



Meeting: Village Board
Meeting Date: 09/23/13
Agenda Item: 6e

Mission Statement

Delivering quality services in a courteous, cost-effective and efficient manner.

VILLAGE BOARD MEETING STAFF REPORT

REPORT TO: Burt R. McIntyre, President
Village Board of Trustees

REPORT FROM: Paul F. Evert, Village Administrator

AGENDA ITEM: Review and take action on Resolution 2013-29 approving a revised personnel policy

ACTION REQUESTED: ___Ordinance X Resolution ___Motion ___Receive/File

POLICY ISSUE

Should the Village Board approve Resolution 2013-29 for revising the personnel policy as presented?

PRIOR ACTION/REVIEW

At two previous board meetings, staff has presented the village board with drafts and updates on the revised personnel policy. No action was taken by the board at either meeting as staff continued to work on the final policy document.

BACKGROUND INFORMATION

Staff has been working on a revision of the personnel policy since early in 2013. Many changes have been proposed to the Policy and are noted by the text that is **bolded and underlined** as additions and ~~strikethrough~~ text are deletions to the existing policy.

The main reason for the need to make revisions is due to the fact the two Teamster unions will have expiring contracts on December 31, 2013 and the implementation of Act 10 to all employees of the village will begin January 1, 2014. Some of the proposed changes include the following items:

- Management Rights section being added. Most union contracts contain management rights language and staff believed it was important to include strong management rights language into the policy.
- Appointments – the proposed language makes the Administrator appointed by the village board but gives the Administrator authority to appoint all other employees. Staff will do more research to see if statutory positions (i.e. the clerk, treasurer, building inspector, etc.) will require board approval; if the positions are not required to be appointed by the village board, then an ordinance change will be proposed in the future to amend existing ordinances that call for village board appointment of the positions.
- Job Classification – previously this section was titled Employee Status. The language within this section was taken from Sun Prairie’s personnel policies and is fairly standard language.
- Hours of Work – this section was revised to be more specific on expected hours of work but also give some latitude for department heads to create varying hours for workers. The remaining paragraphs in this section are designed to assist employees in understanding their work schedule and rights associated with their schedules.

- Overtime – changes were made to allow employees to receive time and a half for working Saturdays and Sundays (previously Sundays were double time) and for working more than 40 hours per week.
- Comp Time – a change was made to not allow for the carrying over of any comp time into another year.
- Pager pay and call out pay - language was added to address issues experienced for DPW workers.
- Expense reimbursement and Attendance at Conferences – this language has been modified by moving to a new section of the Policy and an attempt was made to have the Policy be more clear on these procedures.
- Paid Time Off or PTO – vacation and PTO have been revised by combining both items into only one category of time off, PTO. The only significant change was to eliminate the 6th week of vacation and limit vacation to 5 weeks. Existing employees will receive annual PTO allotments on January 1 but all new employees hired after January 1, 2014 will earn PTO with each biweekly payroll.
- Health insurance – the policy allows for the Administrator to negotiate new health insurance contracts and any type of health savings accounts. Employees will continue to pay 10% of the premium in 2014 with 12.5% being paid in 2015.
- Longevity pay will be eliminated.
- Clothing Allowance and Tool Allowance – these policies were added to the Policy in order to allow for the allowances that currently exist for DPW employees to continue in 2014. Staff desire to continue with these policies as they have helped to improve safety and employee morale.

Please keep in mind that the personnel policies can be changed at any time in the future. Being able to make future changes that affect all employees is much different than previous years when the village has operated with two union contracts that could only be modified when the unions and the village both agreed to make changes.

FISCAL IMPACT:

- | | |
|------------------------------|-------------------------|
| 1. Is There A Fiscal Impact? | <u>Yes</u> |
| 2. Is it Currently Budgeted? | <u>2014</u> |
| 3. If Budgeted, Which Line? | <u>various accounts</u> |

RECOMMENDED ACTION

Village staff recommends the Village Board approve the attached resolution for revising the personnel policies of the village. If the Village Board agrees with this action, the following motion could be used, ***“Motion to approve Resolution 2013-29 for revising the personnel policy.”***

POLICY ALTERNATIVE(S)

The Village Board could take the following actions:

- Approve with revisions
- Deny the suggested motion
- Table the suggested motion and request additional information

ATTACHED INFORMATION

- I. Resolution 2013-29 Revised Personnel Policy

RESOLUTION NO. 2013-29

**RESOLUTION AMENDING THE PERSONNEL
POLICIES FOR VILLAGE OF HOWARD EMPLOYEES**

WHEREAS, the Resolution 2011-20 amended the written personnel policies (referred to as “Policies” or “Policy”) for village employees covering Sections 1-16 as follows:

