receipt of the grievance.

**Step 3:** If the grievance is not resolved in Step 2, the employee may, within 10 calendar days after receiving the Department Director's answer, present the grievance to the Executive Director setting forth the nature of the grievance, relevant facts and opinions, and the action requested. The Executive Director shall review all information presented and shall make a determination within 10 calendar days following receipt of the appeal. The employee and supervisors involved shall be notified, in writing, of the Executive Director's decision. The decision of the Executive Director shall be final except for those disputes appealable to step 4.

**Step 4:** A dispute unresolved in Step 3 and appealed to Step 4 may be submitted by the employee to binding arbitration. The selection of an arbitrator shall be made in accordance with the Rules Governing the Arbitration of Grievances as established by the Public Employment Relations Board (PERB).

The arbitrator shall have no right to amend, modify, nullify, ignore, add to, or subtract from the terms and conditions of the Personnel Code. The arbitrator shall consider and decide only the specific issues submitted, in writing, by the employee and Board management, and shall have no authority to make a decision on any other issue not so submitted.

The arbitrator's decision shall be submitted, in writing, within 30 calendar days following the close of the hearing or the submission of briefs, by the parties, whichever is later, unless the parties agree to an extension.

The fees and expenses for the arbitrator's services and proceedings shall be borne equally by the Board and the employee, provided that each party shall be responsible for compensating its own representatives and witnesses.

**Waiver:** If a grievance is not presented within the time limits set forth in Step 1 of this procedure, it is considered waived for purposes of the formal grievance procedure. If a grievance is not appealed within the time limits specified in each step, or within the time limits of an agreed upon extension, it shall be considered settled on the basis of the last answer. If an answer to a grievance is not provided within the time limit specified in each step, the employee may elect to treat the grievance as denied at that step, and immediately appeal the grievance to the next step. The time limits for each step may be extended by mutual written agreement of the parties involved.

### 12.3 Types of Grievances:

a.) Non-Disciplinary Issues. Disputes regarding interpretations and application of provisions of the Personnel Code are appealable through Step 4 of this procedure for all employees of the Board. Disputes regarding allegations of violation of the Board's Equal Opportunity Policy are appealable through the complaint procedure in the Board's Affirmative Action Plan.

b.) Disciplinary Issues. Disciplinary action may take the form of an oral warning, a written reprimand, and suspension, demotion or dismissal. An oral warning shall not be appealable. Written reprimands are appealable through Step 2 of the grievance procedure for regular and probationary employees. Grievances concerning suspension, demotion or dismissal are not appealable for probationary employees and may be appealed through Step 4 of the grievance procedure for regular full-time employees.

### SECTION XIII: SEPARATION OF EMPLOYMENT

**13.1 Resignation.** An employee may resign by submitting his/her resignation in writing to the Executive Director. An employee is expected to give the Executive Director at least fourteen (14) calendar days prior notice. A resignation shall be effective on the last day worked. The Executive Director shall have the right to disapprove a resignation work schedule which proposes to include a non-standard work week. In this instance, the employee would be expected to have as his/her last day worked the last day of the week. All unused vacation leave shall be paid to an employee upon resignation.

**13.2 Retirement.** An employee may elect retirement in accordance with rules and requirements of the Minnesota State Retirement System (MSRS).

**13.3 Discharge.** All discharges of classified employees shall be authorized only upon recommendation of the Executive Director and in accordance with provisions of this Code. Unclassified employees may be discharged by the Chair for any reason and without cause or right to appeal the decision to the Board or as a grievance under this Code. Unclassified employees who are dismissed involuntarily shall be eligible for severance pay, except that the Chair may deny such severance pay in cases of dismissal for flagrant misconduct. The amount of severance pay shall be in accordance with the following schedule based on the total length of continuous, uninterrupted employment with the Board.

<u>Length of Employment</u>	<u>Severance Pay</u>
Less than 2 years	2 weeks
2 years but less than 3 years	3 weeks
3 years but less than 4 years	4 weeks
4 years but less than 5 years	5 weeks
5 years but less than 6 years	6 weeks
6 years but less than 7 years	7 weeks
7 or more years	8 weeks

**13.4 Layoff.** The Executive Director, with approval from the Board, may direct the layoff of one or more employees for reasons that may include, but are not limited to, elimination of a program, reduction or abolition of positions, shortage of work or funds, change in the mission, duties or responsibilities of the Board, or any other reasons outside the employee's control that do not reflect discredit on the service of the employee.

