

WORKPLACE PARTNERSHIP GROUP

—Eighth Business Meeting—

Monday, February 22, 2016; 2:00 p.m.

Minneapolis City Hall – Room 319

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1. Call to Order

The Chair called the meeting to order at 2:10 p.m. The following members were found to be in attendance:

Attending: Susie Brown; Steve Cramer; Liz Doyle; Faisal A. Mohamud Deri; Brian K. Elliott; Dayna Frank; Stephanie Gasca; Molly Glasgow; Chelsie Glaubitz Gabiou; Ron Harris; Christopher Carl Pennock; Guillermo Alexander Lindsay; Tony Lacroix-Dalluhn; Wade Luneburg; Bruce Nustad; Jim Rowader; Danny Schwartzman; and Sarah Webster Norton [*See attached attendance sheet*]

The following staff members were also present: Nuria Rivera-Vandermyde; Luke Weisberg; Casey Carl; Susan Trammell; and Sasha Bergman.

2. Acceptance of Minutes – Seventh Business Meeting: February 17, 2016

On motion by Brown, the minutes of the Seventh Business Meeting conducted Wednesday, February 17, 2016, were approved.

3. Report from the Chair

A. Scheduling & Timeline – Updates

At the prior business meeting, the Chair announced the project timeline had been extended after consulting with the City Council president and vice-president. Consequently, the Partnership's report on recommended elements for a municipal policy on paid sick time would be to the Committee of the Whole at its regular meeting on March 16, 2016.

Accordingly, additional business meetings for the Partnership had been organized, as follows—

- Thursday, February 25, 2016, 2 – 4 p.m.
- Wednesday, March 9, 2016, 3 – 5 p.m.
- Monday, March 14, 2016, 3:30 – 5:30 p.m.

The goal is to finalize review and reach consensus on all policy elements so that a final draft report can be prepared and submitted prior to the meeting on March 14. At the March 14 meeting, members should anticipate taking a formal, recorded vote on the final report, as required under the action creating the Workplace Regulations Partnership Group. The final report, as adopted, would then be submitted to the Mayor and City Council through the Committee of the Whole as part of its regular meeting on Wednesday, March 16, 2016, beginning at 10 a.m. in the Council Chamber (Room 317) at City Hall. Invitations to the additional business meetings as well as to the March 16 Committee of the Whole meeting would be sent to all members.

4. Unfinished Business

- A. Review of key decision points and/or recommendations related to a municipal paid sick-time policy on issues of scope, usage, accrual mechanism(s), monitoring, enforcement, and implementation

Following up on discussion from the previous meeting centered around accrual mechanism(s), Mr. Weisberg reviewed two alternatives, as shown below, both based on an assumption that workers would accrue 1 hour of paid sick time for every 30 hours worked:

OPTION 1 – 1:30	OPTION 2 – 1:30
Annual maximum accrual at 40/48-56/64	Annual maximum accrual at 40-72 (depending on business size)
Overall bank at maximum of 80-100	Overall bank at maximum of 80-120, depending on business size
No tiers by business size	Tiered approach based on business size
<i>Optional small business accommodation—</i>	
Support for implementation	
Extended timeline for implementation/enforcement	
Difference compliance standard under 3 staff	

Following small group discussion, Mr. Weisberg presented the following option which attempted to amalgamate the feedback from the various small groups into a potential policy statement:

A policy model based on 1 hour of paid sick time for every 30 hours worked
Annual cap of 6 days (48 hours) and total accrual cap of not to exceed 80 hours of paid sick time
Accommodations provided to delay implementation by a set timeframe (yet to be determined)
for—

- Small employers – defined as having 1 to 3 employees;
- Micro employers – defined as having 3 to 24 employees; and
- New employers (e.g., start-ups)

and with City resources directed to support economic development targeting small, micro, and new employers to mitigate impact/cost of the program.

