

**Date:** March 20, 2023  
**Amount:** N/A  
**Account Number:** N/A

**EXPLANATION TO COUNCIL BILL**  
**ORIGINATING DEPARTMENT:** Legal

**PURPOSE:** An Ordinance adopting the annual revisions to the City's Personnel Manual, which sets forth the policies and procedures pertaining to employees of the City of St. Joseph, Missouri.

**REMARKS:** Throughout 2022, the Human Resources and Legal Departments receive suggested revisions to the City's Personnel Manual. These revisions are compiled and submitted to the City Council on an annual basis. In addition, the voters of the State of Missouri approved what is commonly referred to as "Amendment 3" during an election held on November 8, 2022. Specifically, revisions were made to Section 1 of Article XIV ("Right to Access Medical Marijuana") and a new Section 2 was added to Article XIV ("Marijuana Legalization, Regulation and Taxation"). Revisions were made to the City's Personnel Manual to address City employment in accordance with Article XIV Section 2.3(3) ("Limitations"), which states as follows:

*"This section does not require an employer to permit or accommodate conduct otherwise allowed by this section in any workplace or on the employer's property. This section does not prohibit an employer from disciplining an employee for working while under the influence of marijuana. This section does not prevent an employer from refusing to hire, discharging, disciplining, or otherwise taking an adverse employment action against a person with respect to hire, tenure, terms, conditions, or privileges of employment because that person was working while under the influence of marijuana."*

A memorandum describing the proposed revisions was distributed on Friday, February 3, 2023, to designated representatives of the Fraternal Order of Police (FOP) Lodge 3, International Association of Firefighters (IAFF) Local 77, Laborers' International Union of North America Local 579, and Emergency Communications Operators Lodge 1. The same memorandum was forwarded, via electronic mail, to all employees on Friday, February 3, 2023. All unions and employees were asked to provide comments or forward questions regarding the proposed revisions by Friday, February 17, 2023. Several requests for clarification were made and addressed and additional revisions were made to Sections 10.16 and 10.17 based upon further research related to the application of Amendment 3 to employment matters. The attached table describes the proposed revisions. Clarifications made since the February 3<sup>rd</sup> memo was distributed to employees are noted in gray highlights and employees will have the opportunity to provide input on these subsequent revisions through Friday, March 3, 2023.