



RAMSEY COUNTY

County Benefits Policies

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Human Resources Department

TABLE OF CONTENTS

Section 1: Scope of Governance	3
Section 2: Definitions	4
Section 3: Normal Work Hours	5
Section 4: Overtime	6
Section 5: Dates for Determining Benefit Accrual	8
Section 6: Observed County Holidays	9
Section 7: Floating Holiday	11
Section 8: Vacation	12
Section 9: Sick Leave – With Pay	15
Section 10: Sick Leave – Without Pay	22
Section 11: Sick Leave – Workers’ Compensation	23
Section 12: Leaves of Absence	24
Section 13: Pay Upon Separation	32
Section 14: Special Allowances	36

EMPLOYEE BENEFITS

Section 1: Scope of Governance

- 1.1 **Authority under the Act.** The following policies have been established by the Human Resources Director and approved by the Ramsey County Board of Commissioners in accordance with Section 383A.295, Subdivision 1 of the Ramsey County Personnel Act, and shall govern the provision of holidays, vacation, sick leave, leaves of absence, and special allowances to employees of Ramsey County, State of Minnesota, except where superseded by state or federal statute. Insurance benefits and amounts of employer and employee contributions shall be set by County Board resolution and are not included in these policies.
- 1.2 **PELRA Supersedes.** Agreements reached under the Minnesota Public Employment Labor Relations Acts (Minnesota Statute 179.01, et seq., as amended) between Ramsey County and the exclusive representatives of its employees shall supersede these policies regarding employee benefits.
- 1.3 **Supervisors of Employees under Union Contract.** When the benefits provided to an employee covered under Section 1.2 exceed those provided to that employee's supervisor, the benefits provided to the supervisor shall be adjusted to make them equivalent. This policy will not apply to wages, and it will not be applied in instances where the difference in the benefits provided is solely the result of seniority.
- 1.4 **Confidential Employees.** Any employee excluded from a bargaining unit solely due to a determination that they have confidential status, shall receive wages and benefits equal to or greater than those provided under the applicable union contract. This policy will only apply to compensation, insurance, vacation, paid sick leave, holidays, and other leaves of absence.
- 1.5 **Governance of the Classified Service.** Except as provided in Sections 1.2, 1.3, and 1.4 employees in the classified service shall be subject to the provisions of these policies regarding employee benefits.
- 1.6 **Governance of the Unclassified Service.** Unclassified employees in the county personnel system shall be subject to the provisions of these policies.

All other terms and conditions of employment for these employees shall be equal to those of other county employees who are not subject to a collective bargaining agreement.

Section 2: Definitions

The terms defined in the Ramsey County Personnel Act shall have the meanings assigned to them in the Act whenever they are used in this description of employee benefits. In addition, the terms defined in the Personnel Rules shall have the meanings assigned to them in Rule 3 (Definitions) of that document.

Consistent with Minnesota Statutes 383A.281, Subdivision 14, references to “Director” in these Benefits Policies means the director of the department of human resources or the director’s delegated representative.

Section 3: Normal Work Hours

3.1 Normal Work Hours. Normal hours of fulltime employment for Ramsey County employees shall be from 8:00 a.m. to 4:30 p.m., Monday through Friday. A department head may adjust start and end times for individual employees.

3.2 No Guarantee of Work Hours. No language contained in the provisions of any section under this policy shall be construed as a guarantee of hours of work per day or per week.

3.3 Alternative Schedules. A department head shall consult with the Director prior to implementing an alternative, permanent full-time schedule for a work unit (to the one described in Section 3.1). Departments shall consider whether the revised schedule provides for the maintenance of adequate service levels in the affected department.

3.4 Lunch and Rest Periods. Employees shall be entitled to a forty-five (45) minute lunch period and two fifteen (15) minute rest periods – one each in the first and second half of an eight (8) hour shift. Lunch and rest periods shall be scheduled as necessary to facilitate departmental operations.

3.5 Lactation Breaks. Lactating employees have the right to reasonable break time to express milk at work, pursuant to Minnesota Statute 181.939. Such break times are with pay, unless the employee is expressing milk during a break that is not usually paid, such as a meal break. Lactating employees must have access to a clean, private and secure room that is not a bathroom near the work area that includes access to an electrical outlet for employees to express milk.

3.6 Hours of Compensation. Employees who (a) work the scheduled hours set forth in Section 3.1, or the hours determined by an alternative schedule under the provisions of Section 3.3, and (b) take rest, lunch, or lactation breaks in accordance with the provisions of Sections 3.4 and 3.5, shall be compensated for forty (40) hours of work per week.

Section 4: Overtime

4.1 Basis of Overtime Accrual. Except as noted in Sections 4.2 and 4.3, employees required to work in excess of forty (40) hours per week, shall earn overtime at the rate of time and one-half (1 and ½).

4.2 Fair Labor Standards Act Exemptions. Exemptions to Section 4.1 may be made based on the following exemptions provided for in the Fair Labor Standards Act (FLSA):

- a) For law enforcement personnel and corrections personnel who have responsibility for controlling and maintaining custody of inmates and of safeguarding them from other inmates or for supervising such functions, a work period of 7 to 28 days may be established by the appointing authority subject to approval by the Director. During this work period, employees shall be paid at their straight rate of pay, until the number of hours worked exceeds the number of hours which bears the same relationship to 171 as the number of days in the work period bears to 28; at which time, the additional hours shall be compensated at time and one-half (1 and ½) as prescribed in the FLSA.
- b) For workers in residential care establishments, a fourteen (14) day work period may be established by the appointing authority subject to the approval of the Director. Workers employed in residential care establishments must receive time and one-half (1 and ½) for all hours worked over eight (8) in any workday and over 80 in the 14-day work period.
- c) Persons employed on a seasonal basis, as defined in Personnel Rule 3.25 (Seasonal Employment), shall earn overtime under the provisions of Section 4.1, except for seasonal employees of the Parks and Recreation Department who will earn overtime for work in excess of forty-eight (48) hours in a week at the rate of time and one-half (1 and ½).

The above-noted exemptions are not intended to be an exhaustive list. If other exemptions are added to the Fair Labor Standards Act, such exemptions may be incorporated under this policy.

4.3 Exempt Employees. The Director shall identify those classes, which are exempt from the overtime provisions of the Federal Fair Labor Standards Act and shall inform county departments of the exempt/non-exempt status of each class. Employees whose positions are allocated to classes which have been determined to be “exempt” shall be precluded from earning overtime under the provision of Section 4.1 but may earn overtime under the provisions of Section 4.4.

4.4 Overtime Provisions: Exempt Employees. Exempt employees shall not qualify to earn overtime payments except in unusual circumstances. Under such circumstances, the County Manager may approve overtime at a straight-time rate for exempt employees who have been assigned to work hours in excess of their regular schedule. With prior approval from the County Manager, exempt employees may also be allowed to earn overtime at the rate of time and one-half (1 and ½).

Circumstances under which overtime may be earned at the time and one-half (1 and ½) rate include, but are not limited to:

- a) circumstances in which the proposed overtime compensation is necessary based on established community practices, or
- b) circumstances which constitute a state of emergency as determined by the County Manager. The County Manager's approval shall be contingent upon receipt of appropriate evidence from the department head, documenting the circumstances, which warrant overtime payment at the time and one-half (1 and ½) rate.

4.5 Required Approval for Overtime Work. All overtime work must be given prior approval by the employee's department head or the department head's designee, except that overtime work required in order to respond to an emergency situation may be approved after the fact.

4.6 Calculation. All overtime earned shall be calculated based on the nearest fifteen (15) minutes worked.

4.7 Accrual and Liquidation of Overtime. Accumulated overtime shall be liquidated according to the following provisions:

- a) All overtime in excess of sixty (60) hours shall be liquidated in the form of time off or cash payment by December 31 of each year. Upon request, the Director may authorize the carry-over of overtime in excess of sixty (60) hours to the next half year accounting period; any overtime carried over in this fashion must be liquidated by June 30 of that year.
- b) The appointing authority may order the liquidation as either time off, or in cash, of accumulated overtime in excess of sixty (60) hours upon ten (10) working days' notice to the employee.

