

ESST Task Force Minutes

Tuesday April 26, 2016

The Wellstone Community Center
179 Robie St. E., St. Paul, MN 55107
Room 272

Present

Ann Clowser
Steve Cohen
Hilario Deleon Perez
Jim Frisco
JoAnn Hawkins
Robert Kasper
Farhio Khalif
Marfa Malcolm
Pat Mancini
James McClean
Wintana Melekin
Tabitha Mitchell
Joanne Mullen
Ted Natus
Maureen O'Connell
Stefan Pomrenke
Lenny Russo
Erica Sanders
Lisa Stratton
Michelle Thom
Rick Varco
Daniel Yang
JaPaul Harris Co-Chair
Rose Roach Co-Chair
Matt Kramer Co Chair

Absent

Autumn Amadou-Blegen
Alex Bajwa
David Burley
Eric Foster

Staff

Dana Bailey
Libby Kantner
Jessica Kingston
SuChann Yang

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- I. Welcome
 - A. Called to order at 6:07pm
- II. Review and approval of minutes from previous meeting (vote)
 - A. On section item VI.c, omit the dashed section
“Should state: Sick time may be used for employee’s and family’s mental or physical illness, need for medical diagnosis or preventative care
 - B. Approved minutes
- III. Questions
 - A. No questions were received
- IV. Review Timeline
 - A. Items still to be cover: Exemptions, Enforcement, Education, Conditions of Use, and Review
 - B. May 17th is the presentation of recommendations to the HREEO Commission. All were encouraged to be in attendance at the presentation.
 - C. There will be 3 tentative dates offered for public input:
 1. May 17th at the HREEO Commission presentation
 2. Open St. Paul on the stpaul.gov website
 3. At the 3rd public hearing – TBD
- V. Consensus items:
 - A. Employees may begin using ESST 90 calendar days after employment
 - B. The maximum number of ESST hours an employee can earn in each year (calendar or fiscal, whatever time period the employer uses) is capped at 48 hours
 - C. Sick time may be used for an employee’s and family member’s mental or physical illness, need for medical diagnosis or preventative care
 - D. Safe time may be used when an employee and family member is a victim of domestic abuse, sexual assault, or stalking
 - E. Employers are not required to pay out unused ESST upon separation from employment
- VI. Continued discussion of accrual and usage
 - A. Sick and safe time increment
 1. Discussion on using Minneapolis’s language
 2. **VOTE** - Usage: employees may use paid sick time in increments consistent with current business/payroll practices, as defined by industry standards or existing employer policy
 - a. Yes: 25
 - b. No: 0

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B. Definition of Family Member

1. Family means a child, adult child, spouse, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent or step-parent. "Child" includes a biological child, step-child, foster child or adopted child. Any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.
2. **VOTE** – Agree upon definition of Family as stated above:
 - a. Yes: 25
 - b. No: 2

C. Total Accrual and/or Usage Cap

1. Usage: Employees may use paid sick time in increments consistent with current business/payroll practices, as defined by industry standards or existing employer policy.
 - a. Discussion on WESA's definition that allows you to use what you have accrued.
**Will do a follow-up with the city attorney to better understand WESA's statement and how usage and accrual/usage cap works.*

D. Carryover

1. Discussion on maximum bank of hours being capped at 48 hours or 80 hours.
2. **VOTE**: Maximum bank of hours, 48 or 80
 - a. 48 hours: 3
 - b. 80 hours: 16
 - c. Abstain: 5**Consensus on 80*

VII. Exemption

A. **VOTE**: Small firms should be exempt from offering their employees ESST

1. Yes: 10
2. No : 12
3. Abstain: 1

B. **VOTE**: Small firms should be exempt from offering their employees ESST

1. Strongly Agree: 6
2. Agree: 4
3. Neutral: 2
4. Disagree: 6
5. Strongly Disagree: 8

C. Discussion on why or why not small firms should be exempt

REVOTE: Small firms should be exempt from offering their employees ESST

1. Strongly Agree: 3
2. Agree: 7
3. Neutral: 1
4. Disagree: 11
5. Strongly Disagree: 3

**No consensus if small firms should be exempt from offering their employees ESST*

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- D. Employers employing family members should not be exempt from offering ESST
1. Discussion on treating family business the same as a business and holding it to the same standard.
 2. **VOTE:** Employers employing family members should not be exempt from offering ESST and should offer ESST.
 - a. Yes: 25
 - b. No: 0

**Consensus that family business should be treated the same as a business and offer ESST*
- E. Start-up Business
1. Discussion on adopting Minneapolis's language that allows all small business (24 employees or less) to have a 6 month period to adopt the provision of ESST
 2. **VOTE:**
 - a. Yes: 25
 - b. No: 0
 3. Discussion on allowing a ramp-up time for small businesses (24 employees or less) to have a grace period for current and future business. **VOTE:** on allowing business to have a grace period for future businesses to establish ESST policy
 - a. Yes: 15
 - b. No: 10

**Consensus on allowing a grace period for future businesses to establish ESST*
 4. Discussion on grace period length. *Tabled until next meeting
- F. Employers/Employees for whom their company is not located within the City of Saint Paul
1. Discussion that this item is not needed because the city and the employer would need to form some type of nexus in order to provide ESST.

VIII. Meeting was adjourned at 8:30pm