



To: Members of Teamsters Local #320

From: William H. Reynolds
City Administrator, Shakopee

Date: December 5, 2023

Re: What Will Happen If A Teamsters Strike Occurs

As you know, Teamsters Local #320, which represents the Public Works department employees, has notified the city of a unit vote to authorize a strike if a contract settlement is not reached. We remain hopeful that a strike can be avoided. We understand that you may have questions and want to provide information if, unfortunately, a strike does occur. The earliest a strike could occur is ten days following the service of a formal Notice of Intent to Strike.

The purpose of this memo is to provide information that you will need if a strike occurs. It is divided into three parts: Information for all Teamsters Members, Information for Teamsters Employees Going on Strike, and Information for Teamsters Employees Going to Work.

INFORMATION FOR ALL TEAMSTERS MEMBERS

To Work or To Strike?

That decision is entirely up to you. We will treat all Teamsters employees, including those who are in probationary status, the same way. If you decide to continue to work, we'll be glad to have you do so. If you decide to strike, we will respect your right to do so and will welcome you back when the dispute has been settled.

Business Continuity

The city will continue operations and service delivery to the public. City employees in non-striking bargaining units must report to work as usual. If you, as a striking employee, are picketing at a site where other employees are coming and going to and from work, please remember that you may not interfere with their entrance and exit from the city's facilities.

The Minnesota Public Employment Labor Relations Act (Minn. Stat. Chapter 179A) defines a strike as:

"...concerted action in failing to report for duty, the willful absence from one's position,

the stoppage of work, slowdown, or the abstinence in whole or in part from the full, faithful, and proper performance of duties of employment for the purposes of inducing, influencing, or coercing a change in the conditions or compensation or the rights, privileges, or obligations of employment."

The law, Minn. Stat. §179A.13, Subd. 3, lists several things that employees and their representatives are prohibited from doing. These include:

- forcing a public employer to stop doing business with any other person;
- forcing anyone to refuse to handle goods or perform services;
- preventing an employee from providing services to the employer;
- doing anything designed to damage, or actually damaging, property (physical or electronic);
- endangering the safety of anyone while engaging in a strike;
- picketing which has an unlawful purpose such as a secondary boycott;
- picketing which unreasonably interferes with entering and leaving the facilities of the public employer; and
- seizing, occupying or destroying property of the employer.

What Constitutes Being on Strike?

Once a strike has begun, any Teamsters employee who does not report to work as scheduled on any given day and who is not on an approved leave will be presumed to be on strike. We will also consider you to be on strike if you participate in any strike-related activities (more about this in the Information for Teamsters Going to Work section).

INFORMATION FOR TEAMSTERS' EMPLOYEES GOING ON STRIKE

If you choose to strike, there are several things you need to know to help you and your family prepare.

Compensation. You will be paid for all the time worked up to the day you strike. If there is a timesheet deadline while you are on strike, please complete and submit your timesheet before you leave work on your last shift before you go out on strike.

You will not be in pay status while on strike, so any payroll deductions will automatically end with your last paycheck. You will need to make arrangements to ensure continuation of any payments normally made via payroll deduction. Some examples might include deductions for child support payments and wage garnishments. If your last check (or the first check upon return from strike) is a partial check, it may not be large enough money to cover all of your deductions. To help you figure out which things might be affected, the following chart shows the order in which deductions are taken:

1 st Check of the Month	2 nd Check of the Month
PERA	PERA
FICA	FICA
Taxes	Taxes
Garnishments and Child Support	Garnishments and Child Support
Medical and Dental Insurance Premium	Medical and Dental Insurance Premium
HCSP	HCSP
Health Savings and/or Flex Spending – Medical (as much as possible; if there isn't enough to cover the full amount, the difference will be added to the deductions from future checks)	Health Savings and/or Flex Spending – Medical(as much as possible; if there isn't enough to cover the full amount, the difference will be added to the deductions from future checks)
Flex Spending – Dependent Care (as much as possible; the difference is not made up in future checks)	Flex Spending – Dependent Care (as much as possible; the difference is not made up in future checks)
Union Dues	
Deferred Comp.	Deferred Comp.
Supplemental Life Insurance	Supplemental Life Insurance
Aflac/Vision	Aflac/Vision
Special Bank Deposits – Fixed dollar amount deposits to a named account; includes savings bonds	Special Bank Deposits – Fixed dollar amount deposits to a named account; includes savings bonds
Anything left over to designated financial institution and account	Anything left over to designated financial institution and account

