

1. Insurance Audit And Claims Agenda December 14, 2021

Documents:

[INSURANCE AUDIT AND CLAIMS AGENDA 12 14 21.PDF](#)

1.I. Insurance Audit And Claims Packet December 14, 2021

Documents:

[INSURANCE AUDIT AND CLAIMS PACKET 12 14 21.PDF](#)

1.I.i. Insurance Audit And Claims Minutes December 14, 2021

Documents:

[INSURANCE AUDIT AND CLAIMS MINUTES 12 14 21.PDF](#)

COMMITTEE ON INSURANCE/AUDIT AND CLAIMS
December 14, 2021
5:00 PM
Carthage City Hall Council Chambers

Old Business

1. Consideration and Approval of Minutes from Previous Meeting
2. Review and Approval of the Claims Report

Citizens Participation

(Citizens wishing to speak should notify Department Head or Committee Chair in advance)

New Business

1. Consider and Discuss C.B. 21-59 – An Ordinance to amend the Family Medical Leave Act Policy of the City of Carthage regarding when an employee is designating FMLA leave.
2. Staff Reports
3. Other Reports

Adjournment

PERSONS WITH DISABILITIES WHO NEED SPECIAL ASSISTANCE CALL 417-237-7000 (VOICE) OR 1-800-735-2466 (TDD VIA RELAY MISSOURI) AT LEAST 24 HOURS PRIOR TO MEETING.

Posted: _____

COMMITTEE ON INSURANCE/AUDIT AND CLAIMS

December 14, 2021

5:00 PM

Carthage City Hall Council Chambers

Old Business

1. Consideration and Approval of Minutes from Previous Meeting
2. Review and Approval of the Claims Report

Citizens Participation

(Citizens wishing to speak should notify Department Head or Committee Chair in advance)

New Business

1. Consider and Discuss C.B. 21-59 – An Ordinance to amend the Family Medical Leave Act Policy of the City of Carthage regarding when an employee is designating FMLA leave.
2. Staff Reports
3. Other Reports

Adjournment

PERSONS WITH DISABILITIES WHO NEED SPECIAL ASSISTANCE CALL 417-237-7000 (VOICE) OR 1-800-735-2466 (TDD VIA RELAY MISSOURI) AT LEAST 24 HOURS PRIOR TO MEETING.

Posted: _____

COMMITTEE ON INSURANCE/AUDIT AND CLAIMS
TUESDAY, NOVEMBER 23, 2021
5:00 p.m.

COMMITTEE MEMBERS PRESENT: Ceri Otero, David Armstrong and Robin Harrison. Craig Diggs was absent.

OTHER COUNCIL MEMBERS: Mayor Dan Rife

STAFF PRESENT: Assistant City Administrator Greg Dagnan, City Clerk Traci Cox and HR Coordinator Michael Miller

Chair Ceri Otero called the meeting to order at 5:00 P.M.

OLD BUSINESS:

1. **Approval of minutes from previous meeting:** On a motion by Ms. Harrison, the minutes of the November 9, 2021 meeting were approved 3-0.
2. **Review and approval of the Claims Report:** The Committee discussed items regarding the Claims Report. Ms. Harrison moved to approve the claims. Motion carried 3-0.

NEW BUSINESS:

1. **Consider and discuss Victim's Economic Safety and Security Act ("VESSA") Leave Policy:** Michael Miller discussed the addition of the policy as required by Federal regulations. Ms. Harrison moved to forward the policy to council for approval. Motion carried.
2. **Staff Reports:** Mr. Miller discussed revisions to an internal Employee Information Verification policy.

City Clerk Traci Cox reported on the opening date for election filing.

Assistant City Administrator Greg Dagnan reported on future changes to the FMLA policy, Michael Miller is reviewing employee benefits as a result of recommendations from the work session, the possibility of increasing the January 1, 2022 COLA increase from 1% to 3.5% and adding a July 1, 2022 COLA increase of 3% due to current inflation indexes, Threads Performance software is being implemented, and selection of a new Fire Chief has been completed and will be appointed in December.

Mayor Rife reported Greg Dagnan will remain in the position of Assistant City Administrator after the temporary appointment expires on January 1. Bill Hawkins will be appointed as the Police Chief effective January 1.

3. **Other Reports: None**

ADJOURNMENT: Ms. Harrison made a motion to adjourn at 5:33 PM. Motion carried 3-0.

Traci Cox

COUNCIL BILL NO. 21-59

ORDINANCE NO.