- | | |
|-----------------------------------|--------------------------------------|
| 1. Definitions. | 9. Employee Performance Evaluations. |
| 2. Non-Discrimination Policies. | 10. Hiring Procedures. |
| 3. Harassment. | 11. Employee Files. |
| 4. Employee Status. | 12. Grievance Procedures. |
| 5. Working Conditions. | 13. No Payment in Advance. |
| 6. Employee Conduct and Behavior. | 14. Pay Ranges/Job Classification. |
| 7. Leaves. | 15. Working Agreements. |
| 8. Other Fringe Benefits. | 16. Specific Job Duties |

WHEREAS, since adoption of Resolution 2011-20, the village’s two employee union contracts will expire on December 31, 2013 and be subject to Act 10; and

WHEREAS, the Village Board desires to modify the existing Policy in order to clarify employee procedures that were not previously discussed within the Policy but may or may not have been included in the union contracts; and

WHEREAS, the written Policy for village employees benefits the operations, government and good order of the village and the health, safety, welfare and convenience of the public; and

NOW THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Howard, Brown County, Wisconsin, hereby approves and adopts the attached Amended Personnel Policies document this 23th day of September, 2013.

Burt R. McIntyre
Village President

Christopher A. Haltom
Village Clerk

PERSONNEL POLICIES

Introduction.

This Personnel Policy (hereafter referred to as Policy or Policies) contains employment policies, procedures, rules and regulations of the Village of Howard. It has been prepared to acquaint all employees with these Policies, procedures, rules and regulations, and to provide for the orderly and efficient operation of the village. It is the employee's responsibility to read and become familiar with this information and to follow the policies, procedures, rules and regulations contained in this manual. If an employee has any questions regarding the policies or matters which are not covered in these Policies, please direct them to your supervisor. **Throughout this document, duties and decisions assigned to the Village Administrator may be performed by any other official designated by the Village Administrator to act in his/her absence.**

Employees of the village are employed at-will. No person other than the Village Board has the authority to make any agreement for employment for any specified period of time or to make any agreement contrary to the foregoing.

The provisions set forth in these Policies may be altered, modified, changes or eliminated at any time by the Village Board with or without notice. These Policies become effective immediately and supersede any and all prior inconsistent policies, statements, Policies, procedures, rules or regulations given to employees whether verbal or written. However, where these Policies conflict with a collective bargaining agreement or an employment agreement, the collective bargaining agreement or employment agreement shall govern.

Sections.

1. Definitions
 2. **Management Rights**
 3. **Fair Employment and** Non-Discrimination Policies
 4. Harassment
 5. Employee Status **Appointments**
 6. **Job Classification and Pay Plan**
 7. Working Conditions
 8. Employee Conduct and Behavior
 9. Leaves
 10. Other Fringe Benefits
 11. Employee Performance Evaluations
 12. Hiring Procedures
 13. Employee Files
 14. Grievance Procedures
 15. No Payment in Advance ~~Pay Range/Job Classification.~~
 16. ~~Working Agreements~~
 17. ~~Specific Job Duties Authorized by Board Action~~
 16. Family and Medical Leave
- Appendix A – Salary Schedule for all Full-time Employees**

Section 1. Definitions.

- A. **Village.** Village of Howard, Brown County, Wisconsin.
- B. **Board.** Village of Howard Board of Trustees.
- C. **Administrator.** Administrator for the Village of Howard.
- D. **Full-time Employee.** Any employee who works thirty-five (35) hours or more per week in a position on a regular basis throughout the year and with no maximum time limit is associated.
- E. **Part-time Employee.** Any employee who works less than thirty-five (35) hours per week in a position on a regular basis throughout the year, which position will have a duration of at least twenty-six (26) weeks and with which position no maximum time limit is associated.
- F. **Temporary or Seasonal Employee.** Any employee who is working in a position, which position will have a maximum duration of one year or less and such person is not expected to return to work the following year, or a person that normally works a maximum duration of twenty-six weeks or less, regardless of the number of hours worked by the employee per week.
- G. **Exempt Employee.** Any employee who is not eligible for overtime under the state or federal Fair Labor Standards Act or other applicable laws.
- H. **Non-Exempt Employee.** Any employee who is eligible for overtime pay, or compensatory time, under state and federal Fair Labor Standards Acts or other applicable law.
- I. **Continuous Service.** A period of employment with the village, that is unbroken by any termination of the employment. An employee is still in "continuous service" while on paid sick leave, vacation leave, comp time leave, bereavement leave, unpaid leave and the like.
- J. **Active Service.** Employment with the village during which the employee is actually working. An employee is in "active service" even though the employee is on vacation leave, paid sick leave, workman's compensation related leave, personal leave, military leave, or bereavement leave. An employee is not in "active service" while he/she is on unpaid leave.
- K. **Anniversary Date.** The anniversary date is determined by the date (the month, day of the month, and year) on which the employee was placed in full time employment by the village.