4.8 Liquidation of Overtime for Transferring Employees. Except as noted in (a), an employee who transfers to, or is appointed by another county department, shall be compensated for all authorized overtime, which they have accrued prior to their transfer or appointment date. Such overtime shall be liquidated either as time off, or in cash, at the discretion of the appointing authority under which the overtime was earned.

- a) **Transfer of Accrued Overtime Balances.** The appointing authority in the department to which an employee has been transferred or new appointed has the discretion to let the employee transfer all or part of their overtime accrual to that department.

4.9 Liquidation of Overtime for Employees Separating from County Service. An employee who separates from county service by reason of retirement, resignation, dismissal or layoff shall be paid for all authorized overtime, which they have accrued. Compensation for any overtime accrual remaining at the time of separation from county employment shall be made in cash as prescribed in the FLSA.

Section 5: Dates for Determining Benefit Accrual

5.1 Original Employment Date. An employee's original employment date is their first day of work for Ramsey County, except as provided in Section 5.3.

5.2 Benefit Date. A full-time employee's benefit date is the date the payroll/personnel system will use to determine the amount of time in hours the employee has accumulated toward the accrual of benefits. This benefit date is determined by adjusting the original employment date for the number of pay periods in which all unpaid leave equals or exceeds forty (40) hours in a pay period, except as provided in Section 5.3, Sections 12.3 (g) (Military Leave), and Section 21.3 (l) (Leaves for Political Office).

5.3 Employees of Agencies Acquired by the County. The original employment and benefit dates for those employees working for other agencies which are acquired by Ramsey County may vary from the descriptions in Sections 5.1 and 5.2 depending upon the terms of the acquisition agreement.

Section 6: Observed County Holidays

The following are declared to be holidays:

New Year's Day	January 1
Martin Luther King's Birthday	Third Monday in January
President's Day	Third Monday in February
Memorial Day	Last Monday in May
Juneteenth Day.....	June 19
Independence Day	July 4
Labor Day.....	First Monday in September
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Friday after Thanksgiving	Friday after Thanksgiving
Christmas Day	December 25

See Section 7: Floating Holiday

When New Year's Day, Independence Day, Juneteenth Day, Veteran's Day or Christmas Day falls on Sunday, the following day shall be the holiday. When New Year's Day, Independence Day, Juneteenth Day, Veteran's Day or Christmas Day falls on Saturday, the preceding day shall be the holiday.

6.1 **Eligibility for Paid Holidays.** Employees are eligible for paid holidays as follows:

- a) Every full-time permanent, probationary or unclassified employee except as indicated in 6.1 (d) shall be eligible for all of the above-listed holidays.
- b) Part-time permanent, probationary or unclassified employees shall be eligible to earn holiday pay on a pro rata basis, provided that they are assigned a regular work schedule (as opposed to being subject to call or to work when available) of not less than thirty-two (32) hours per pay period.
- c) Provisional employees shall be eligible for all of the above-listed holidays except floating holidays.
- d) Employees assigned to work the shift of six (6) days on and three (3) days off or four (4) days on and two (2) days off shall not be eligible for holidays.
- e) Seasonal, intermittent, and temporary employees shall not be eligible for holidays.
- f) In order to receive holiday pay, an eligible employee must have worked, or been on paid status, for the entirety of the employee's regularly scheduled hours for both the workday immediately proceeding and following the holiday.

6.5 A Holiday Falling on a Regular Day Off. If a holiday falls on an eligible employee's regular day off the employee may either receive pay for the holiday or be granted alternate time off at the discretion of the appointing officer. If an employee is required to work on a scheduled holiday the employee will be granted alternate time off with pay at a time approved by the appointing officer. The provision does not apply to employees subject to Section 6.6.

6.6 Compensation for Work on Christmas Day or New Year's Day. An employee assigned to work the shift of six (6) days on and three (3) days off or four (4) days on and two (2) days off who works at least five (5) hours of an eight (8) hour shift on Christmas Day or New Year's Day shall receive straight time of the actual hours worked, plus credit for the same number of hours as the actual hours worked which shall be compensated by pay or time off at the discretion of the appointing officer. Any other full-time or part-time permanent, probationary or unclassified employee who works at least five (5) hours of an eight (8) hour shift on Christmas Day or New Year's Day shall receive straight time for the actual hours worked, plus credit for twice that number of hours shall be compensated by pay of time off at the discretion of the appointing officer. Seasonal, intermittent, and temporary employees shall not be eligible for additional hours under this section.

6.7 Religious Holidays. When a religious holiday, observed by an employee but not observed as a holiday under this section, falls on the employee's regularly scheduled workday, the employee shall be entitled to that day off to observe the religious holiday, and may use vacation, compensatory time, floating holidays, accumulated holiday time or unpaid leave to observe the religious holiday. Employees shall notify the appointing officer at least five (5) working days prior to the leave.

6.8 Authority to Declare a County Holiday. If the Ramsey County Board of Commissioners, by appropriate resolution, declares any other day to be a holiday, it shall be granted without pay unless otherwise specified by the County Board.

Section 7: Floating Holiday

7.1 Floating Holidays for Full-Time Employees. The floating holiday accrual method will be as described below:

- a) Full-time employees receive up to sixteen (16) hours of floating holiday.
- b) The floating holiday benefit is front-loaded annually on the first full pay period following the pay period including June 30th.
- c) Any unused floating holiday hours from the prior year shall be lost to the employee annually on the pay period which includes June 30th.
- d) Employees who have worked less than 6 months will not be paid for unused floating holiday if terminating employment.
- e) Employees on an unpaid leave of absence are ineligible to receive floating holiday hours until they return from leave.
- f) Floating holidays shall be taken at a time mutually agreeable to the employee and the department.

7.2 Floating Holidays for Part-Time Employees. Part-time permanent, probationary or unclassified employees receive floating holiday in the same manner outlined above for full-time employees. The number of hours they receive will be prorated based on their standard hours as of June 30th each year.

7.3 Use of Floating Holiday Hours. An employee wishing to use floating holiday hours must obtain advance permission from their appointing officer. Floating holiday hours must be used during the 12-month period beginning July 1st and will not be carried over from one 12-month period to the next.

Section 8: Vacation

8.1 Rate of Accrual for Employees Covered by the Federal Fair Labor Standards Act.

Permanent, probationary or unclassified employees in job classes which are covered under the provisions of the Federal Fair Labor Standards Act (FLSA) shall earn vacation at the rates prescribed below. For full-time employees, vacation accrual is based on the time that has passed since the employee's benefit date as described in Section 5.2 (Benefit Date). For part-time employees, vacation accrual is based on their actual hours of paid service. Job classes covered by the Federal FLSA may be assigned to the vacation schedule described in Section 8.2 at the Director's discretion.

Length of Employment	Accrual in Hours/ Pay Period	Yearly Accrual in Hours/Days	Max Accrual Hours
Less than 4 years	3.6923	96/ 12 days	240
Between 4 and 9 years	4.6154	120/15 days	300
Between 9 and 15 years	5.2308	136/17 days	340
Between 15 and 23 years	6.4615	168/21 days	420
23 years or more	7.6923	200/25 days	500

8.2 Rate of Accrual for Employees Exempt from the Federal FLSA. Permanent, probationary or unclassified employees in job classes which are exempt from the provisions of the Federal FLSA shall earn vacation at the rates prescribed below. For full-time employees vacation accrual is based on the time that has passed since the employee's benefit date as define in Section 5.2 (Benefit Date). For part-time employees vacation accrual is based on their actual number of hours of paid service. Exempt job classes may be assigned to the vacation schedule described in Section 8.1 at the Director's discretion.

Length of Employment	Accrual in Hours/ Pay Period	Yearly Accrual in Hours/Days	Max Accrual
Less than 4 years	4.6154	120/ 15 days	300
Between 4 and 15 years	6.1538	160/ 20 days	400
Between 15 and 23 years	6.4615	168/ 21 days	420
23 years or more	7.6923	200/ 25 days	500

8.3 Adjustments to Initial Vacation Accrual – Credit for Previous Service. The appointing officer may, at their discretion, recommend to the Director that a new hire be given credit for length of service for all, or a portion, of any employment experience directly related to the position to which the employee is being appointed or to match the current vacation accrual provided by the employee's most recent employer. The recommendation must be made in writing and be based on the appointing officer's assessment of the employee's qualifications beyond the minimum requirements, recruitment considerations, or service accrual provided by the employee's previous employer. The appointing officer must submit documentation of the

qualifying service with the recommendation. At his/her discretion, the Director may authorize length of service credit for all, none, a portion of the related experience, or the practice of the previous employer. This length of service credit, plus the employee's subsequent actual length of service with the county, will be the basis for future vacation accrual determinations. No additional length of service credit for qualifications obtained prior to county employment shall be granted after initial appointment to the county.