An Ordinance to amend the Family Medical Leave Act Policy of the City of Carthage regarding when an employee is designating FMLA leave.

BE IT ORDAINED BY THE PEOPLE OF THE CITY OF CARTHAGE, JASPER COUNTY, MISSOURI as follows:

SECTION I: The Family Medical Leave Act Policy of the City of Carthage is hereby amended as stated in the attached policy, a copy of which policy is attached hereto and incorporated herein as if set out in full.

SECTION II: This Ordinance shall take effect and be in force from and after its passage and approval.

PASSED AND APPROVED THIS _____ **DAY OF** _____, 2021.

MAYOR

ATTEST:

CITY CLERK

Sponsored by: City Staff

505. Family and Medical Leave Policy: To define the City's policy and procedure with regard to family and medical leave.

01. General: Employees, who have been employed for at least 12 months as of the date the leave is to start and for at least 1,250 hours during the preceding 12-month period, are eligible for family and medical leave. The 12 months of employment do not have to be consecutive with the exception of a break of seven years or more of employment. Except for those employees designated as "highly compensated employees", employees will be returned to the same or to an equivalent position upon their return from leave.

Family or medical leave will be unpaid leave. If leave is requested for an employee's own serious health condition, the employee must use all of their accrued paid vacation leave, sick leave or personal leave. If leave is requested for any of the other reasons listed below, an employee must use all of their accrued sick, vacation, or personal leave. The remainder of the leave period will then consist of unpaid leave.

Serious Health Condition is defined as an illness, injury, impairment or physical or mental condition that requires in-patient care in a hospital, hospice or residential medical care facility or that requires continuing treatment by a health care provider; a period of incapacity that makes an individual unable to attend work, school, or perform other daily activities for more than three (3) days and that requires continuing treatment by a health care provider; or continuing treatment by a health care provider for a chronic or long-term health condition that is so serious that, if not treated, would likely result in incapacity for more than three days.

The definition of serious health condition is not meant to cover short-term conditions where treatment and recovery are brief; routine physical examinations; or voluntary or cosmetic treatments that are not medically necessary, unless in-patient hospital care is required.

02. Service Member Family Leave: An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member shall be entitled to a total of 26 workweeks of leave during a 12-month period to care for the service member. The leave described in this paragraph shall only be available during a single 12-month period. The term "next of kin", used here, means the nearest blood relative of that individual.

03. Reasons for Leave: All employees who meet the applicable time of-service requirements may be granted a total of twelve (12) workweeks of unpaid or paid (sick, vacation, and personal leave), job-protected family leave combined (during any 12-month period) for the following reasons:

1. The birth of a child and to bond with the newborn child within one year of birth;
2. The placement with the employee of a child for adoption or foster care and to bond with the newly-placed child within one year of placement;
3. A serious health condition that makes the employee unable to perform the functions of his or her job, including incapacity due to pregnancy and for prenatal medical care;
4. To care for the employee's spouse, son, daughter, or parent who has a serious health condition, including incapacity due to pregnancy and for prenatal medical care; or

5. Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a military member on covered active duty or call to covered active duty status.

The entitlement to leave for the birth, placement of a child for adoption or foster care, or to bond with the newborn or newly-placed child will expire twelve (12) months from the date of the birth or placement.

An employee's 12-month period starts on the date of leave requested on the application and ends after twelve consecutive months. The 12-month period does not have to be in the same calendar year or fiscal year.

04. Combined Leave Total: During the 12-month period described in paragraph 02 above, an eligible employee shall be entitled to a combined total of 26 workweeks of leave under 01 and 02 above.

05. Application for Leave: In all cases, an employee requesting leave must complete the attached "Application for Family and Medical Leave" and return it to Human Resources as soon as the necessity for the leave arises. If the leave is foreseeable, an employee must give 30 days advance notice of the need for leave as possible and practical to do so. Failure to give 30 days advance notice for a foreseeable leave that was possible and practical to do so may result in a delay of leave until 30 days after the date of notice.

06. Designation of Leave: When an eligible employee takes time off for an FMLA-qualifying reason, the City is required to designate the absence as FMLA leave and give written notice of the designation to the employee. The City must provide this written designation notice within five business days (absent extenuating circumstances) after it has enough information to determine whether the leave is being taken for an FMLA-qualifying reason.

Employees are not required to mention the FMLA in order to have it apply to their absence. The time off request may be made under a separate employee leave policy, such as paid sick leave, vacation leave, or compensatory time leave.