Time having expired, Mr. Weisberg indicated the discussion would resume on this point at the next meeting, set for Thursday, February 25, from 2 to 4 p.m. Two related points not addressed which remain for consideration include an option to include unpaid leave time as a supplement to any required paid sick time allocation to further increase flexibility for workers and the impact of a municipal policy on existing collective bargaining agreements (a question of scope).

Mr. Weisberg distributed an updated matrix related to consensus already reached on scope, usage, accrual mechanism(s), monitoring, enforcement, and implementation [See attached *Detailed Policy Decision Outline, dated February 22, 2016*]. Ms. Rivera-Vandermyde distributed flowcharts illustrating the complaint, investigation, and enforcement procedures used by the City’s Civil Rights and Business Licensing departments, as comparables for a possible municipal sick-time policy [See attached *procedural documents for Civil Rights and Business Licensing*].

5. Adjournment

With no further business to be presented, the meeting adjourned at 4:20 p.m.

Workplace Partnership Group

ATTENDANCE SIGN-IN SHEET Monday, February 22, 2016





Susie Brown



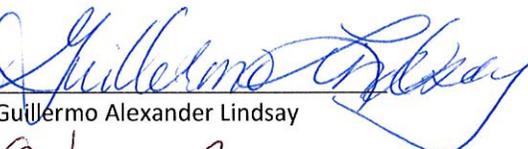
Steve Cramer



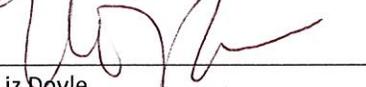
Molly Glasgow



Christopher Carl Pennock



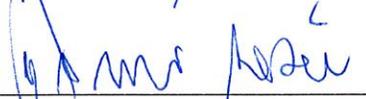
Guillermo Alexander Lindsay



Liz Doyle



Ron Harris



Faisal A. Mohamud Deri



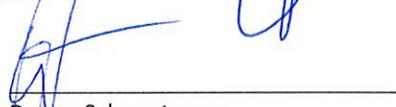
Dayna Frank



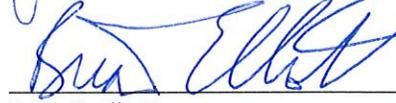
Tony Lacroix-Dalluhn



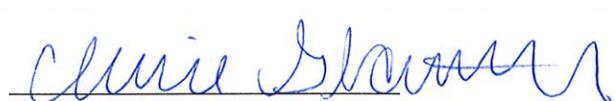
Jim Rowader



Danny Schwartzman



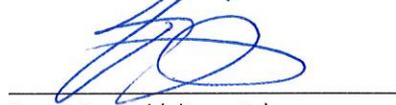
Brian K. Elliott



Chelsie Glaubitz Gabiou



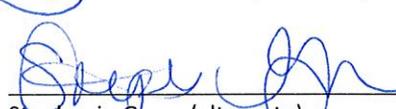
Wade Luneburg



Bruce Nustad (alternate)



Sarah Webster Norton (alternate)