Section 2 Management Rights

The right, function and authority to manage all operations are vesting in the village and include, but are not limited to the following:

- A. To manage and otherwise supervise all employees.
- B. To hire, promote, transfer assign, retain and terminate employees.
- C. To suspend, demote, dismiss or take other disciplinary action against employees.
- D. To relieve employees of duties because of a lack of work and for other legitimate reasons.
- E. To maintain efficiency and economy of the village operations entrusted to the administration.
- F. To determine the methods, means and personnel by which such operations are to be conducted.

- G. To exercise discretion in the operation of the village budget, organization, assignment of personnel and technology of work performance including but not limited to modifying service levels and/or work assignments.
- H. To promulgate reasonable work rules.
- I. To subcontract work.

Section 3. Fair Employment and Non-Discrimination Policies

The village will provide equal employment opportunities to all individuals regardless of their race, age, sex, creed or religion, color, handicap or disability, marital status, citizenship status, veteran status, membership in the national guard, state defense force, or reserves, sexual orientation, national origin, ancestry, arrest record, conviction record, use or non-use of lawful products off the village's premises during non-working hours, or any other characteristic protected by law. This Policy applies to all employment decisions including, but not limited to, recruitment, hiring, compensation, benefits, promotions, transfers, layoffs, discipline, termination, and other conditions of employment.

If an employee has a problem or concern in any matter relating to equal employment opportunity, they are directed to discuss it as soon as possible with their immediate supervisor, the Administrator, or the any other supervisory employee. The village's policy is to investigate all such complaints thoroughly and promptly and take all appropriate action that may be necessary to end the harassment and prevent this misconduct from reoccurring. To the fullest extent practicable, the village will keep complaints and the terms of their resolution confidential. If an investigation confirms that a violation of equal employment opportunity has occurred, the village will take corrective action, including discipline up to and including immediate termination of employment, as is appropriate.

The village will not tolerate retaliation against any individual who files a complaint under this Policy or cooperates in an investigation of such a complaint.

Section 4. Harassment.

The village is committed to maintaining a work environment that is free of discrimination and harassment. In keeping with this commitment, the village will not tolerate harassment of its employees by anyone, including any supervisor, co-worker, vendor, client or customer of the village.

Harassment consists of unwelcome conduct, whether verbal, physical, or visual, that is based on a person's protected status, such as sex, color, race, ancestry, religion, national origin, age, handicap, disability, marital status, veteran status, citizenship status, sexual orientation, arrest record, conviction record or other protected group status. The village will not tolerate harassing conduct that affects tangible job benefits, that interferes unreasonably with an individual's work performance, or that creates an intimidating, hostile or offensive working environment.

Unwelcome sexual advances, requests for sexual favors, and other physical, verbal, or visual conduct based on sex constitute sexual harassment when:

1. Acquiescence in or submission to such conduct is an explicit or implicit term or condition of employment;
2. An individual's acquiescence in, submission to or rejection of such conduct becomes the basis for employment decisions affecting that individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Sexual harassment may include, but is not limited to explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented “kidding” or “teasing,” “practical jokes,” jokes about gender-specific traits, foul or obscene language or gesture, display of foul or obscene printed or visual material, and physical contact such as patting, pinching, or brushing against another’s body.

All employees are responsible for helping to assure that we avoid harassment. If an employee feels that they have experienced or witnessed harassment, they are to immediately notify their supervisor, the Administrator, or any other supervisory employee. The village forbids retaliation against anyone who has reported harassment or cooperated in an investigation of a complaint.

The village's policy is to investigate all such complaints thoroughly and promptly and take all appropriate action that may be necessary to end the harassment and prevent this misconduct from reoccurring. To the fullest extent practicable, the village will keep complaints and the terms of their resolution confidential. If an investigation confirms that harassment has occurred, the village will take corrective action, including such discipline up to and including immediate termination of employment, as is appropriate.

Section 5. Appointments

The Administrator shall be appointed by the village board. The Administrator is responsible for appointing all other village employees and can delegate such authority to department directors.

