

## Personnel

## CHAPTER 418

## OFFICERS, EMPLOYEES

Sec.		Sec.	
418.13	Compensation of deputy clerks in cities of fourth class	418.21	Police and fire department employees, cities of first class; wage and hour disputes, arbitration petitions
418.14	Selecting city clerk; term of councilmen	418.22	Arbitrators; selection, compensation
418.15	Referendum	418.23	Hearings
418.20	Firemen, cities of first class; maximum employment age	418.24	Factors considered by arbitrators
		418.25	Payment by city for official bonds

**418.01-418.035.** [Repealed, 1949 c 119 s 110]

**418.04-418.10** [Repealed, 1959 c 251 s 1]

**418.11** [Repealed, 1963 c 798 s 16]

**418.12** [Local, City of West St. Paul]

**418.13 COMPENSATION OF DEPUTY CLERKS IN CITIES OF FOURTH CLASS.** The council of any city of the fourth class operating under a home rule charter providing for the appointment of a deputy clerk may fix the compensation of the deputy clerk and provide for its payment from the general fund of the city. This section shall not affect the right of any such city to include a contrary provision in any home rule charter or amendment hereafter adopted.

[1948 c. 260 s. 1]

**418.14 SELECTING CITY CLERK; TERM OF COUNCILMEN.** The council of any city of the fourth class operating under a special law may, by ordinance subject to the referendum provided by section 418.15, provide for any of the following changes in the government of the city.

(1) A change in the method of selecting the city clerk or recorder so as to provide for election by the people or appointment by the council for an indefinite term or for such term as is fixed in the ordinance;

(2) A change in the length of term of members of the city council and a change in the year in which any of such members are to be elected; but no such ordinance shall provide for terms longer than three years.

[1949 c 351 s 1]

**418.15 REFERENDUM.** Each such ordinance shall be confined to the change or changes enumerated in one of the paragraphs of section 418.14. No such ordinance shall become effective until it has been submitted to the voters of the city at a general or special election and approved by a majority of those voting on the question of its approval. No such ordinance shall diminish the term of any incumbent elective officer. Each such ordinance shall remain in effect until amended or repealed in the same manner.

[1949 c 351 s 2]

**418.20 FIREMEN, CITIES OF FIRST CLASS; MAXIMUM EMPLOYMENT AGE.** In cities of the first class no person may become employed as a fireman in such city's fire department after having attained the age of 35 years, notwithstanding the provisions of the Veterans Preference Law, Minnesota Statutes, Section 197.45, Subdivision 2, and of Laws 1957, Chapter 741.

[1961 c 185 s 1]

**418.21 POLICE AND FIRE DEPARTMENT EMPLOYEES, CITIES OF FIRST CLASS; WAGE AND HOUR DISPUTES, ARBITRATION PETITIONS.** Whenever a dispute exists concerning wages or hours of work of employees of the police department or the fire department, or of any bureau of police alarm or bureau of fire alarm or a combination thereof in any city of the first class having a population of less than 450,000 inhabitants, the employees of said department or bureau, or the organization chosen by such employees to represent them, may file a petition with the governing body of such city requesting the appointment of a fair hearing board of arbitration, or such governing body may file with the em-

ployee organization a petition requesting the appointment of a fair hearing board of arbitration as hereinafter constituted to hear and determine the dispute.

[1955 c 604 s 1]

**418.22 ARBITRATORS; SELECTION, COMPENSATION.** Within ten days following the filing of the petition, the party being petitioned shall designate one person to act as an arbitrator to discuss, consider and settle the questions at issue as stated in the petition, and the petitioners shall either name an arbitrator to act for said petitioner or shall name in the petition persons having authority to name a person to act as arbitrator who shall likewise be chosen within ten days following the filing of said petition. The arbitrator designated by the governing body shall be chosen on the basis that he represent the viewpoint of employers and taxpayers of the city involved. The two arbitrators so chosen shall within five days following their appointment select a third arbitrator, who shall be neutral. If after five days the two members so selected cannot agree upon a third member, the senior district judge presiding in said city shall within 30 days appoint such third member upon the written application of either of the appointed members, all arbitrators so chosen, shall be registered voters of such city. A written notice of intention to make an application to the district judge shall be served upon the other member not less than five days prior to the date set for the making of such application. The third arbitrator appointed either by the two previously chosen or by the district judge shall proceed to act as chairman of the fair hearing board and shall promptly call a hearing to be held within ten days after the date of his appointment and acceptance, and shall give at least seven days notice of the time and place of such hearings to the other two arbitrators. The arbitrators shall each receive a per diem of \$20, one-half of which shall be paid by the city and one-half by such employees.

[1955 c 604 s 2]

**418.23 HEARINGS.** The hearings shall be informal and the rules of evidence prevailing in judicial proceedings shall not be binding. Any or all documentary evidence and other data deemed relevant by the arbitrators may be received in evidence. The hearings conducted by the arbitrators shall be concluded within 20 days of the time of commencement, and within ten days after the conclusion of the hearings the arbitrators shall make written findings and a written opinion upon the issues presented, which shall be mailed or otherwise delivered to the attorney or other designated representative of the employees and to the city council or governing body of the city. A majority decision of the arbitrators, within a period of one month of its submission, shall be considered by the council or governing body of the city, which shall accept or reject in whole or in part such decision.

[1955 c 604 s 3]

**418.24 FACTORS CONSIDERED BY ARBITRATORS.** The arbitrators shall conduct the hearings and render their decision upon the basis of a prompt, peaceful and just settlement of wage or hour disputes between the police department employees or the fire department employees and their employer. The factors among others to be given weight by the arbitrators in arriving at a decision shall include:

(1) Comparison of wage rates or hourly conditions of employment of the department in question with prevailing wage rates or hourly conditions of employment in similar departments in the local operating area involved;

(2) Comparison of wage rates or hourly conditions of employment with wage rates or hourly conditions of employment maintained for the same or similar work of employees exhibiting like or similar skills under the same or similar working conditions in the local operating area involved;

(3) Comparison of wage rates or hourly conditions of employment of the department in question as compared to wage rates or hourly conditions of employment in other police or fire departments in cities of comparable circumstance or size;

(4) Interest and welfare of the public;

(5) Comparison of peculiarities of employment in regard to other trades or professions, specifically:

- (a) Hazards of employment.
- (b) Physical qualifications.
- (c) Educational qualifications.
- (d) Mental qualifications.
- (e) Job training and skills.

[1955 c 604 s 4]

**418.25 PAYMENT BY CITY FOR OFFICIAL BONDS.** Subdivision 1. When an officer or employee of any city, however organized, is required to furnish a fidelity or faithful performance bond, the governing body of the city, or the board or commission to whom the officer or employee is responsible, may provide for the payment of the premium on the bond from city funds. In lieu of individual bonds, the governing body, board or commission may provide for blanket position bonds furnished by a surety company to cover any officer or employee required to furnish a bond if all of the obligations required by law, charter, or ordinance to be assumed by the principal and his sureties by an individual bond are included in the blanket position bond.

Subd. 2. This section is supplementary to other statutory and charter provisions and supersedes such provisions only to the extent that they restrict or prohibit action authorized by this section.

[1959 c 198 s 1]