

**CITY OF LEXINGTON  
COUNTY OF ANOKA  
STATE OF MINNESOTA**

**RESOLUTION NO. 23-21**

**RESOLUTION APPROVING MANAGEMENT, NON-UNION BENEFITS  
AND AMENDING THE PERSONNEL POLICY MANUAL**

**WHEREAS,** The City of Lexington personnel policies and procedures dictates management and non-union employees and the level of benefits and incentives provided, and;

**WHEREAS,** Effective Jan. 1, 2024, Minnesota's earned sick and safe time (ESST) law, requires employers to provide earned sick and safe paid leave to employees who work in Minnesota; and,

**WHEREAS,** an employee is anyone who works at least 80 hours in a year for an employer in Minnesota but does not include independent contractors; and,

**WHEREAS,** Temporary and part-time employees are covered under the law and Employers must provide each employee in Minnesota with one hour of ESST for every 30 hours worked, with the ability to accumulate at least 48 hours of ESST each year; and,

**WHEREAS,** the personnel policy manual shall be amended as follows:

**Paid Time Off Schedule – Part-time employees**

Part time employees will accrue PTO at the rate of one (1) hour for every thirty (thirty) hours worked.

**Eligibility**

A full-time regular employee will earn PTO leave in accordance with the above schedule beginning with the first day of employment. Regular part-time and temporary employees ~~are not eligible for PTO benefits and~~ will ~~not~~ earn ~~or accrue~~ PTO after they work more that eighty (80) hours in a calendar year.

When an employee is separated from employment with the City or is reduced to employment on a part time basis, the employee shall be paid for accrued but unused PTO time at their base rate of pay, provided that an employee who resigns without complying with the provisions of this policy dealing with resignations shall forfeit accrued PTO. When an employee is promoted or becomes entitled to additional days of PTO, the accrual of PTO at the higher rate shall begin at the start of the next pay period.

## Accrual Rate

For the purpose of determining an employee's ~~vacation~~ PTO accrual rate, years of service will include all continuous time that the employee has worked at the City (including authorized unpaid leave). Employees who are rehired after terminating City employment will not receive credit for their prior service unless specifically negotiated at the time of hire.

The maximum amount of accrued PTO time for full time employees may not exceed four hundred (400) hours. PTO will not be earned when an employee's accumulated PTO is at this four hundred (400) hours maximum ceiling.

The maximum amount of accrued PTO time for part-time employees is 48 hours per calendar year, and may not exceed eighty (80) hours.

PTO will not accrue on hours in excess of eighty (80) in any two-week pay period. An employee will earn PTO time when on PTO leave, holidays and other paid leave.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LEXINGTON, ANOKA COUNTY, STATE OF MINNESOTA, as follows:**

**PASSED** by the Lexington City Council this the 21st day of December 2023.

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Gary Grote, Mayor

ATTEST:

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Bill Petracek, City Administrator