Section 6 Employee Status. ~~All employees of the village are employees at will, unless the employee is employed under an express, written contract of employment.~~ **Job Classification and Pay Plan.**

A. Job Classification

The job classification plan require grouping together those positions that are basically similar with respect to nature of work, have approximately the same level of difficulty and responsibility and require similar education and experience backgrounds. The position with lists of duties and responsibilities is the objective of the classification process. The classification plan is used to:

- A. Provide the structural basis of the pay plan so as to assure that equal pay is provided for equal work.**
- B. Establish education and work experience qualification and standards for recruiting, testing and other selection purposes.**
- C. Provide the Administrator and department directors with a means of analyzing work distribution, areas of responsibility, lines of authority and other relevant relationships between individual positions and groups of positions.**
- D. To assist the Administrator in determining personnel costs and in projecting such costs for annual budget requirements.**
- E. To provide a basis for developing standards of work performance.**
- F. To establish lines of promotional and career opportunities and to indicate employee training needs and development potentials.**

II. Pay Plan

- A. The village board authorizes the Administrator to use his best judgment in determining annual step increases for employees of the village on a pay for performance system. The board desires for the Administrator to recognize higher performing employees through merit raises. Annually, through the budget process, the village board shall adopt the total wage increase for all**

employees allocated to the General Fund. The Administrator will then work within the budget amount to distribute increases on a pay for performance system. The Administrator will seek to be fair in allocating the total budget wage increase based on merit.

- B. The salary schedule for all full-time employees will be incorporated into this Policy as Appendix A.

Section 7 Working Conditions.

- A. 1. Hours of Work/Overtime. The hours of work for village offices shall generally be from 8:00am to 4:30pm, Monday through Friday. The hours of work for each department will be determined by the Administrator. Public works hours of operations are generally from 7:00am to 3:00pm, Monday through Friday. The administrator and department directors may establish four (4), ten-hour shift work days or may create alternative work schedules for employees when deemed necessary for operational efficiencies. Part-time, temporary or seasonal employees shall maintain work schedules prepared by their department directors or supervisors.
2. Employees shall report promptly at the designated starting time at their assigned work station, be ready to begin work at the designated starting time and shall devote their entire efforts during working hours to assigned duties. The village shall maintain a Saturday through Friday weekly work period.
3. Lunch/Break Periods:
Supervisors are authorized to establish up to two paid rest period(s) during each workday for employees who work eight (8) hours in one (1) day. Such period(s) are not to exceed 15 minutes each in duration, and the employee is not permitted to leave the premises or work location during these paid break(s). Supervisors may designate up to one thirty (30) minute paid break in lieu of the two (2) fifteen minute breaks. The scheduling of these periods and location is entirely discretionary with the Supervisor, and will be arranged as is most compatible with all department operations and insure continuous telephone coverage.
4. It is recommended that employees who work six (6) hours or more in one (1) day be provided a minimum of one-half hour unpaid meal period. Work schedules will be determined by the supervisor. Non-exempt employees shall be paid for one thirty (30) minute break during the regularly scheduled eight (8) hour work day. However the actual break period is not guaranteed. No employee may work through meal and breaks and be excused from work early or be paid for such work without prior approval of the supervisor. However, the practice shall be restricted to only on special occasions at infrequent intervals.
5. In addition to the above, the village considers the following as “hours worked” in the calculation of overtime for employees: holidays and planned PTO. This list does not include compensatory time used, bereavement/ funeral leave, short-term disability leave or unplanned PTO.

B. Overtime.

All full-time, non-exempt employees shall be paid overtime for those “hours worked” in excess of forty (40) hours per week in accordance with Federal Fair Labor Standards Act and State of Wisconsin Wage and Hour Laws, unless the employee selects comp time in lieu of payment (see the following section of this policy on Comp Time). All full-time, non-exempt employees will also be paid overtime for working on Saturdays and Sundays. The rate of overtime shall be one hundred and fifty percent (150%) of the employee's regular hourly rate of pay. A rate of 200% of the employee's regular hourly rate shall be paid for all full-time, non-exempt employees working village recognized holidays ~~and Sundays~~. No overtime shall be worked unless first approved by the employee's immediate supervisor or for emergency calls made for utility employees carrying a pager. Department directors should strive to have no overtime for part-time or seasonal employees with engineering seasonal employees exempt from this directive.