8.4 Loss of Accrual. Full-time permanent, probationary or unclassified employees shall not earn vacation credit for a pay period if unpaid leaves of absence in that pay period equal or exceed forty (40) hours in a pay period, except as provided in Section 12.3 (g) (Military Leave) and Section 12.3 (l) (Leaves for Political Office).

8.5 Eligibility of Part-Time Employees. Part-time permanent, probationary or unclassified employees shall be eligible to earn vacation credit provided that they are assigned a regular work schedule (as opposed to being subject to call or to work when available) of not less than thirty-two (32) hours per pay period. Prorated vacation leave accruals per pay period are calculated as the number of hours of paid service (except overtime) divided by eighty (80) hours and multiplied by the employee's rate of accrual (See Section 8.1 and 8.2).

8.6 Eligibility of Provisional Employees. Provisional employees shall not be eligible for paid vacation unless the provisional employee has permanent status in the county in another job title. However, if a provisional employee gains probationary or permanent status with no break in service, they shall receive credit for prior employment as a provisional in determining vacation accrual.

8.7 Employees Not Eligible for Paid Vacation. Seasonal, intermittent, and temporary employees shall not be eligible to earn paid vacation leave.

8.8 Accumulation of Vacation. Vacation may be accumulated to a maximum of two- and one-half times (2.5) the annual vacation earning rate of the employee. Any vacation accrued in excess of the maximum accumulation allowed shall be lost to the employee on the pay period including June 30th of each year.

8.9 Use of Vacation. Eligible employees wishing to use vacation must obtain advance permission from their appointing officer or designee.

8.10 Advance of Vacation. Employees may be advanced up to forty (40) hours of vacation before it is accrued, subject to the approval of the appointing officer. Advance can be requested during an employee's initial probationary period. Such hours must be repaid from the employee's future accrual. If an employee leaves county employment before repayment is complete, the remaining amount will be deducted from the employee's final check. If there are not sufficient funds, the employee will be required to repay the county the value of those hours.

8.11 Reports of Vacation Usage. Appointing officers shall maintain records of vacation used by each of their employees. Such records shall be maintained in the form and manner prescribed by the Human Resources Department.

8.12 Earned Vacation Upon Separation. Upon separation from county employment, a permanent or probationary employee shall be granted vacation pay earned up to the time of separation, as specified in Section 13.3 Vacation Upon Separation.

8.13 Return from Unclassified Service. Any employee holding an unclassified position excluded from the county personnel system under Section 383A.281, Subdivision 13 of the Act who later receives an appointment to a position in the county personnel system, shall receive credit for prior employment in the unclassified service outside the county personnel system in determining vacation leave, provided such service has been continuous and there has been no break in employment between the service outside and within the county personnel system.

8.15 Vacation Donation. An employee may elect to donate a portion of their accrued vacation leave to the sick leave account of another employee. This policy was original adopted by Board Resolution 92-412.

a) **Recipient Eligibility.** A recipient must be a full-time or part-time employee on continuous unpaid leave of absence and have exhausted all accrued paid leave balances, including sick leave, vacation, floating holiday, compensatory time, and holiday reserve. A recipient who is actively receiving wage replacement benefits from disability insurance, paid family medical leave, workers' compensation, or other income replacement program is ineligible to receive and/or use donated hours. An employee who has returned from unpaid leave cannot use donated hours. A recipient who, at the time of the donation, is ineligible for a county insurance contribution shall not retroactively become eligible to participate in or receive contributions to county insurance programs, nor will the county contribution be extended by donated sick leave.

b) **Donors.** An employee may donate between four (4) and forty (40) hours of vacation to the sick account of another employee. Upon request, the donor may request to remain anonymous. After submitting an agreement to donate hours to Human Resources, the donor shall have no further claim on the donated vacation. Any donated hours that are not used by the intended recipient shall be returned to the donor.

c) **Use of Donated Hours.** Donated vacation hours shall be credited to the sick bank of the recipient and shall be subject to all terms and conditions of paid sick leave, as outlined in Section 9. Donated hours are paid as straight time at the hourly wage of the recipient and do not carry any credit towards service hours or paid leave accruals.

Section 9: Sick Leave – With Pay

9.1 Eligibility for Sick Leave Accrual. Based on the employment type, employees are eligible to earn paid sick leave as follows:

- a) Full-time permanent, probationary, provisional and unclassified employees shall earn sick leave at the rate of 4.6154 hours each bi-weekly pay period. Part-time permanent, probationary, provisional or unclassified employees shall earn sick leave credit provided they are assigned a regular work schedule (as opposed to being subject to call or to work when available) of not less than thirty-two (32) hours per pay period. Prorated sick leave accrual per pay period is calculated as the number of paid hours (except overtime) divided by eighty (80) hours multiplied by the accrual rate (4.6154 hours per pay period).
- b) Seasonal, intermittent, and temporary employees shall earn paid sick and safety leave at the rate of one (1) hour for every thirty (30) hours worked, including overtime, up to a maximum of forty-eight (48) hours a year. This provision also applies to part-time employees who are not regularly scheduled at least thirty-two (32) hours per pay period.

9.2 Loss of Accrual. All employees eligible to accrue sick leave shall not earn sick leave credit for a pay period if unpaid leaves of absence in that pay period exceed forty (40) hours, except as provided in Section 12.3 (g) (Military Leave) and Section 12.3 (l) (Leaves for Political Office).

9.3 Accumulation of Sick Leave. Employees eligible for sick leave with pay may accumulate sick leave as follows:

- a) Eligible full-time and part-time employees may accumulate sick leave without any maximum restriction.
- b) Eligible seasonal, intermittent and temporary employees may accumulate sick leave up to 48 hours per year, allowing for annual carryover up to a maximum balance of 80 hours.
- c) A provisional employee whose status changes to probationary or permanent shall receive credit for all unused sick leave earned during the provisional employment, provided there is no break in service.

9.4 Transfer of Sick Leave Accumulation. Employees transferring from another merit system in accordance with the provisions of Rule 11.6 (Transfers from another Merit System) of the Personnel Rules may transfer their accumulated sick leave at the discretion of the appointing officer, up to forty (40) hours. Under no circumstances may the transferred sick leave exceed what the employee would have accumulated during an equal time period with the county. Seasonal, intermittent and temporary employees are ineligible to transfer sick leave from another merit system.

9.5 Required Use of Sick Leave. Any employee absent for a covered reason, as specified in Section 9.6, is required to use available paid sick leave. An employee eligible to use paid sick time is required to use all paid sick time until exhaustion, unless otherwise specified.

a) **Option to Retain Sick Leave.** An employee may choose to retain a sick bank of up to eighty (80) hours rather than exhaust all paid sick hours. If the employee elects to retain a sick leave bank, the employee may not use any time from that bank until the employee returns from unpaid leave. If the employee does not return from continuous unpaid leave, the time retained in the employee's sick leave bank will be lost to the employee.

b) **Exception for Paid Family Medical Leave.** An employee approved for paid family or medical leave as defined by Minnesota Statutes Chapter 268B is not required to use available paid time. Rather, the employee may choose to substitute paid sick leave for eligible wage replacement benefits awarded under the program, as specified in Section 12.3(a). Employees may not combine paid sick leave and wage replacement benefits.

