

ESST Task Force Agenda

Tuesday May 10, 2016

The Wellstone Community Center
179 Robie St. E., St. Paul, MN 55107
Room 212

Present

JoAnn Hawkins

Robert Kasper

Alex Bajwa

James McClean

Wintana Melekin

Tabitha Mitchell

Maureen O'Connell

Stefan Pomrenke

Eric Foster

Marfa Malcolm

Ted Natus

Lisa Stratton

Joanne Mullen

Michelle Thom

Rick Varco

Daniel Yang

JaPaul Harris Co-Chair

Rose Roach Co-Chair

Matt Kramer Co Chair

Ann Clowser

Steve Cohen

Jim Frisco

Autumn Amadou-Blegen

Absent

Erica Sanders

Lenny Russo

Pat Mancini

Farhio Khalif

Hilario Deleon Perez

David Burley

Staff

Jessica Kingston

Dana Bailey

Libby Kantner

SuChann Yang

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- I. Additional Task Force Meeting date – May 17th
 - A. Brief discussion on additional meeting date if we do not finish tonight
 - B. Welcome
 1. Call to order 6:07pm
 - C. Review and Approval of minutes from previous meeting (vote)
 1. Change g. Employees for who or whom *is
 2. Ted was here last meeting and was marked absent
 3. Discussion on the use of the word “consensus”
 - D. Address any questions received by chairs from task force members
 1. No questions
 - E. Review Consensus Items
 1. No discussion
 - F. Continued Discussion of Exemptions:
 1. Employers/ Employee:
 - a. An employer with a physical presence (an officer or real property) in the City of Saint Paul, but with employees who may work outside the City of Saint Paul
 - b. An employer with no physical presence (an office or real property) in the city of Saint Paul but who may have employees who work in the City of Saint Paul
 2. Discussion on exemptions of Employer’s/ Employee’s location of work
 - a. All employees who work in the city of St. Paul shall be covered by this ordinance. All employees who do not work in the city of St. Paul shall not be covered. This ordinance shall cover all employees with a sufficient nexus to the City of Saint Paul as determined by the St. Paul City Attorney.
 - b. **VOTE:**
 - i. YES: 22
 - ii. No: 0
 - iii. Abstain: 1

3. Discussion on Employers / Employees already covered by an existing Paid Time Off (PTO) Policy
 - a. Existing Time off Policies (such as paid time off (PTO) plans) should be considered in compliance with a City policy if they meet minimum standards established by the city.
 - b. VOTE:**
 - i. YES:22
 - ii. No: 0
 - iii. Abstain: 1

B. Enforcement

1. Discussion on proposing a wide range of assistance (training sessions, posters, etc) for education/training
 - a. Should the City of Saint Paul and/or its designees provide a range of employer and employee training (on-line, in person, posters, frequently asked questions, etc.) to help employers and employees understand, implement, report suspected violations, and stay in compliance with the proposed ordinance?
 - b. VOTE:**
 - i. YES: 22
 - ii. NO: 0
 - iii. Abstain:1
2. Discussion on whether or not employers should notify their employees of the ordinance
 - a. Should the City of Saint Paul require employers and/or it's designees to notify employees of the ordinance? If so, presumably through the normal communication provided to employees either at a time of hire or through on-going educational efforts (for example, posters in the break room or whatever is deemed best practice)
 - b. VOTE:**
 - i. Yes: 21
 - ii. No: 0
 - iii. Neutral: 1
3. What city entity should be designated to receive, investigate, and enforce the proposed ordinance?
 - a. Discussion on allowing the Mayor and City Council to designate a department within the City of Saint Paul to act as the point of contact on all matters relating to ESST ordinance.
 - b. VOTE:**
 - i. Yes: 23
 - ii. No: 0
 - iii. Abstain: 0

4. Discussion on how enforcement will be handled?
 - a. Requesting that the Mayor and City Council utilize appropriate processes to create an enforcement mechanism.
 - b. VOTE:**
 - i. Yes: 23
 - ii. No: 0
 - iii. Abstain: 0

5. Discussion on allowing employees to have Right of Personal Action
 - a. Should the City of Saint Paul Create an ESST ordinance that allows private right of action?
 - b. VOTE:**
 - i. Yes: 16
 - ii. No: 6
 - iii. Abstain:1

C. Wrap-up

1. Adjourned 8:32pm