C. Compensatory Time (comp time). All full-time, non-exempt employees may choose to be compensated one and one-half (1½) hours in leave time (comp time) for each hour worked in excess of forty (40) hours worked per week and in lieu of cash payment with department head approval. ~~due to required attendance at night meetings or other work required by the Village at times not generally worked by the employee.~~ Comp time off may only be taken upon approval of the employee's immediate supervisor. All requests for more than one (1) day of compensation time must be approved by the employee's department head. All full-time, non-exempt employees will be able to accumulate up to eighty (80) hours of compensation time and all hours remaining unused as of December 1 will be paid out to the employee on the last payroll of the year. Comp time under this paragraph will be given as time off and ~~will not be paid as a cash stipend. In addition, Compensation time will not be granted in advance of comp time earned.~~ Upon termination or separation of employment, the employee will be paid for hours accumulated as compensation time at the employee's current hourly rate.

~~C. **Breaks.** Employees shall be allowed two fifteen minute breaks for rest or coffee during their usual eight (8) hour shift, unless otherwise specified by union agreement. Breaks will be scheduled by employee's supervisor.~~

~~D. **Lunch.** An hour lunch break shall be allowed to each employee who works an eight (8) hour shift, with this break scheduled to fall approximately during the middle of each employee's shift.~~

D. Pager Pay. All hourly employees who are required to be on standby and carry a pager during off-duty hours shall receive pager pay of \$90.00 per week. An employee who is paged shall report to his/her work location within forty-five (45) minutes of being paged and are expected to be fully capable of performing his or her duties.

E. Call Out Pay. Any employee called out to work outside of normal work hours will be compensated at a minimum of two (2) hours.

F. Expense Reimbursements. Employees will be reimbursed for cost associated with professional organization dues related to their position at the village or the village will directly pay the cost. Public works employees will be reimbursed for the cost of their CDL licenses required for their positions. All

reimbursements require completion of an expense reimbursement form, must be accompanied by an original receipt and approved by the department head.

G. Attendance at Conferences. Attendance at professional conferences, seminars, technical meetings and/or training programs shall be considered part of the employee's normal duties. An employee may request authorization to attend such functions at village expense from the department head.

Section 8 Employee Conduct and Behavior.

A. **Tardiness/Absence without leave.** It is important for employees to attend work regularly or to arrive at work on time because failure to do so detrimentally affects employee morale and productivity. Absenteeism or tardiness that is excessive or unauthorized in the judgment of the village may result in disciplinary action, up to and including termination of employment.

If an employee must be absent or late on any workday, they shall follow these guidelines:

- Call their supervisor well in advance of your scheduled start time, but not less than one (1) hour before your scheduled start time.
- Unless physically unable, they must call personally to report their absence or tardiness.
- Call in each day of continued absence unless other arrangements have been made with their supervisor, or as may be required by any applicable leave policy.

B. **Employee Appearance.** ~~All employees will attire themselves in a professional manner that is conducive to their work and which will not jeopardize their safety or the safety of other employees. Furthermore, said attire should not bring embarrassment or draw undue attention to the employee and fellow employees of the village. The Board may establish guidelines for attire in each department when deemed necessary. Casual dress days may be permitted for special occasions as directed by Department Heads (ie. Packer dress day). Public Works employees are expected to wear long pants and a shirt with sleeves (i.e. no tank tops or otherwise sleeveless shirts). If an employee is receiving uniforms he/she is required to wear such uniforms while on duty. Determination of situations of noncompliance with this section will be made by the department head and the Administrator once a situation is brought to their attention. Verbal notification of noncompliance will be given first before following other disciplinary actions. The Administrator has authority to modify the "Dress Guidelines" policy established by the village board in 2007. to enhance this section of the Policy. A copy of this Policy will be attached to this document as Appendix A.~~

C. **Health.** No employee shall report to work if said employee's personal health and/or hygiene jeopardizes the health or affects the well-being of other employees or the public. Employees injured on the job shall report such injury immediately to their department director unless the injury is a serious health condition that requires immediate medical attention. Reporting of injuries requiring

immediate medical attention must be reported as soon as possible after obtaining medical attention.