The process to be used in implementing a layoff shall give primary consideration to Board priorities, particular program requirements, the performance record of the affected employee and affirmative action. Secondary consideration shall be given to length of service. Employees facing a layoff shall be provided the opportunity to participate in outside career counseling upon their request for a period beginning with the date of notification of layoff and extending six (6) months following the actual date of layoff, at a cost not to exceed \$400 per employee.

a.) Notice of Layoff. An employee shall receive written notice of a layoff at least thirty (30) calendar days prior to the effective date of the layoff. The notice shall include the reason for the layoff.

b.) Re-call. A laid-off employee shall be eligible for recall to his/her former position if the position is reinstated within twelve (12) months following the effective date of the layoff. Employees shall be notified of recall by certified mail at the employee's last known address, and shall have two (2) weeks to report to work.

c.) Re-employment. A laid-off employee shall be notified by mail of all Board job openings for six (6) months following the layoff and shall be considered an internal candidate for such openings provided the employee applies for such openings.

#### SECTION XIV: RECORDS, FILES

**14.1 Recordkeeping System.** A system of recordkeeping procedures shall be established and maintained for all personnel-related matters deemed necessary and appropriate by the Executive Director or required by law.

**14.2 Personnel Files.** The official record of personnel information related to individual employees shall be maintained by the Personnel Administrator. Such record shall contain only that information necessary and appropriate to maintain the Board's personnel system. An employee shall be notified when a disciplinary item is placed in his/her personnel file.

Personnel files of employees shall be safeguarded against unauthorized access. Except as such records are designated as public information by M. S. Sec. 13, Government Data Practices, personnel information shall not be released for public inspection or review unless specifically authorized by the employee, the employee's designated representative or unless required by law.

Employees may be permitted to review their own personnel files in the presence of the Personnel Administrator.



REGIONAL TRANSIT BOARD  
Mears Park Centre, 230 East 5th Street  
St. Paul, Minnesota 55101  
612/229-2700

## **REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE**

At its meeting of March 8, 1993, the Administration and Finance Committee approved the following recommendations:

### **DECEMBER 1992 UNAUDITED FINANCIAL STATEMENTS**

That the Regional Transit Board receive the December 1992 unaudited financial statements and direct that they be placed on file.

### **I-35W ENVIRONMENTAL ASSESSMENT THIRD LANE/HIGH OCCUPANCY VEHICLE LANE PROJECT**

That the Regional Transit Board approve the Findings and Conclusions in the February 23, 1993 staff report as the board's comments on the I-35W Third Lane/High Occupancy Vehicle Lane Project Environmental Assessment and direct that they be submitted to the Metropolitan Council and the Minnesota Department of Transportation.

### **1993 PROVIDER CAPITAL FUNDING AND CONTRACTS**

That the Regional Transit Board approve the 1993 capital funding and authorize the executive director to enter into capital contracts with the following providers in amounts not to exceed:

Human Services Incorporated (HSI)	\$24,168
Dakota Area Resources and Transportation for Seniors (DARTS)	\$75,480

### **SOUTHWEST METRO TRANSIT COMMISSION. 1992 BUDGET AMENDMENT**

That the Regional Transit Board authorize its executive director to amend the Southwest Metro Transit 1992 contract (Contract No. 91/18/11-16) by \$110,377 from \$1,352,623 to \$1,463,000.

### **REQUEST FOR PROPOSAL FOR AGENCY ANNUAL AUDIT SERVICES**

That the Regional Transit Board authorize the executive director to issue a Request for Proposal for audit services for the annual Regional Transit Board financial audits for the three years beginning with 1993.

**1993 RTB PERSONNEL CODE**

That the Regional Transit Board adopt the updated and revised 1993 Personnel Code.

**REQUEST TO ISSUE REFUNDING BONDS, RESOLUTION NO. 93-04**

That the Regional Transit Board request the Metropolitan Council to issue \$7,825,000 of bonds to refund the remaining balance of the 1988B issue.

**Ruth Franklin**  
**Chair**

mff  
3/8/93