

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

09-0042R

REPLACEMENT

RESOLUTION URGING THE ADMINISTRATION TO RESOLVE THE HANDLING OF THE PERSONNEL ISSUE SPECIFIC TO ADMINISTRATIVE LEAVE WITH PAY.

BY COUNCILORS STAUBER, FEDORA AND GARDNER:

WHEREAS, a senior female employee has been on paid administrative leave since October 3, 2008, without explanation to the council or public; and

WHEREAS, the League of Minnesota Cities recognizes that leave with pay on short notice is usually reserved for employees that may become disruptive to the work environment or may tamper with evidence needed for an investigation, and such leave should be accompanied by written notification of the reason and the duration; and

WHEREAS, the employee has now been off work for over three months, and the council is concerned that based on the length of the investigation, the administration may have been overzealous in it's decision to abruptly remove this employee from duty, and may have failed to have significant cause for such action, and may be continuing to investigate in an attempt to find something to justify the removal; and

WHEREAS, the council recognizes that in a just employment system, timely and fair personnel actions are expected and the current action is damaging the morale of this and other city employees and decreased morale leads to reduced productivity; and

WHEREAS, the employee has been responsible for city finances for a significant period of time prior to the leave and currently the city is seeking to hire a full time chief financial officer, encompassing duties of which she had been performing; and

WHEREAS, the employee continues to receive full pay and benefits without providing any service to the citizens of Duluth.

RESOLVED, that the city council urges the administration take immediate steps to resolve this issue.

Approved as to form:

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Attorney

CCREQ/ATTY JS/GBJ:cjk 1/12/2009

STATEMENT OF PURPOSE: This resolution urges the administration to immediately end the apparent impasse and investigation of an employee that has been given administrative leave with pay for over three months.