- D. **Alcohol and Drug Use.** 1. The village recognizes that a drug-free and alcohol-free workplace is vital to workplace safety, ensuring the safety of employees and the public, and serving the public. **The village will have a zero tolerance policy on drug use; should an employee test positive for drug use, they will be terminated.**
2. The village believes that alcoholism and drug addiction are illnesses and should be treated as such. The village also believes that employees who develop alcoholism or other drug addictions can be helped to recover and should obtain appropriate assistance. It is in the best interest of the employee and the village that alcoholism and drug addiction be diagnosed and treated at the earliest possible date. The village therefore encourages employee use the services of the village's Employee Assistance Program (EAP) to address issues relating to drug and alcohol use.
3. Employees who possess commercial driver's licenses are subject to state and federal laws, including rules promulgated by the federal Department of Transportation ("DOT"), which require the village to:
- Maintain a written substance abuse policy for its employees who are required to possess a commercial drivers license;
 - Perform drug and alcohol testing;
 - Maintain safeguards to protect employees from, among other things, erroneous test results; and
 - Impose mandatory corrective action against employees who violate the policy.
4. In addition, all employees are required to submit to drug or alcohol testing, or both whenever the village has reasonable suspicion to believe that the employee is under the influence of, or using alcohol or controlled substances anytime ~~immediately~~ before or while at work.
5. Village supervisors have been trained to make observations concerning potential alcohol and/or drug use including, but not limited to, factors such as the employee's appearance, behavior, speech and body odors.
6. Whenever a supervisor has reasonable suspicion that an employee is under the influence of alcohol or drugs, or both, s/he will do the following:
- a. Immediately relieve the employee of his or her duties;
 - b. Contact the Administrator ~~or Director of Internal Services~~ for authorization to conduct testing; and
 - c. Document the physical and behavioral factors giving rise to reasonable suspicion on the form attached as Appendix C within 24 hours of determining that reasonable suspicion exists.
7. Consistent with the foregoing, the village has implemented a Drug-and Alcohol-Free Workplace Policies and Testing Procedure (the "Drug Policy"). This Drug Policy is designed to (a) provide a safe, healthy, productive and drug- and alcohol-free workplace for all employees, (b) protect the village, and the public from losses arising out of or associated with alcohol and controlled substances, (c) provide an effective

tool for deterrence of substance abuse, (d) provide an effective tool for detection of violators, (e) ensure efficient operations, (f) maintain a favorable and positive village image, and (g) satisfy the state and federal (including the DOT) laws and regulations.

8. Compliance with the Drug Policy is not optional. The failure to comply with any of the provisions of this Drug Policy may subject an employee to discipline, up to and including termination, ~~in the manner provided by any applicable collective bargaining agreement.~~

- E. **Outside Employment.** All outside employment, of full-time employees, including self employment, must be reported to and approved by the employee's supervisor and documented in the employee's personnel file. If, in the opinion of the department head, the outside employment is interfering with the employee's duties, reflects badly on the village or creates an immediate or potential conflict of interest with the village the employee shall be required to resign from one place of employment. Unauthorized outside employment will be cause for dismissal.
- F. **Credit Cards.** 1. The intent of village credit cards is to facilitate travel for village employees while the employee is representing the village on official village business, **to make online purchases** and to allow for purchases at vendors who do not accept credit accounts. Credit cards shall be issued to the Administrator, Public Works Director, Director of Public Safety, Director of Administrative Services, Recreation Supervisor, Superintendent of Parks, Forestry & Golf, and Community Development Director for their departments.
2. Credit cards may be used for seminar registration, transportation, meals within parameters set in this Policy, lodging, vendors not allowing credit accounts, purchases at designated vendors or other purchases as deemed required by card holders. Purchases are also allowed by telephone, online purchases and mail orders provided such purchases are accompanied by a purchase order or a signed copy of the invoice ~~if under \$500.~~
3. Purchases at approved vendors must be approved by the card holder through issuance of a purchase order or, in the case of online purchases or local vendors, a signed invoice ~~if under \$500.~~ The employee using the card must return the card, purchase order, original sales receipt and credit card receipt, to the card holder who will review the data for accuracy before forwarding to the administrative services department for processing.
4. Unauthorized use of village credit cards will result in disciplinary action, up to an including, termination.
- G. **Conflict of Interest.** The village adopts Section 19.59(1) Wis. Stats. Any employee having authority to make purchases or enter into contracts shall be considered a local public official for purposes of the application of Section 19.59(1).
- H. **Receipt of Gifts and Gratuities are Prohibited.** No employee or official of the village shall receive or offer to receive, either directly or indirectly, anything of value in excess of \$25 which he is not authorized to receive from any person, if it could be reasonably expected to influence the employee's official action or judgment or could reasonably be considered as a reward for official action or inaction on the part of the employee.

I. **Political Activity.** No employee of the village shall, during the hours when on official duty, engage in any form of political activity calculated to favor or improve the chances of any political party or any person seeking or attempting to hold elective office.