07. Medical Certification of Leave: An application for leave based on the serious health condition of the employee or the employee's spouse, child or parent must also be accompanied by a "Medical Certification Statement" completed by the applicable health care provider. The certification must state the date on which the health condition commenced, the probable duration of the condition, and the appropriate medical facts regarding the condition. The certification must be provided within 15 calendar days of the request.

If the employee is needed to care for a spouse, child or parent, the certification must so state along with an estimate of the amount of time the employee will be needed. If the employee has a serious health condition, the certification must state that the employee cannot perform the functions of their job.

08. Benefits Coverage During Leave: During a period of family or medical leave, an employee will be retained on the City health, disability and life plans under the same conditions that applied before leave commenced. To continue health coverage, the employee must continue to make any contributions that he made to the plan before taking leave. Failure of the employee to pay his/her share of the health insurance premium within 30 days of the date of payroll deduction may result in loss of coverage. An employee may choose not to retain group health plan coverage during the leave. When the employee

returns from leave, the employee is entitled to be reinstated on the same terms as prior to taking the leave without any qualifying period. If the employee fails to return to work after the expiration of the leave, the employee will be required to reimburse the City for payment of health insurance premiums during the family leave, unless the reason the employee fails to return is the presence of a serious health condition which prevents the employee from performing their job or to circumstances beyond the employee's control.

An employee is not entitled to the accrual of any seniority or employment benefits that would have accrued if not for the taking of leave. An employee who takes family or medical leave will not lose any seniority or employment benefits that accrued before the date leave began.

09. Restoration to Employment: An employee eligible for family and medical leave will be restored to their old position or to a position with equivalent pay, benefits, and other terms and conditions of employment. The City cannot guarantee that an employee will be returned to their original job. A determination as to whether a position is an "equivalent position" will be made by the City.

10. Return From Leave: An employee must complete a "Notice of Intention to Return From Family or Medical Leave" before he can be returned to active status. If an employee wishes to return to work prior to the expiration of a family or medical leave of absence, notification must be given to the employee's Supervisor at least five (5) working days prior to the employee's planned return.

11. Failure to Return from Leave: The failure of an employee to return to work upon the expiration of a family or medical leave of absence will subject the employee to immediate termination unless an extension is granted. An employee who requests an extension of family leave or medical leave due to the continuation, recurrence or onset of her or his own serious health condition of the employee's spouse, child or parent, must submit a request for an extension, in writing, to the employee's immediate Supervisor. This written request should be made as soon as the employee realizes that he will not be able to return at the expiration of the leave period.

COMMITTEE ON INSURANCE/AUDIT AND CLAIMS
TUESDAY, DECEMBER 14, 2021
5:00 p.m.

COMMITTEE MEMBERS PRESENT: Ceri Otero, David Armstrong, Craig Diggs and Robin Harrison.

OTHER COUNCIL MEMBERS: Mayor Dan Rife

STAFF PRESENT: Assistant City Administrator Greg Dagnan, City Clerk Traci Cox and HR Coordinator Michael Miller

Chair Ceri Otero called the meeting to order at 5:00 P.M.

OLD BUSINESS:

1. **Approval of minutes from previous meeting:** On a motion by Mr. Diggs, the minutes of the November 23, 2021 meeting were approved 4-0.
2. **Review and approval of the Claims Report:** The Committee discussed items regarding the Claims Report. Mr. Diggs moved to approve the claims. Motion carried 4-0.

NEW BUSINESS:

1. **Consider and discuss C.B. 21-59 – An Ordinance to amend the Family Medical Leave Act Policy of the City of Carthage regarding when an employee is designating FMLA Leave.** HR Coordinator Michael Miller presented changes to the policy. Mr. Diggs moved to forward CB 21-59 to Council for approval. Motion carried.
2. **Staff Reports:** Mr. Miller presented the Wellness Points Program for calendar year 2022. Mr. Dagnan reported there is no longer a Covid leave policy for the city employees.
3. **Other Reports:** Ms. Otero reported on the possibility of a COLA increase of 3.5% effective January 1, 2022 that was approved by the Budget Committee and will be presented for approval at tonight's Council Meeting. Mr. Armstrong expressed his disapproval of the audit being presented to the Budget Committee instead of the Insurance, Audit and Claims, and claimed the administration was the reason salaries had gotten behind.

ADJOURNMENT: Mr. Diggs made a motion to adjourn at 5:17 PM. Motion carried 4-0.

Traci Cox