9.6 Qualified Reasons for the Use of Sick Leave. Employees eligible to accrue sick leave may use sick leave as it is accrued. Sick leave may be authorized for the following reasons, with limitations as specified:

- a) **Employee Health.** Employees must use accumulated sick time for the mental or physical health care treatment of the employee, or for illness or injury which precludes the employee from the performance of their duties. Employees may use their full sick allowance for this purpose. Approved use of paid sick time for this purpose is protected under Earned Sick and Safe Time ("ESST") law, pursuant to Minnesota Statutes 181.9445-181.9448.
- b) **Child.** Employees must use accumulated sick time for the mental or physical health care treatment of the employee's child, or for the care of an ill-injured child. Employees may use their full sick allowance for this purpose. Approved use of paid sick time for this purpose is protected under Earned Sick and Safe Time ("ESST") law, pursuant to Minnesota Statutes 181.9445-181.9448.
 - i. In accordance with Minnesota Statute 181.9445, "minor child" includes a foster child, legal ward, child for whom the employee is legal guardian, or child to whom the employee is/was in loco parentis. "Minor child" includes the child of a spouse or domestic partner.
 - ii. This policy extends the definition of child to include a child who is 18 years or older and is incapable of self-care because of a mental or physical disability.
- c) **Family Member.** Employees must use accumulated sick leave to assist in the care of the employee's adult child, spouse or domestic partner, sibling, parent, in-law, grandchild, grandparent, or other family member through legal or affinity relationship as defined by Minnesota Statute 181.9445, due to a mental or physical health condition. Employees

may use their full sick allowance for this purpose. Approved use of paid sick time for this purpose is protected under Earned Sick and Safe Time (“ESST”) law, pursuant to Minnesota Statutes 181.9445-181.9448.

- d) **Safety Leave.** Employees must use accumulated sick leave for safety leave of the employee or employee’s family member as defined in paragraph (c). For the purposes of this section, “safety leave” is for the purpose of providing or receiving assistance due to domestic abuse, sexual assault, or stalking, in accordance with Minnesota Statute 181.9447. Approved use of paid sick time for this purpose is protected under Earned Sick and Safe Time (“ESST”) law, pursuant to Minnesota Statutes 181.9445-181.9448.
- e) **Childbirth.** An employee who gives birth must use accumulated sick leave for medical leave due to childbirth and subsequent recovery, typically six (6) weeks for vaginal birth or eight (8) weeks for cesarian-section birth, unless otherwise specified by a healthcare provider. Approved use of paid sick time for this purpose is protected under Earned Sick and Safe Time (“ESST”) law, pursuant to Minnesota Statutes 181.9445-181.9448.
- f) **Bonding.** Sick leave not to exceed one hundred sixty (160) hours shall be used for child bonding following the birth or placement for adoption or foster care of the employee’s child or a child regularly residing in the employee’s immediate household. The leave must be consecutive, unless otherwise approved by Human Resources, and taken within twelve (12) months of the birth, adoption or foster care placement.
- g) **Pregnancy.** Pregnant employees are eligible for sick leave and reasonable accommodation due to pregnancy in the same manner as is provided for any other ill or injured employee until such time as the employee is able to perform the duties of the position. Approved use of paid sick time for this purpose is protected under Earned Sick and Safe Time (“ESST”) law, pursuant to Minnesota Statutes 181.9445-181.9448.
 - i. The appointing authority may require that the employee furnish evidence, as outlined in Section 8.8, that they are unable to perform the duties of the position.
 - ii. Medical documentation will not be required if a pregnant employee requests certain workplace accommodations, to include:
 - Longer or more frequent food, water, and restroom breaks,
 - Access to seating, and/or
 - Limits on lifting greater than 20 pounds.
- h) **Bereavement.** Sick leave up to eighty (80) hours shall be granted for bereavement purposes per instance. Bereavement leave may include the need to make arrangements for or attend funeral services or a memorial, or to address financial or legal matters that arise after the death of a family member. Approved use of paid sick time for this

purpose is protected under Earned Sick and Safe Time (“ESST”) law, pursuant to Minnesota Statutes 181.9445-181.9448.

- i. Additional use of sick leave for bereavement purposes is subject to the approval of the department head or their designee.
- ii. Any additional paid hours approved for bereavement are considered protected by state law.

9.7 Notice for the Use of Sick Leave. The appointing officer or Director may require that an employee who requests to use sick leave with pay provide advance notice for the use of sick leave to be approved. The appointing officer or Director must have a written procedure for how the employee provides such notice.

- a) When an absence is foreseeable, the appointing officer or Director may require no more than seven (7) days’ advance notice.
- b) When an absence is unforeseeable, the appointing officer or Director may require that employees provide reasonable notice to support operational needs.

9.8 Documentation for the Use of Sick Leave. The appointing officer or Director may require that an employee on sick leave with or without pay provide reasonable documentation attesting to the necessity of the leave, the employee’s ability to return to work, proof of death in the employee’s family, or other information deemed necessary. Reasonable documentation must identify the leave is for an authorized reason as described in Section 9.6 but may not require details relating to medical condition or other sensitive information, unless requested by Human Resources.

- a) Reasonable documentation may be requested at the discretion of the appointing officer or Human Resources
- b) Reasonable documentation may only be required if the absence is more than two (2) consecutive workdays.
- c) Reasonable documentation may include a report from a healthcare professional, court records, other documentation signed by an authority such as an attorney or police officer, or other record.
- d) If it is not reasonably possible for an employee to provide such documentation, the employee may provide a written statement by the employee certifying the use of sick leave with pay is for an authorized reason as described in Section 9.6.
- e) If the employee fails or refuses to supply the requested documentation, or if the documentation does not clearly establish the employee’s use of sick leave for an authorized reason, the appointing officer or the Director may cancel an employee’s sick leave and require the employee to report for duty on or by a specific day.
 - i. An employee denied sick leave under this section may appeal to the Director.

9.9 Retaliation Prohibited. An employee who exercises or attempts to exercise their right to the approved use of sick leave with pay is protected against retaliation or discrimination, pursuant to Minnesota Statute 181.9447.

9.10 Advance of Sick Leave. After exhaustion of accrued sick leave, full-time and part-time employees eligible to accrue paid sick leave may request an advance of up to forty (40) hours of paid sick leave before it is accrued to be used for a specific reason, subject to the approval of the department head. Advance can be requested at any time, including during an employee's initial probationary period. Advanced hours may be used for any reason listed in Section 9.6. Reasonable documentation may be required..

- a) The approved use of advanced sick hours for any reason that is covered under the Earned Sick and Safe Time ("ESST") law is guaranteed the same protections of the law, pursuant to Minnesota Statutes 181.9445-181.9448.
- b) Once advanced sick leave hours have been applied to an employee's timesheet, the employee cannot request another advance of sick leave until repayment is complete.
- c) Advanced sick hours must be repaid from the employee's future accrual. If an employee separates from the county or transitions to a seasonal, intermittent or temporary status before repayment is complete, the remaining amount will be deducted from the employee's next or final check. If there are not sufficient funds, the county reserves the right to send the balance to collections, administered by the Finance Department.
- d) Seasonal, intermittent, and temporary employees are not eligible for advance of sick leave.

9.11 Use of Other Paid Leave for Sick Leave Purposes. Upon exhaustion of allowable paid sick leave, an employee may request to use other accrued time, such as vacation, for the purposes of sick leave. Authorization of the use of other paid leave is subject to department approval. Supporting documentation may be required.

a) An employee who elects to maintain a bank of sick time, as outlined in Section 9.5 (a), may also request to use other accrued time.

b) If use of other paid time is approved and the reason for the absence is covered under Minnesota Statute 181.9447 ("Earned Sick and Safe Time"), then the approved paid time is protected under state law.

9.12 Engaging in Other Employment While on Sick Leave. An employee on sick leave with or without pay who engages in other employment without written approval of the appointing officer shall be subject to discharge in accordance with Section 383A.294 of the Act and Rule 24 (Causes for Disciplinary Action) of the Personnel Rules.

9.13 Illness While on Vacation. Should illness or injury occur while an employee is on vacation, the period of illness or injury may be charged to sick leave and the charge to vacation reduced accordingly. An employee requesting such a change may be required to submit a written statement from a physician attesting to the illness or injury and the period of disability.

9.14 Reports of Sick Leave Usage. Appointing officers shall maintain records of sick leave used by each of their employees. Such records shall be maintained in the form and manner prescribed by the Human Resources Department.

9.15 Conversion of Sick Leave Credit to Vacation. Employees may be eligible to convert accumulated sick leave to vacation in two different ways:

- a) Employees with an accumulation of sick leave credit in excess of 180 days (1440 hours) may convert the excess hours to vacation at the rate of sixteen (16) hours sick leave to eight (8) hours of vacation, not to exceed forty (40) hours in any calendar year. The vacation days must come under the maximum accumulation allowable under Section 8.8 (Accumulation of Vacation).
- b) Full-time employees, and part-time employees (on a prorated basis, based on hours worked), who do not utilize any sick leave hours in a three (3) month period shall have the option of converting four (4) hours of sick leave to vacation or pay at the option of the employee. The three (3) month periods are from January 1- March 31, April 1- June 30, July 1- September 30, October 1- December 31.
- c) Seasonal, intermittent, and temporary employees are not eligible to convert sick leave credit to vacation.