J. **Public Relations/I.D. Cards.** All village employees are servants of the public. When dealing with the public personally, during telephone conversations, or in correspondence, village employees shall do so in a courteous and professional manner. Excessive complaints regarding an employee will be investigated and may result in disciplinary action. ~~The village may require all employees to be supplied with a picture I.D. card that must be carried on their persons during working hours. The I.D. card is the property of the Village of Howard and must be returned prior to release of the employee's final payroll check.~~

J. **Discipline and Reprimand**

1. **Provisions:** Any employee whose work performance is substandard or who engages in activity which reflects poorly on the service shall be reprimanded and disciplined for cause. Such actions are subject to the review and approval of the Administrator. Supervisors shall consider the type and severity of offense, the employee's work record and other circumstances surrounding the employee's performance before written documentation is initiated. All employees have the right to appeal any disciplinary action through the grievance procedure outlined in Section 12.

2. **Procedure for Reprimand and Disciplinary Action:** a. Upon the first indication of substandard performance, the employee's supervisor shall advise the employee of the unsatisfactory performance and recommend specific areas of improvement. If the employee's performance continues at a substandard level, the supervisor shall advise the employee, through written documentation, which shall be reviewed by the Administrator prior to retention in the employee's personnel file. The written reprimand shall be signed by the employee and the supervisor. The employee's signature shall indicate receipt of a copy and not necessarily acceptance of contents. The written document shall include:

- i. Specific violation of deficiencies of employee's performance.
- ii. Recommended improvement.
- iii. The period of time in which improvements must occur.
- iv. The resulting actions which shall be taken if employee's performance does not improve.

b. If the employee's performance does not improve as a result of the written reprimand, the department head shall recommend specific disciplinary action to be taken. The recommendation of disciplinary action by the department head shall be reviewed by the Administrator before being implemented unless immediate disciplinary action is required for the safety of the employee and the safety of the Village. Disciplinary action shall include, but not be limited to the following:

- i. Service probation, not to exceed 12 months.

- ii. Suspension, with or without pay or
- iii. Termination

3. **Cause for Disciplinary Action:** Any action which reflects discredit upon the municipal service or is a direct hindrance to the effective performance of municipal government, may be considered good cause for disciplinary action against any officer or employee of the village. **The following circumstances are a limited listing of items that constitute cause for disciplinary action; this list is not a complete list of all possible disciplinary actions.** ~~are listed below.~~

- a. Incompetence or inability to perform the duties required.
- b. Insubordination.
- c. Solicitation or taking of a fee, gift or other valuable thing, in the course of duty or in connection with it. (See Section 6 h)
- d. Intentional damage to, or gross negligence in the care and handling of, village property and supplies; causing damage or waste.
- e. Conviction of theft or misappropriation of village owned property.
- f. Conviction of a felony, criminal offense, or crime of moral turpitude.
- g. Falsification of village records.
- h. The consumption or use of intoxicating beverages or illegal drugs, or an employee found to be intoxicated, while on duty. (See Section 6 d)
- i. Excessive absenteeism, absence without good cause, or failure to report, after a leave of absence has expired or has been revoked or canceled.
- j. The use of village property & equipment for personal purposes.
- k. Willful violation of the provisions of Municipal code and these Policies.
- l. Knowingly driving a village vehicle without a valid driver's license, chauffeur's license, or commercial license.
- m. Disregard for the village safety policies.
- n. Unauthorized use of village vehicles.
- o. Conflict of interest.
- p. Unauthorized outside employment.

L. **Probation.** If disciplinary action is taken for multiple violations and disregard for village policies, an employee may be placed on service probation, where if significant improvement is not made within sixty (60) days of such action, the employee shall be terminated. Such action shall follow the guidelines above and must have the approval of the Administrator.

M. **Suspension:** The Administrator, upon recommendation from the department head may, for cause, suspend an employee without pay for a period not to exceed thirty (30) calendar days in any twelve (12) month period. An employee who is suspended shall be given written notice, and the reasons for such action. A copy shall be retained in the employee's personnel file.

N. **Proper Authority.** 1. Many sections of these Policies refer to "proper authority" for a grant of permission or for notification purposes. The following chart identifies the proper authority for each employee group:

Chart of Proper Authority

<u>Employee Groups</u>		<u>Proper Authority</u>
Departmental Employees	-	Department Heads
Department Heads	-	Directors
Directors	-	Administrator
Administrator	-	Board

2. In the absence of a department head, the department employees would report to the director position. An organizational chart included in the annual operating budget is referenced here as further documentation of proper authority.

Section 9 Leaves.