You should also think about any payments automatically deducted from your bank accounts and make other arrangements for those in the event that you won't have enough money from the direct deposit of a paycheck to cover them.

Vacation, Compensatory Time & Personal Leave. You will not accrue vacation leave or compensatory time while you are on strike. You may not use vacation leave, personal leave, bereavement leave or compensatory time while you are on strike. You are not eligible for holiday pay while you are on strike.

Sick Leave. You will not accrue sick leave, and you may not use sick leave (including TTFE requests), while you are on strike. All sick leave for striking employees, including sick leave underway at the time of the strike, will be cancelled. Limited exceptions may be granted by the Public Works Director on a case-by-case basis where circumstances warrant an exception. Medical certification of inability to work for the full duration of the strike may be required. Requests for exceptions should be sent in writing to Bill Egan at began@shakoepmn.gov, or Public Works Department 400 Gorman Street, Shakopee, MN 55379.

FMLA Leave. If you are on approved FMLA leave when the strike begins, the FMLA leave will be continued but in an unpaid status. Exceptions to the unpaid status may be

reviewed by Administration. (Requests should be sent in writing to Alissa Frey at afrey@shakopecmn.gov or 952-233-9312.) Your insurance will be continued through the end of the FMLA leave.

Military Leave. Military leaves in progress will continue, and new military leaves will be approved, as required by law.

Unpaid Leave. Unpaid leaves will be continued. If you are on an unpaid leave that ends during the strike, you will be expected to report to work after the last day of the leave. If you do not, you will be considered to be on strike.

Insurance: City contributions toward the premiums for your health, dental and life insurances will stop at the end of the month in which you go on strike. If you are on strike on the first workday of a month, you will not be eligible for the city contributions toward the premiums for your insurances during that month. If you want to keep the insurance coverage in effect for you and/or your family, you must pay the entire premium which includes the amount you normally pay (if any) plus the amount the city pays. Attached you will find important information if you want to continue your insurance coverage at your own cost. If you do not continue your coverage during a strike, your coverage will be reinstated effective the first of the month following your return to work. This means that you could be without insurance for a full month or more if you do not continue your coverage. Your deductible and out-of-pocket maximum does not start over for the calendar year; however, you will not be given credit for any expenses you incurred while on strike and not enrolled in the plan.

If your spouse is a non-striking city employee, your spouse can enroll in the family coverage option if you choose to discontinue your family coverage. For more information on the cost of family coverage for your spouse, call Alissa Frey, 952-233-9312. If your spouse is not a city employee, but has access to health coverage through their employer, you may be eligible to enroll in that health coverage as another alternative.

Health Savings Account/Flexible Spending Accounts. If you participate in the Health Savings Account and/or Flexible Spending Accounts program, you may either continue your participation during a strike, or submit an election form to stop your participation. If you choose to continue participation, the deductions missed due to being on strike will be collected from the first paycheck in which you have enough earnings to cover the missed deductions. If you choose to continue participation in the dependent care flex account, your annual contribution to the plan will be reduced by the amount of your missed deductions (i.e., you do not make up those missed deductions, just less to spend). If you wish to stop your participation in the HSA and/or flexible spending accounts program during a strike, you will need to submit an election change form to Payroll to stop participation and a second election change form to restart participation. The change forms are available on CityNet. Please note that stopping your participation will impact your ability to seek expense reimbursements during a strike.