9.16 Appointment to a County Position Outside the Personnel System.

An employee who moves from an unclassified position that is excluded from the County Personnel System (as defined in Section 383A.281, Subdivision 13) into a position within the County Personnel System may receive an initial sick leave balance that is equal to the sick leave they have already accumulated at the time of the appointment. The sick leave rate of accrual cannot exceed the rate of accrual the employee would have earned under the county's regular sick leave policies.

9.17 Loss of Earned Sick Leave. All sick leave credits shall expire on an employee's date of separation from county employment, except as described in Section 13, Pay Upon Separation. However, if the employee is reinstated or re-employed as a permanent or probationary employee under the provisions of Rule 12.3 (Reinstatement After Resignation) of the Personnel Rules, all previously accumulated and unused sick leave shall be reinstated unless the employee has received separation pay under Section 13, Pay Upon Separation

a) Seasonal, intermittent, and temporary employees are eligible for reinstatement of accumulated and unused sick leave, if the employee is re-employed by the county within 180 days of separation. Maximum accruals apply.

9.18 Earned Sick Leave Upon Separation. Upon separation from county employment, a permanent or probationary employee who is eligible to receive separation pay, as outlined in Section 13.1 Sick Leave Separation Pay, shall be granted sick leave separation pay.

Section 10: Sick Leave – Without Pay

10.1 Eligibility for Sick Leave Without Pay. An employee may be eligible for sick leave without pay if the employee is approved for job-protected leave in accordance with applicable state or federal law.

a) Any employee unable to work due to a reason covered under Section 9.6, whose paid sick leave is exhausted, is not entitled to be off work and is not entitled to unpaid sick time unless the employee is covered by and approved for job-protected leave in accordance with applicable state or federal leave law.

10.2 Approved Use of Sick Leave Without Pay. An employee who is on an approved unpaid leave of absence, such as FMLA, may take unpaid time from work in accordance with the parameters of the approved leave, as outlined in Section 12.3 (Protected Leaves of Absence) and 12.4 (Discretionary Leaves of Absence). An employee on unpaid leave status is not allowed to access accrued paid time until the employee returns from unpaid leave.

10.3 Unauthorized Leave. Use of unpaid sick time without an authorized leave of absence may be considered an unauthorized leave and may be subject to disciplinary action, in accordance with 12.5 Unauthorized Leave of Absence and Personnel Rule 34.2 Presumed Resignation.

Section 11: Sick Leave – Workers’ Compensation

11.1 Recovery Period. Employees who are eligible to receive sick leave pay who are injured while performing work within the scope of their employment for Ramsey County and are rendered incapable of performing their duties are required to use earned sick leave in an amount equal to the difference between any Workers’ Compensation payments and 100% the employee’s normal daily salary. If an employee has no earned sick leave, or exhausts their accrued sick leave, they may elect to use earned vacation, compensatory time, floating holidays or accrued holiday time to pay the difference between Workers’ Compensation and 100% their normal daily salary.

11.2 Payment Limit. Nothing in this section shall be construed to permit an employee to receive combined wage and Workers’ Compensation benefits exceeding the employee’s normal daily salary.

Section 12: Leaves of Absence

12.1 General Provisions. Authorized time away from work may be granted for specific reasons in accordance with county policy and/or state or federal law. A leave of absence must be authorized by the appropriate authority.

12.2 Requesting a Leave of Absence. Any employee eligible for a leave of absence must submit a request for leave, in writing, to the appointing officer or their designee or to Human Resources. When the leave is foreseeable, an employee must give at least thirty (30) days advance notice if it is possible and practical to do so. When the need for leave is unforeseeable, the employee must provide notice as soon as possible and practical.

12.3 Protected Leaves of Absence. The following leaves of absence are governed by state and/or federal law. An eligible employee must fulfill the obligations of the leave, such as presenting medical certification or other official documentation, before the leave is considered authorized.

- a) **Paid Family Medical Leave.** Pursuant to Chapter 268B of the Minnesota Statutes, Paid Family Medical Leave (PFML) provides eligible employees with job-protected paid time off for medical needs, bonding with a new child, or certain safety or military-related reasons. The length of leave and amount of pay shall be governed by Minnesota Statute.
 - i. **Premiums.** The premium for PFML is made of employee and employer contributions, whereby the employer pays 50% of the premium and the employee pays 50% of the premium, with the employee share payable through payroll deductions, pursuant to Minnesota Statute 268B.14.
 - ii. **Notice.** An employee seeking a leave under PFML must provide sufficient notice to the employer, as outlined in Section 12.2.
 - iii. **Benefit year.** For the purposes of PFML, the benefit year is a 12-month period rolling forward. An employee's eligibility resets exactly one year from the first date of leave.
 - iv. **Substitution.** An employee may opt to use accrued paid time in lieu of receiving pay through PFML. Substituted paid leave, if elected, must begin at the start of the approved leave of absence. An employee who elects to substitute accrued paid sick leave is bound by the rules and limitations as specified in Section 9, Sick Leave With Pay, and more specifically Section 9.6, Qualified Reasons for the Use of Sick Leave. An employee who exhausts applicable paid leave through substitution will be placed on unpaid leave status with the county. Employees may not utilize accrued paid time in addition to PFML wage replacement. All accrued paid time used for the purposes of PFML will deduct from the employee's PFML allowance.

- v. **Payment Limit.** Nothing in this section shall be construed to permit an employee to receive wage benefits exceeding the employee's normal daily salary.
 - vi. **Concurrent leaves.** PFML runs concurrently with any other applicable leave of absence as allowable under state or federal law.
 - vii. **Amount of leave.** An employee may take up to twelve (12) weeks of medical leave, up to twelve (12) weeks of family leave, or a combined maximum of twenty (20) weeks of leave in a benefit year.
 - viii. **Intermittent leave.** If PFML is taken intermittently, the employee may take a maximum of 480 hours of intermittent leave in a benefit year, up to the maximum of 20 combined weeks between all approved family and medical leaves in that benefit year. If additional intermittent time is needed beyond 480 hours in a benefit year, and the employee is eligible for additional PFML, the employee must take that additional leave in a continuous block.
 - ix. **Minimum increment.** PFML may be taken in increments of one-quarter (0.25) hour.
 - x. **Impact on insurance benefits.** An employee on approved PFML maintains benefits at the same level of county contribution as of the date that the leave began. An employee is entitled to continue benefits coverage for the duration of the leave, so long as the employee continues to pay their share of insurance premiums.
- b) **Family Medical Leave Act.** Any employee who been employed with the county for at least twelve (12) months and has worked at least 1250 hours in the past twelve (12) months may be eligible for up to twelve (12) weeks of unpaid job-protected leave under the Family Medical Leave Act (FMLA). Such leave shall run concurrently with any other applicable paid or unpaid leave of absence.
- i. Employees may be required to substitute or use accrued paid sick leave during the approved FMLA leave as specified Section 9.6, Qualified Reasons for the Use of Sick Leave.
- c) **Unpaid Medical Leave.** An employee whose paid sick leave is exhausted may be granted an unpaid medical leave of absence. Permanent, probationary or unclassified employees may be granted a continuous medical leave of absence for a cumulative period not to exceed two (2) years.
- i. Any period of medical leave with or without pay must run concurrently with job-protected leave available under state or federal law, as applicable.
 - ii. When there are fewer than three (3) months between periods of leave of absence under this section for the same illness or injury, the periods of absence will be added together to determine the length of leave that may not exceed two (2) years.