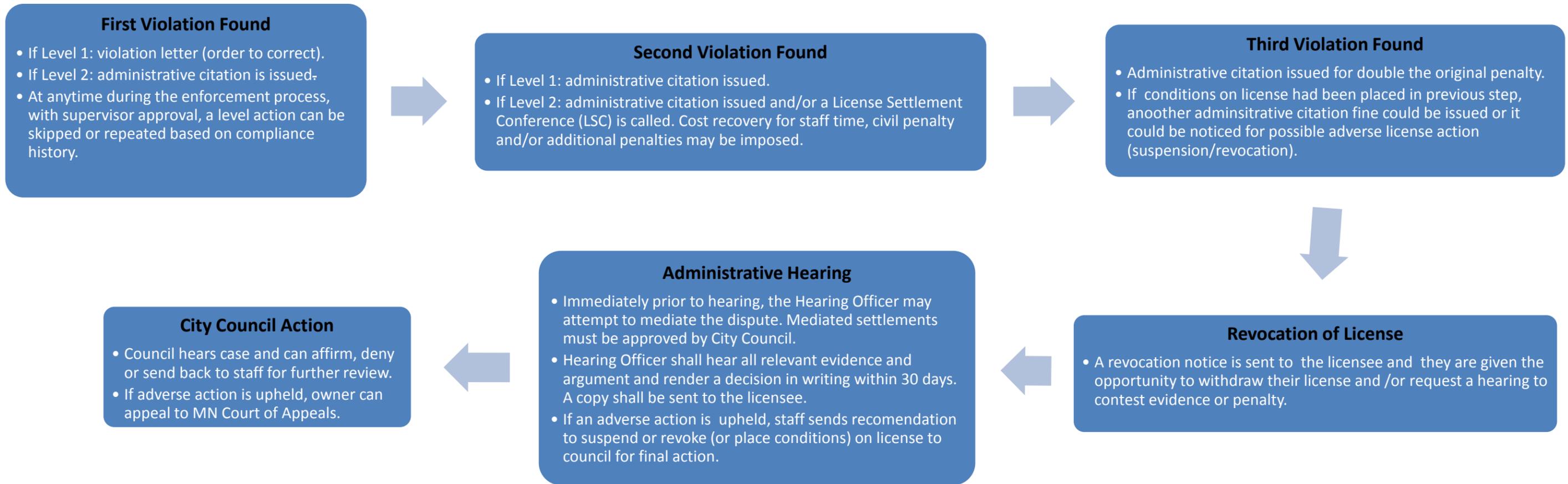


Stephanie Gasca (alternate)



Abdirahman Kahin (alternate)

Business Licensing – Enforcement Process



Examples of Level 1 Violations

- Smoking ban violation: presence of ash trays, "No Smoking" signs not posted, failure to instruct person to stop smoking
- Litter within 100 feet of property line
- Dumpster enclosure violation
- Failure to meet proper food to alcohol sales requirement (60/40 and 70/30)
- Windows covered by more than 30%
- Failure to maintain required landscaping
- Inoperable vehicle storage
- Operating beyond legal hours of operation
- Improperly working surveillance cameras
- Unauthorized persons on premises after 2:30a.m.
- No Ship List violation
- Violations of authorized level
- Sidewalk cafe oversized

Examples of Level 2 Violations

- Failure to allow inspectors access to inspection
- Falsifying food to alcohol sales requirement
- Consumption on premises after 2:30 am for 2:00 am licenses
- Expansion of liquor premises w/o prior approval
- Over occupancy and/or inadequate security
- Any activity or behavior leading to the physical harm of any member of the public or a city employee
- Sale of illegal drug paraphernalia
- Unlicensed vehicles
- Tobacco sale violations
- No surveillance cameras

Penalties/Fines

- Generally, administrative citations are \$250 for first violation under Chapter 2 (which encompasses the majority of the city's transactional administrative enforcement functions) and \$200 for all other violations unless otherwise specified.
- Second or subsequent violations of the same type by the same person or entity within 24 month period is subject to 2x fine for the previous violation up to a maximum of \$2,000.
- Civil fines vary depending on violation, but range from \$50-\$1,000 (most for Business licensing falling within \$250-\$500 range).
- Late payment incurs additional 10% of fine.
- Hearing Officer can consider the following when imposing a fine: duration of violation; frequency or reoccurrence of violation; seriousness of violation; history of the violation; violator's conduct after issuance of notice of hearing; good faith compliance efforts; economic impact of fine; impact of violation on community; prior record of city violations; and any other facts appropriate to a just result.
- Punitive damages may be awarded in accordance with state law requirements.

Civil Rights – Complaints Enforcement Process

Boxes in green reflect the Director/department's more direct role in the process.
Boxes in blue refer more to the commission. Information valid as of Feb. 2016.