Deferred Compensation. If you are enrolled in deferred compensation and there is a

strike, the City will deduct your biweekly contribution amount from any available earnings after processing the higher priority payroll deductions. If you don't have enough pay to cover the full amount of your usual contribution, no deduction will occur. You may contact your deferred compensation plan representative if you have questions.

Aflac, Supplemental Life Insurance, Vision.

If you are enrolled in voluntary benefits and there is a strike, the city will deduct your contribution amount from any available earnings after processing the higher priority payroll deductions. If you do not have enough pay to cover the full amount of these voluntary benefits, no deduction will occur. You will need to make arrangements with payroll prior to going on strike to cover these premiums.

Retirement. The City will not make payments to PERA for the time you are on strike, so this may affect your "High 5" and the amount of your future monthly pension check. Call PERA at 651-296-7460 for advice about your personal situation.

Unemployment Benefits. If you are on strike, or are a member of a striking union, under state law you are ineligible for benefits for as long as the strike lasts. For more information, see this website: <https://www.uimn.org/applicants/needtoknow/job-separations/index.jsp> or call 651-296-3644.

Employee Assistance. You can use the services of the City's employee assistance program while you are on strike. They can be reached 24-7 at 800-626-7944.

Probationary Periods. Probationary periods may be extended by the number of days an employee is on strike to give management ample time to assess whether the new hire or newly promoted employee is a good fit for the position.

Internal Job Postings. You are not eligible to apply for internal job postings while you are on strike.

Educational Tuition of Jury Duty Pay. You are not eligible to receive education tuition payments or jury duty while you are on strike.

Personal Belongings. We recommend that you take any personal belongings (such as personal tools) home with you before you go out on strike. You will not be permitted back into the work site after the beginning of a strike to get something you need. The city is not responsible for any personal items left in the workplace.

Intranet Access, Keys, ID Badge and City-owned Equipment. You will not have access to the intranet or city-owned phone, computer systems, or equipment while you are on strike. All city issued keys, ID, equipment and vehicles must be turned in to your supervisor prior to going on strike.

Picketing. Peaceful picketing of a workplace by a reasonable number of employees during a strike is an employee right. The locations around city property where picketing

will be allowed are generally limited to public sidewalks and roadways. You will not be permitted to enter city facilities or park your personal vehicles on city property. As noted above, pickets cannot physically prevent other employees or the public from entering or leaving city property, and pickets may not engage in violence or threats of violence.

INFORMATION FOR TEAMSTERS' EMPLOYEES GOING TO WORK

If you choose to come to work as usual during a strike, you will be welcome. There are a few things you will need to know about.

Attendance. You will be expected to report to work at the designated place, day and time.

Work Assignments. You may be assigned work other than your normal duties. If you are assigned to work overtime, you will be compensated for the overtime work as usual. If you refuse to perform an assigned duty, you may be disciplined for failing to comply with a work directive.

Vacation Leave. If you have approved vacation leave that begins prior to or on the first day of the strike, make sure your supervisor knows that you're planning to work during the strike. If you return to work your first scheduled day following your vacation and continue to work the duration of the strike, the vacation leave will be paid. All vacation leave is subject to supervisory approval, which means a portion or all vacation leave may be denied based on the business needs of the city.

What Constitutes Being On Strike?

Once a strike has begun, any Teamsters employee who does not report to work as scheduled on any given day and who is not on approved leave will be presumed to be on strike. We will also consider you to be on strike if you participate in any strike-related activities such as:

- Using city resources for strike-related purposes;
- Picketing or carrying strike signs during breaks or lunch, or at any time before/after your normal work schedule;
- Wearing, posting or displaying strike-related messages, e.g., on buttons, shirts, cars, etc.
- Reporting to work, but not doing your job or performing your duties in a substandard manner;
- Any activity designed to slow or disrupt city services to the public, including sabotage, threats and similar inappropriate activity.