- iii. Provisional employees who do not have permanent status with the county may be granted a leave of absence at the discretion of the appointing officer for a period not to exceed six (6) months.
- d) **Parental Leave for Child Bonding.** All employees are entitled to job-protected leave without pay to bond with a new child after birth, adoption, or foster placement. At the discretion of the parent, the time off shall begin before or at the time of their child's birth or at the time of child's adoption for the purpose of arranging the child's placement or caring for the child after placement, pursuant to Minnesota Statute 181.941. This leave runs concurrently with all applicable paid and unpaid leave laws. Eligibility for parental leave is as follows:
 - i. Permanent, probationary or unclassified employees shall be granted up to six (6) months parental leave.
 - i. Provisional employees without permanent status, seasonal, intermittent or temporary employees shall be granted up to twelve (12) weeks unpaid parental leave.
- e) **Leave for Child's School Functions.** Up to sixteen (16) hours of unpaid leave shall be granted for an employee to attend school conferences or classroom activities for their child if those events cannot be scheduled during non-work hours, pursuant to Minnesota Statute 181.9412. Eligibility for this type of leave is as follows:
 - i. Permanent, probationary or unclassified employees are eligible.
 - ii. Nothing in this section requires that the leave be paid; except that an employee may substitute any accrued paid vacation leave or other appropriate paid leave for any part of the leave under this section.
 - iii. Provisional employees without permanent status, seasonal, intermittent or temporary employees are only eligible if they have worked for the county for at least the preceding twelve (12) months and have worked an average of twenty (20) hours or more per week during that twelve (12) month period. The employee must obtain advance permission from their appointing officer if the need for the leave is foreseeable. An employee may choose to use accrued vacation or earned compensation time rather than unpaid leave.
- f) **Bone Marrow and Organ Donation Leave.** Any employee who has agreed to undergo a medical procedure to donate bone marrow or to donate an organ or partial organ to another person shall be granted a paid leave of absence of up to forty (40) hours, pursuant to Minnesota Statutes 181.945 and 181.9456. The leave may be extended at the discretion of the appointing officer. The appointing officer may require the employee to present a physician's verification. If there is a medical determination that the employee does not qualify as a donor, the paid leave of absence granted to the employee prior to that medical determination is not forfeited.

- g) Military Leave.** Employees shall be granted absence from a civilian job to fulfill military duties, such as training or active duty. All employees, except for temporary employees, are eligible for military leave without pay. Military leave of absence is governed by United States Code, Chapter 43, and Minnesota Statutes Chapter 192.
- i. Military pay.** Employees are eligible for up to fifteen (15) workdays of military pay per calendar year. Unused military pay is carried over from the prior year. Pursuant to Minnesota Statute 192.26, employees may choose when to use military pay.
 - ii. Use of other paid time.** At the start of a military leave, an employee may request to use accrued vacation, floating holiday, holiday reserve, and/or compensatory time for all or part of the leave. The approval of such time is subject to the discretion of the department head.
 - iii. Service credit.** An employee on military leave shall earn service hour credit, vacation accrual, and sick accrual for all time absent, paid or unpaid, for active military service and/or military training.
 - iv. Vacation exempt from capping.** Vacation accrued during military leave is exempt from capping for two (2) years from the date the employee returns from leave. After two (2) years and one (1) day, any unused accrued vacation hours are transferred to the employee's regular vacation bank and are subject to capping.
- h) Jury Duty Leave.** Employees shall be granted a leave of absence if summoned to report to jury duty. The employee must be released from their regular work schedule, including any shift work, to attend court for prospective jury service. The employee cannot be required to work any part of their shift, or an alternative shift, on any day the juror is required to report to the courthouse for jury service. An employee may voluntarily request to work an alternative work schedule, but cannot be prompted to do so, pursuant to Minnesota Statute 593.50, subdivision 1.
- i.** Full-time and part-time employees shall be paid for their regularly scheduled shift when the employee must report to jury duty during the employee's normal work hours. All fees for jury duty served during the employee's normal work hours, except those paid for meals and mileage, shall be returned to the employer. If fees are not returned, the employee is ineligible for jury duty pay.
 - ii.** Seasonal, temporary and intermittent employees are not eligible for paid time off for jury duty, but are eligible for unpaid job-protected leave, pursuant to Minnesota Statute 593.50.
- i) Voting Time Leave.** Every employee eligible to vote in an election is entitled to paid leave for the time necessary to appear in person, cast a ballot during the early in-person voting period or the day of the election, and return to work. Paid time for voting also includes the time necessary to turn in an absentee ballot to a voting office in person pursuant to Minnesota Statute 203B.081. Such leave for voting time will be without

penalty or deduction from salary or wages because of absence. The appointing officer may require that any request for time off to vote be made in advance and may specify the time when an employee may be absent for voting purposes.

- j) **PERA Duty Disability Leave.** An employee approved for psychological treatment by PERA for Duty Disability benefits will be placed on leave of absence with pay for the duration of the treatment period, up to 24-32 weeks. During the leave, the employee will continue to receive full salary and benefits and will be reimbursed for treatment costs not covered by health insurance, pursuant to Minnesota Statute 352B.102.
- k) **Leave to Accept an Unclassified Position.** Leave to accept an appointment to the unclassified service shall be granted to all classified permanent or probationary employees. At the termination of the unclassified service the employee shall be reinstated to the classified service as provided in Section 383A.285, Subdivision 8 of the Act. An employee returned to their former class shall suffer no loss in class seniority. The time of employment in the unclassified service shall count toward length of service for determining salary and benefits if the employee returns to the classified service with no break in service.
- l) **Leave for Political Office.** Leaves without pay shall be granted to employees serving as a legislator or who have been elected to full-time city or county office or to an Indian tribal council in Minnesota. Upon completion of the legislative year or completion of work related to legislative office or final day of office, the employee shall be reinstated pursuant to Minnesota Statutes 3.088, Subdivision 2. The provisions of this section shall not apply if the elected office is constitutionally or legally incompatible with the public employment. Employees whose principal employment is in an activity which is financed in whole or in part with funds from the Federal government may be barred from candidacy for public office pursuant to the Hatch Act (5 U.S.C. Section 1501 et seq.) or other applicable federal law. Granting of a leave of absence does not protect an employee from the provisions of the Hatch Act. It is the responsibility of the employee to determine if they are in compliance with the Hatch Act.

12.4 Discretionary Leaves of Absence. All employees are eligible for the following discretionary unpaid leaves. An employee's request for a leave of absence shall be submitted in writing to the appointing officer. The request shall state the reason for the leave of absence and the length of time off the employee desires. Written authorization for or denial of a leave of absence shall be furnished to the employee by the appointing officer.

- a) **Personal Leave.** Personal leaves of absence without pay of up to six (6) months may be granted at the discretion of the appointing officer. Such leave may be extended, with the appointing officer's approval, not to exceed a total leave of twelve (12) months.

- b) **Educational Leave.** Educational leaves of absence without pay of up to two (2) years may be granted at the discretion of the appointing officer.
- c) **Leave for Candidacy for Political Office.** Leaves of absence without pay to run for political office of up to six (6) months may be granted at the discretion of the appointing officer. Employees whose principal employment is in an activity which is financed in whole or in part with funds from the Federal government may be barred from candidacy for public office pursuant to the Hatch Act (5 U.S.C. Section 1501 et seq.) or other applicable federal law. Granting of a leave of absence does not protect an employee from the provisions of the Hatch Act. It is the responsibility of the employee to determine if they are in compliance with the Hatch Act.
- d) **Cancellation of Discretionary Leaves of Absence.** Discretionary leaves of absence shall be subject to cancellation by the appointing officer, if the employee is using the leave for purposes other than those specified at the time of approval or, when in the appointing officer's judgement, the interests of the county require that the employee returns to their employment.

12.5 Unauthorized Leave of Absence. Any employee on unauthorized leave for three (3) or more consecutive workdays may be presumed to have resigned their position, in accordance with Personnel Rule 34.2. Upon written notice from the appointing authority regarding the unauthorized leave, an employee shall have ten (10) days to respond and provide satisfactory explanation for the absence. If satisfactory explanation is not provided, the employee will be separated from county employment.

12.7 Effect of Leave of Absence on Salary and Benefit Accrual. Employees on leave of absence without pay shall not be paid benefits or salary. The time period for leave does not count towards accrual of benefits and salary, except as described in Section 12.3 (c) (Unpaid Medical Leave), Section 12.3 (g) (Military Leave), Section 12.3 (k) (Leave to Accept an Unclassified Position), Section 12.3 (l) (Leaves for Elective Office), and for full-time employees' leaves of forty (40) hours or less in a pay period. Employees returning to work after leave without pay will be paid at the same salary step held immediately before the leave began, except those employees on leaves as described in Section 12.3 (g) (Military Leave), Section 12.3 (k) (Leave to Accept an Unclassified Position), Section 12.3 (l) (Leaves for Elective Office), and for full time employees' leaves of forty (40) hours or less in a pay period, the time period on leave shall count towards accrual of benefits and salary accrual.

