

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2002-083

A RESOLUTION AMENDING THE PERSONNEL POLICY
RELATING TO MEDICAL LEAVE, CONTINUATION OF
INSURANCE BENEFITS DURING DISABILITY PAYMENTS, AND
DEFINITION OF "WORK DAY"

WHEREAS, the current personnel policy adopted by the Lake Elmo City Council on July 20, 1999, amended February 5 and 19, 2002, outlines insurance benefits available to full time employees.

WHEREAS, the current personnel policy includes a section on medical leave that should clarify leave for a qualified disability.

WHEREAS, the following language to replace the Medical Leave provision in the current personnel policy was approved by the Lake Elmo City Council on August 20, 2002:

"Medical Leave"

Medical leave may be granted to maintain continuity of service in instances where an employee's medical condition requires an absence from work. Under certain circumstances, an employee may request sick leave and vacation accruals be used to continue their salary during their medical leave. In all cases, sick leave shall be exhausted before vacation hours are paid. In no case shall the employee receive more than 100% of their current hourly wage. An employee requesting a medical leave of absence shall be required to furnish evidence of disability to the city administrator or finance director.

In the event an employee is receiving short-term or long-term insurance benefits through the City's insurance carrier, the employee may request sick leave and vacation accruals be used to supplement their disability payments are provided for in the "Sick Leave" portion of the personnel policy.

The maximum leave time that may be granted is 180 days or until a doctor releases the employee to work, whichever is shorter. At the request of the employee, the City may extend this leave. The City also reserves the right to request a second opinion before granting a medical leave of absence. Employees returning from an approved medical leave shall submit their physician's statement of workability, specifying any work restrictions, to the city administrator or finance director prior to their return to work.

WHEREAS, the current personnel policy was silent on the issue of supplementing disability payments with the use of sick leave and vacation accruals. At the August 20, 2002 meeting, the Lake Elmo City Council approved the following language:

Use of Sick Leave and Vacation Accruals to Supplement Disability Payments

Regular full-time employees eligible to receive short-term or long-term disability payments through the employer's insurance company, may be granted accrued sick leave or vacation pay in an amount equal to the difference between their disability payments and regular wages until such time is fully exhausted, the employee requests the supplements be discontinued, the employee returns to work, or employment is terminated. Medical evidence of a disability must be submitted to the finance director before supplemental payments can begin. Confirmation from the City's insurance carrier of disability payments shall fulfill the medical evidence requirement.

WHEREAS, the current personnel policy was silent on the continuation of insurance benefits while an employee receives disability payments through the city's insurance carrier. At the August 20, 2002, the Lake Elmo City Council approved the following language:

Continuance of Insurance Benefits While Receiving Disability Payments

A regular full-time employee on approved medical leave and receiving short-term disability payments through the City's insurance carrier shall be entitled to continued insurance coverage for an individual, as provided in the City's current benefits package, and at the City's expense, for the first 90 days where short-term disability payments are received. Coverage shall terminate and become the employee's sole responsibility through COBRA on the last day of the month where the 90 day time limit expires. No additional coverage or increase in coverage amounts can be added while the employee is on disability. The insurance benefits shall be discontinued if the employee no longer receives disability payments from the City's insurance carrier, receives federal disability benefits, resigns or is terminated. Family coverage, if in effect on the day of or the day prior to the disability, can be maintained for the same duration as the individual coverage provided the employee reimburses the City for the difference between the cost of family coverage and individual coverage.

WHEREAS, the current personnel policy refers to accruals in terms of a day. However, due to employee flex time scheduling, it is appropriate and consistent to use 8 hours to define a working day for purposes of accrual. The following language was approved by the Lake Elmo City Council on August 20, 2002:

Definition of "Day"

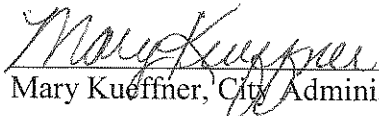
For purposes of this personnel policy, the term "day", as used to compute vacation and sick leave accruals, shall be defined as 8 working hours.

ADOPTED, by the Lake Elmo City Council on September 3, 2002.



Lee Hunt, Mayor

ATTEST:



Mary Kueffner, City Administrator