This list is not meant to be all-inclusive; there may well be other things which would constitute prohibited strike-related activities. If you do something that is strike-related, you will be considered on strike and no longer permitted to come to work.

Crossing a Picket Line. As noted above, the pickets are required to permit you to cross

their picket line. Here's what you need to do to safely and legally cross a picket line:

- If driving, come to a complete stop before proceeding through a picket line even if the pickets are just standing along the side. If pickets are standing across your path, they should move aside to let you pass after you have come to a complete stop. After stopping, proceed slowly across the line. You may find it helpful to drive to work with other employees.
- If walking, walk across/through the line quickly. You may want to walk in the company of other people if possible.
- Do not engage in adversarial conversations or actions.
- Leave the area immediately after crossing the line.
- If you encounter difficulty crossing the line, leave the area, and call the Shakopee Police Department at 952-233-9400. Then follow the instructions you will be given.

Conclusion

We hope you find this information helpful. If you have questions about the benefits or payroll status information in this memo, please call Human Resources at 952-233-9320.

Continuation of Benefits under COBRA

Should you choose to strike, your group insurance coverage with the City of Shakopee will terminate effective the first day of the following month following participation in a strike (as a result of non-payment of the monthly premium). If the strike commences the first workday of the month, coverage will terminate that day. You and/or your dependents will be eligible for continued coverage under the Consolidated Omnibus Budget and Reconciliation Act of 1986 (COBRA).

If you elect to continue coverage through COBRA, coverage will begin immediately upon the loss of eligibility and end 18 months later as long as you and/or your dependents remain eligible and make timely payments. You will have 60 days to decide to elect COBRA. Elected coverage will be reinstated retroactively to prevent any gap in coverage.

Current COBRA monthly premiums are as follows:

Health Plan & Coverage Level	Network	Monthly Premium
1600/3200 Single	Park Nicollet or Ridgeview or Vantage	\$732.03
1600/3200 2-Party	Park Nicollet or Ridgeview or Vantage	\$1,464.04
1600/3200 Family	Park Nicollet or Ridgeview or Vantage	\$2,334.34
1600/3200 Single	Elect	\$753.36
1600/3200 2-Party	Elect	\$1,507.10
1600/3200 Family	Elect	\$2,403.00
1600/3200 Single	Passport	\$861.20
1600/3200 2-Party	Passport	\$1,722.40
1600/3200 Family	Passport	\$2,746.28
3200/6400 Single	Park Nicollet or Ridgeview or Vantage	\$663.63
3200/6400 2-Party	Park Nicollet or Ridgeview or Vantage	\$1,327.25
3200/6400 Family	Park Nicollet or Ridgeview or Vantage	\$2,116.23
3200/6400 Single	Elect	\$683.15
3200/6400 2-Party	Elect	\$1,366.29
3200/6400 Family	Elect	\$2,178.47
3200/6400 Single	Passport	\$780.74
3200/6400 2-Party	Passport	\$1,561.47
3200/6400 Family	Passport	\$2,489.68
Traditional Single	Park Nicollet	\$802.73
Traditional 2-Party	Park Nicollet	\$1,605.45
Traditional Family	Park Nicollet	\$2,559.80
Traditional Single	Passport	\$944.39
Traditional 2-Party	Passport	\$1,888.75
Traditional Family	Passport	\$3,011.52

Dental Coverage	Monthly Premium
Single	\$39.90
2-Party	\$84.98
Family	\$121.27

Basic Life Insurance Policy	Monthly Premium
Employee Only	\$3.40
Employee + Dependent(s)	\$4.40

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City of Shakopee | 485 Gorman St., Shakopee, MN 55379 | Phone: 952-233-9300 | Fax: 952-233-3801 | www.ShakopeeMN.gov

A personalized COBRA notice will be sent to your home address if you lose coverage. If you have any questions about this notice or your rights to COBRA continuation coverage, contact Alissa Frey, HR Director, at 952-233-9312.