12.8 Effect of Leave of Absence on Probationary Period. A probationary employee's time spent on leave of absence without pay shall not count toward completion of their probationary period except as described in Sections 12.3 (g) (Military Leaves) and 12.3 (l) (Leaves for Elective Office).

12.9 Reinstatement Rights. A permanent or probationary employee who is granted a leave of absence with or without pay shall be afforded reinstatement rights as follows:

- a) **Military Leave.** Reinstatement from military leave is governed by the Uniformed Services Employment and Reemployment Rights Act (USERRA), which guarantees an employee returning from military service or training the right to be reemployed at their former job with the same benefits.
- b) **Other Protected Leaves.** A permanent or probationary employee who is granted a leave of absence with or without pay for a protected leave as described in 12.3 (Protected Leaves of Absence) will have the right to be reinstated with the same seniority and same salary as when the leave began. An employee is to be reinstated to:
 - i. The employee's former position in the department if the leave of absence is paid through accrued paid leave.
 - ii. The employee's former position in the department if the unpaid absence is for sixty (60) calendar days or less.
 - iii. A position in the department in the classification held at the time the unpaid leave started if the absence is no longer than sixty (60) days. If all positions in the classification in the department are filled, the employee with the least amount of class seniority in that department shall be reassigned or laid off in accordance with Rule 35.3 (Reassigned to another Department/Layoff and Rule 11 (Filling Vacancies through Transfer or Voluntary Reduction) of the Personnel Rules.
 - iv. If all positions in the employee's class have been abolished, the provisions of Rule 35.4 (Seniority Rights to Previously Held Titles) and Rule 12 (Filling Vacancies through Reinstatement) of the Personnel Rules shall apply.
 - v. Unclassified employees may be reinstated at the discretion, and under the terms set by, the appointing authority.
 - vi. Provisional employees who do not have permanent status with the county, on leave of absence, may be reinstated to the position from which leave was taken only if the need for the employee still exists; the authority is still in force for the provisional appointment; and the time limit set by the Director for the appointment has not been exceeded.
- c) **Discretionary Leaves.** An employee approved for a discretionary leave shall maintain reinstatement rights for the duration of the leave. Should the discretionary leave be cancelled or revoked, the employee is expected to report to work on the next regularly scheduled workday in order to be reinstated.

12.10 Evidence of Ability to Return to Work. When requested by the appointing officer or the Director, an employee on medical leave with or without pay must present a physician's statement attesting to their fitness to return to work before being allowed to return to work.

12.11 Inability to Return to Work due to Medical Condition Affecting Fitness for Work. For an employee unable to present evidence of ability to return to work due to a medical condition affecting their ability to continue to work in their current position, the provisions of Rule 33

(Employee and Management Rights/Responsibilities in Cases of Medical Condition Affecting Fitness for Work) shall apply.

Section 13: Pay Upon Separation

13.1 Sick Leave Separation Pay. Upon separation from county service by resignation, layoff, expiration of a leave of absence or death, a permanent employee shall be paid one half (1/2) of all unused sick leave based on their accumulated sick leave based on their accumulated sick leave hours at the time of separation, up to the following maximums, provided that:

1. That at the time of separation from county service, the employee must have been employed by the county in the classified service for at least five (5) years of full-time equivalent service prior to their separation, except that this section shall not apply to an employee whose cause of separation is death, layoff, whose position has been abolished, or who was required to retire from service under provisions of a compulsory retirement law.
2. An employee who is laid off or whose position has been abolished shall have the option of waiting until their eligibility for reinstatement expires before applying for separation pay.
3. That the rate of payment shall be based upon the regular hourly salary of the employee, in their permanent classification, at the time of separation. Separation as used in this rule means the last working day of the employee in the classified service.
4. That in the event an employee has been separated and paid for such accumulated sick leave and subsequently is re-employed, their sick leave shall be calculated as though they were a new employee.
5. No classified employee who is on a leave of absence to accept a position in the exempt service of the county shall be eligible for separation pay until their employment is finally terminated.
6. Separation payment may be deferred to January of the next calendar year if requested in writing by the employee.

Seasonal, intermittent and temporary employees are ineligible to receive separation pay for accrued and unused sick and safety leave hours.

Unused Sick Leave Accrual Amount	Maximum Pay
Employees with at least 100 hours sick leave and less than 480 hours:	\$5000.00
Employees with at least 480 hours sick leave and less than 850 hours:	\$10,000.00
Employees with at least 850 hours sick leave and less than 1,000 hours:	\$11,000.00
Employees with at least 1,000 hours sick leave and less than 1,150 hours:	\$12,000.00

Employees with at least 1,150 hours sick leave and less than 1,300 hours:	\$13,000.00
Employees with at least 1,300 hours sick leave and less than 1,450 hours	\$14,000.00
Employees with at least 1,450 hours sick leave and less than 1,600 or more:	\$15,000.00
Employees with at least 1,600 hours and less than 1,750 hours:	\$16,000.00
Employees with at least 1,750 hours and less than 1,900 hours:	\$17,000.00
Employees with at least 1,900 hours or more:	\$18,000.00

13.3 Vacation Upon Separation. Upon separation from county service, employees will receive payment for all unused, accrued vacation leave. This payment will be issued as a lump sum in the pay period following the issuance of the final paycheck for hours worked and will be taxed in accordance with IRS rules for supplemental wages.

Vacation payout amounts may be designated for contribution to the Health Care Savings Plan (HCSP), based on an employee's date of hire and salary plan eligibility. Any portion of the payout that is not designated to the HCSP may be eligible for contribution to the employee's deferred compensation account, up to the annual contribution limit for that plan.

13.4 Other Accrued Paid Leave. Upon separation from county service, employees with at least six (6) months of service will receive payment for all unused, accrued floating holiday. All employees, regardless of service hours will receive payment for all unused holiday reserve and compensation time leave. Employees may also be eligible for payment for uniform allowance. These payments will be issued as a lump sum in the pay period following the issuance of the final paycheck for hours worked and will be taxed in accordance with IRS rules for supplemental wages. These other accrued leave payout amounts may be designated for contribution to the Health Care Savings Plan (HCSP), based on an employee's date of hire and salary plan eligibility. Any portion of the payout that is not designated to the HCSP may be eligible for contribution to the employee's deferred compensation account, up to the annual contribution limit for that plan.

13.5 Payout to Health Care Savings Plan. In accordance with Minnesota Statutes, Chapter 352.98, employees are to contribute a percentage of earnings to the Health Care Savings Plan (HCSP) to be used for post-employment health care expenses. Upon separation from county employment, sick leave separation pay and/or vacation payout may be transferred to the employee's HCSP pursuant to the rules of the applicable salary schedule and the date of hire, as follows:

- a) Salary Schedule 101A (formerly 01A) (Admin):

