

Tuesday, November 2, 2021

10:00 AM

or immediately following the regular board meeting

*Meeting to be held in the County Board Room
at the Historic Courthouse, 215 1st Ave S, Long Prairie, MN.*

MEETING WILL BE LIVE-STREAMED AT: [HTTPS://WWW.CO.TODD.MN.US](https://www.co.todd.mn.us)

Agenda Item #

Agenda Time:

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| 1 | Draft of Personnel Board of Appeals Policy
<i>Policy Committee</i> | 10:00 |
| 2 | HHS Driver Pool
<i>Health & Human Services</i> | 10:10 |

Adoption of County Personnel Act

WHEREAS, Todd County has notified the Department of Human Services of its desire to withdraw from the Minnesota Merit System; and

WHEREAS, to receive federal funds for various programs, the Minnesota Department of Human Services and local units of government must have systems of personnel administration that satisfies federal merit system standards; Minnesota Statute 256.012; and

WHEREAS, the County Personnel Act, Minnesota Statute Sections 375.56 through 375.71 satisfies the federal merit system standards.

NOW, THEREFORE BE IT RESOLVED, by the Todd County Board of Commissioners, that the County Personnel Administration System, pursuant to Minnesota Statute 375.56 through 375.71 be established effective November 16, 2021; and,

BE IT FURTHER RESOLVED, the duties of the Personnel Director, pursuant to Minnesota Statutes section 375.59, are assigned to the County Coordinator effective November 16, 2021.

DRAFT

Section 4.04 Grievance Procedure

- (a) Purpose: To provide a method for the prompt and equitable resolution of disputes relating to the administration of the personnel policies and procedures manual.
- (b) Definitions: A grievance is a dispute or disagreement raised by any employee against the county and/or a supervisor because of an interpretation or alleged violation of these policies. The following actions are not subject to the grievance procedure:
 - (i) The classification or rate assigned to the employee's position;
 - (ii) The results of the employee's performance evaluation;
 - (iii) Any salary decisions;
 - (iv) The legitimacy of any of the provisions of the personnel policies;
 - (v) Actions proposed but not taken; and
 - (vi) Any investigative activity provided that no action has been taken.
- (c) Scope of grievances:
 - (i) An employee who commences a grievance proceeding under the provisions of a collective bargaining agreement or a statutorily created process, is precluded from grieving the issue under these rules.
 - (ii) The county may elect to treat a grievance raised by a group of employees relating to the same issue as a single grievance proceeding.
- (d) Processing of a grievance:
 - (i) It shall be the county's policy to address all grievances promptly. In order to facilitate the processing of employee grievances in an orderly and just manner, and to provide the employee access to all levels of management and a fair and impartial hearing, the following procedures are to be used:
 - 1) Step 1: An employee having a grievance shall present such grievance to their supervisor within ten (10) working days after the event causing the grievance. It shall be the responsibility of the supervisor to investigate the grievance, to discuss the grievance with the employee, and to give a written answer to the employee within ten (10) working days from the time the grievance was initially presented.
 - 2) Step 2: A grievance not resolved in step 1 may be appealed to the Department Head, provided such appeal is made within ten (10) working days after receipt of the decision in step 1. The employee shall place the grievance in writing setting forth the nature of the grievance, the facts on which it is based, the provisions of these rules allegedly violated, and the remedy requested. If a grievance is properly appealed to the Department Head, he/she shall issue his/her decision in writing within ten (10) working days after the meeting.
 - 3) Step 3: In the event the grievance is not resolved in step 2, the decision rendered may be appealed to the County Board, or its representative, provided such appeal is made within ten (10) working days after receipt of the decision in step 2. If a grievance is properly appealed to the County Board, or its representative, they shall set a time to hear the grievance

within twenty (20) working days after the appeal is received. After the meeting, the County Board or its representative shall issue its decision in writing within ten (10) working days to the parties involved. Such decision, upon review of the County Board, is final.

(e) Personnel Board of Appeals

- (i) Purpose: The Personnel Board of Appeals was established by Todd County Board Resolution pursuant to Minnesota Statute 375.56, effective November 2, 2021.
- (ii) Composition: The Personnel Board of Appeals consists of three persons appointed at large by the Todd County Board of Commissioners.
- (iii) Terms: The initial terms of Personnel Board of Appeals members are staggered on one, two, and three-year terms each; after the first appointments expire, successive terms are three years each.
- (iv) Appointments and reappointments: Prospective appointees are recruited through advertising. Successful candidates demonstrates a background in personnel and labor management. Members must live in the county. Acting members may be reappointed to additional terms as determined by the County Board of Commissioners.
- (v) Meeting Requirements: The Personnel Board of Appeals meets upon the call of its' chair or the Human Resources Director. The member with the shortest time left in their term is designated as chair.
- (vi) Responsibilities: The Personnel Board of Appeals makes findings and reports to the County Board within 30 days of the filing of an appeal by an applicant, employee, or department head in the following circumstances:
 - 1) Alleged arbitrary or capricious action on the part of the County Board with respect to final establishment of these rules
 - 2) Alleged discrimination by the Personnel Director or his/her employees in examination procedures or preparation of lists of eligible candidates, or discriminatory use thereof by the department head under the provisions of M.S.A. 375.56 to 375.71 or rules promulgated thereunder
 - 3) Alleged misinterpretation or evasion by the Personnel Director to the County Board of provisions of M.S.A. 375.56 to 375.71 to these policies promulgated thereunder in a manner seriously detrimental to the party or parties bringing the appeal
 - 4) Such other matters of grievance as may be provided for in these rules promulgated under sections 375.56 to 375.71.
- (vii) Remuneration: Members of the Personnel Board of Appeals receive per diem per meeting and mileage reimbursement at the rate established by the County Board.
- (viii) Operating procedures: This board operates in accordance with the operating procedures established by the county.

(f) Time limits:

- (i) If the grievance is not presented within the time period set forth above, it shall be considered waived. If a grievance is not appealed to the next step within the specified time limit, it shall be considered settled on the basis of the county's last answer. If the proper authority does not answer a grievance or appeal thereof within the specified time limits, the employee shall treat the grievance as denied, and may immediately appeal the grievance to the next step. The time limit in each step may be extended by mutual agreement of the employee and authority involved in the step at the request of either party.

HHS Driver Pool Discussion

Rationale:

- Volunteer driver shortage (3 remaining) and inability to replace volunteers
- Need drivers trained in working with children/car seats & difficult individuals
- Need drivers after hours and weekend
- Drivers need the ability to utilize county vehicles
- Increased need for transportation due to the Family First Preservation Services Act
- Necessity to solve this ongoing county need before it gets worse

Proposal:

- Create a driver pool with 3-5 intermittent part-time county employees
- Develop job description and job requirements
- Possibility to share driver pool across county departments (i.e., Vet's)

Budget/Costs:

- Savings from not paying volunteer drivers
- Increased efficiency and cost savings by not using Child Protection social workers
- Cheaper option than using a case aide or other county employee
- ARPA funds available to support this necessary service