- i. Hired before 7/1/92 – 100% of separation pay and 50% of vacation pay;
 - ii. Hired 7/1/92 through 12/31/05 – 100% of separation pay and 50% of vacation pay;
 - iii. Hired on or after 1/1/06 or opted out of receiving retiree insurance contribution – 25% separation pay.
- b) Salary Schedule 102A - (formerly 02A):
 - i. Hired before 7/1/92 – 100% separation pay and 50% vacation pay;
 - ii. Hired 7/1/92 through 12/31/05 – 50% separation pay;
 - iii. Hired on or after 1/1/06 or opted out of receiving retiree insurance contribution – 50% separation pay.
- c) Salary Schedule 102A - (formerly 98A):
 - i. Hired before 7/1/92 – 100% separation pay and 75% vacation pay;
 - ii. Hired 7/1/92 through 12/31/05 – 50% separation pay and 25% vacation pay;
 - iii. Hired on or after 1/1/06 or opted out of receiving retiree insurance contribution – 50% separation pay, 25% vacation pay.
- d) Salary Schedule 102A Law Clerks- (formerly 98A):
 - i. Elected no contribution. Any money already contributed will remain in your HCSP account;
- e) Salary Schedule 08 (Trades): Hired before 7/1/92 – 100% separation pay.
- f) Salary Schedule 10 (Comm. Corr. Super):
 - i. Hired before 7/1/92 – 100% separation pay and 50% vacation pay;
 - ii. Hired 7/1/92 through 12/31/05 – 100% separation pay and 100% vacation pay;
 - iii. Hired on or after 1/1/06 or opted out of receiving retiree insurance contribution – 100% separation pay, 25% vacation pay, and effective 1/14/17 0.05% of ongoing base pay.
- g) Salary Schedule 31 (Chief Correctional Officers UNR):
 - i. Hired before 7/1/92 – 100% separation pay and 100% vacation pay;
 - ii. Hired 7/1/92 through 12/31/05 – 100% separation pay and 100% vacation pay;
 - iii. Hired on or after 1/1/06 or opted out of receiving retiree insurance contribution – 100% separation pay.
- h) Salary Schedule 727 - (formerly 98B) (Dept. Head/Div Dir):
 - i. Hired before 7/1/92 – 100% separation pay and 75% vacation pay;
 - ii. Hired 7/1/92 through 12/31/05 – 50% separation pay and 25% vacation pay;
 - iii. Hired on or after 1/1/06 or opted out of receiving retiree insurance contribution – 50% separation pay, 25% vacation pay.
- i) Salary Schedule 727 - (formerly 02P):
 - i. Hired before 7/1/92 – 100% separation pay and 50% vacation pay;
 - ii. Hired 7/1/92 through 12/31/05 – 50% separation pay;
 - iii. Hired on or after 1/1/06 or opted out of receiving retiree insurance contribution – 50% separation pay.
- j) Salary Schedule 98D (Principal Assistants):

- i. Hired before 7/1/92 – 100% separation pay and 75% vacation pay;
 - ii. Hired 7/1/92 through 12/31/05 – 50% separation pay and 25% vacation pay;
 - iii. Hired on or after 1/1/06 or opted out of receiving retiree insurance contribution – 50% separation pay, 25% vacation pay.
- k) Salary Schedule 99 (Courts):
 - i. 75% of separation pay (effective 2005 through 1/13/17);
 - ii. Hired before 7/1/92 – 75% of separation pay (effective 1/14/17);
 - iii. Hired 7/1/92 through 12/31/05 – 50% of vacation pay, 100% of separation pay, and 1% of base salary (effective 1/14/17).
- l) Salary Schedule 99 (Unclassified):
 - i. Hired 7/1/92 through 12/31/05 – 100% of separation pay, 100% of vacation pay, and effective 1/14/17 1.5% of ongoing base pay;
 - ii. Hired on or after 1/1/06 or opted out of receiving retiree insurance contribution
 - iii. Elected no contribution. Any money already contributed will remain in your HCSP account.
- m) Elected Officials: Individual lump sum payroll contribution of \$100 per pay period

In accordance with MSRS requirements, the Ramsey County Board of Commissioners authorized the creation of HCSPs for non-union employees in 2005 (Resolution 2005-272).

Section 14: Special Allowances

14.1 Equipment Allowance. The Ramsey County Board of Commissioners may authorize special allowances to any employee for the purpose of upkeep, maintenance or furnishing of a vehicle, uniform, or other equipment necessarily used in the performance of the duties of the position. Any allowance granted shall be paid in addition to the regular salary payable to the employee under the county salary plan.

14.2 Saturday-Sunday Differential. Employees receiving pro rata benefits, required to work at least five (5) hours on Saturday or five (5) hours on Sunday shall be paid a differential in addition to their regular salary at rates determined by resolution of the Ramsey County Board of Commissioners. Compensation under this paragraph will be in addition to the employee's regular salary. Seasonal, intermittent, and temporary employees, and employees working overtime are excluded from the provisions of this paragraph. Board Resolution B2024-696 effective the first full pay period following January 1, 2025, this rate shall be one dollar (\$1.00) for eligible hours on Saturday and Sunday.

14.3 Non-Scheduled Weekend Shifts. Full-time and regularly scheduled part-time employees as designated by the Ramsey County Board of Commissioners, shall be paid at a rate determined by Board resolution for each non-scheduled weekend shift worked. Compensation under this paragraph will be in addition to the employee's regular salary. The provisions of this section shall apply to all full shifts worked between 3 p.m. Friday and 7a.m. Monday. The weekend bonus payment shall not be paid if additional shifts are worked as a result of a voluntary exchange of hours.

14.4 On-Call Compensation. An employee is on call when directed by the appointing officer to remain available to be called in for work during certain specified hours. The hourly rate of pay for each classification of employees required to be on call will be determined by resolution of the Ramsey County Board of Commissioners. Board Resolution B2024-696, effective the first full pay period following January 1, 2025, this rate shall be three dollars (\$3.00) per hour.

14.5 Relief of Night Differential. Any full-time employee or part-time employee receiving pro rata benefits, who works on a shift beginning earlier than 6 a.m., or ending later than 6 p.m., shall receive a relief or night shift differential as determined by the Ramsey County Board of Commissioners for the entire shift, provided at least four (4) hours of the shift are worked between the hours of 6 p.m. and 6 a.m. Compensation under this paragraph will be in addition to the employee's regular salary. Full-time employees or part-time employees receiving pro rata benefits who receive the night differential as the result of a continuous shift assignment shall continue to receive differential pay for all periods of paid leave as provided under the sick leave, vacation and holiday provisions of these benefit policies. Seasonal, intermittent and temporary employees, and employees working overtime are excluded from the provisions of this paragraph.

14.6 Call-Back. The Director may authorize four (4) hours minimum call-back pay for employees who are called back for emergency work. The employee's time is first computed on the basis of time and one-half for overtime as described in Section 4 (Overtime). When this total is not equal to or does not exceed four hours, the employee shall be paid call back pay of four hours at the employee's regular rate of pay.

14.7 No Overlapping Pay Differentials. Under no circumstances shall an employee receive more than one type of pay differential as described in Sections 12.1-12.6, for one period of time worked.

14.8 Tuition Reimbursement. Any employee who takes courses which have a direct relationship to their current or future occupation or a position they can reasonably hope to advance to, may, upon submission of evidence of successful completion of such courses, be refunded the amount of the tuition. An employee wishing to take advantage of this benefit must have the course work approved by the appointing officer prior to enrollment. Factors upon which an employee's eligibility depends, the relevancy of the course work to the employee's position and professional goals, the status of the educational institution and availability of funds, pursuant to the tuition reimbursement guidelines. Approval will not be granted for a course if a substantial equivalent is offered through the county. Tuition payments shall be limited to a maximum annual dollar amount per employee, determined by the Ramsey County Board of Commissioners. Employees shall not be eligible for tuition reimbursement when tuition has been paid or shall be paid by federal plan of "benefits for veterans and service personnel" or by other sources.

14.9 Emergency Closings. Emergency closings shall be declared in accordance with County Board resolution. During severe weather or an emergency situation which affects the safety of county employees, if the County Manager or their designee closes a facility or department, or a public emergency or local public emergency has been officially declared, and employees are told by the department head or appropriate media to leave early or not to report for work, such time shall be with pay. This additional time with pay shall be granted to employees scheduled to work and those that would have normally reported for work. Such payments shall be limited to two (2) days per calendar year (County Board Resolution 2008-267 dated August 19, 2008). This policy applies to all county employees whose positions have not been designated essential by the County Manager. It does not apply to employees who primarily work outdoors and are sent home because of inclement weather. Under no circumstances shall an employee be paid more under this section than their normally scheduled pay. If there are more than two (2) days of emergency closure per calendar year, or if an employee is otherwise ineligible for the special allowance pay, an employee is permitted to use sick leave with pay, vacation, or other paid accruals.

14.10 Personal Effects. Employees may submit claims to the Risk Management Department to replace personal effects or other property of the employee, which is destroyed or damaged in

the course of their employment, provided that recovery cannot be made under the Workers' Compensation laws.

14.11 Paid Parental Leave. This section has been removed effective December 31, 2025, with implementation of the Paid Family Medical Leave act, Minnesota Statutes Chapter 268B, effective January 1, 2026. Refer to Sections 9.6 (e) (Childbirth), 9.6 (f) (Bonding), and 12.3 (Protected Leaves of Absence) for updated parental leave benefits.