A. **Holidays.** 1. It shall be the policy of the village to insure that all full-time employees receive the same number of holidays each year. ~~Unless otherwise specified by union agreement,~~ Holidays shall be as follows:

New Years Day	January 1 st
Last 1/2 day on Good Friday	Movable
Memorial Day	Last Monday in May
Independence Day	July 4 th
Labor Day	1 st Monday in September
Thanksgiving Day	4 th Thursday in November
Day after Thanksgiving	4 th Friday in November
Day before Christmas	December 24 th
Christmas	December 25 th
<u>New Year's Eve</u>	<u>December 31st</u>

2. If any of these holidays fall on a Sunday, the following Monday shall be the observed holiday, and if any of these holidays fall on a Saturday, the preceding Friday will be an observed holiday. Exempt employees shall have the holiday off without reduction in salary, non-exempt employees will receive eight (8) hours of pay at their regular rate of pay for each holiday. An employee on unpaid leave **or short-term disability** at the time of a holiday will not be compensated for the holiday. Any full-time, non-exempt employee required to work or render service on a holiday will be compensated at the rate of 200% of his/her regular rate of pay. Part-time employees are not eligible for Holiday pay.

~~B. **Paid Vacation Leave.** 1. Vacation leave will be awarded on January 1 of each year. **Full-time employees hired after 12/31/13 will receive 40 hours of vacation leave on the first day of employment and will receive biweekly accrual of vacation time in the chart below. Newly hired full-time employees are not vested in the 40 hours of vacation until completing one year of employment for purposes of paying-out hours at termination.** For newly hired employees, hired prior to July 1 of the previous year, a prorated amount of vacation time will be granted on January 1 based on a 2,080 hour year, excluding overtime hours. Employees hired after July 1, will receive the prorated vacation allotment after 6 months probationary period is completed. The following is a list of vacation hours earned based on years of service:~~

		<u>Biweekly</u>
	<u>Vacation</u>	<u>Accrued</u>
<u>Years of</u>	<u>Service</u>	<u>Leave</u>
0-2	40 hours	<u>1.50 hours</u>

3-4	80 hours	3.00 hours
5-14	120 hours	4.50 hours
15-24	160 hours	6.25 hours
25 and more	200 hours	7.75 hours

~~2. Vacation leave cannot be granted before it accrues. An employee must take the accrued vacation leave as time off from his/her employment with the village to receive vacation pay. Employees wishing to take vacation days will give the department head appropriate notice in advance. Requests for vacation leave will be subject to denial, if in the opinion of the department head, granting such leave would hamper the operation of the employee's department.~~

~~3. An employee may carry over ten (10) days eighty (80) hours of accumulated vacation leave from one year to the next year. Vacation leave earned, but not taken, in excess of ten (10) days 80 hours will be lost. At termination, an employee's accrued vacation time shall be compensated by the village at the employee's then current rate of pay.~~

C. **Paid Time Off (PTO).** 1. PTO is an all-purpose time-off policy for all full-time employees to use for vacation, illness or injury (non-work related). PTO combines traditional vacation and sick leaves into one flexible paid time-off policy. All full-time, non-exempt employees may take PTO in increments as small as one-quarter (.25) of an hour. All full-time, exempt employees must take PTO in eight (8) hour (or daily) increments. To provide first day coverage for sickness or injuries, Each full-time employee will receive ~~six (6) days~~ 48 hours of PTO at the time employment begins with the village but cannot use this time until after completing 60 days of employment. Employees hired after 12/31/13 will receive biweekly accrual of PTO in the chart below. Employees hired prior to 12/31/13 will receive annual allotments of PTO based on the chart below on January 1. PTO days may also be used for personal time off in the same manner as paid vacation leave. Employees will be eligible to accumulate ~~33 days (264 hours)~~ 344 hours (or 43 days) of PTO and carryover to the following year. An employee will be paid in January of the following year at the current rate of pay for up to 48 hours of ~~any~~ unused PTO hours in

excess of the ~~33 days~~ **344 hours** that exist at December 31. **Employees are vested in PTO time after completing five years of continuous employment with the village and** PTO days remaining in an employee's bank of hours will be paid out to the **vested** employee at termination at the current rate of pay. **The following schedule is used for accruing PTO by existing employees and new employees hired after 12/31/13:**

	<u>Existing employee</u> <u>On January 1</u> <u>Vacation</u> <u>Leave</u>	<u>New employee</u> <u>Biweekly</u> <u>Accrued</u> <u>Leave</u>
<u>0-2</u>	<u>104 hours (13 days)</u>	<u>4.00 hours</u>
<u>3-4</u>	<u>144 hours (18 days)</u>	<u>5.50 hours</u>
<u>5-14</u>	<u>184 hours (23 days)</u>	<u>7.00 hours</u>
<u>15-24</u>	<u>224 hours (28 days)</u>	<u>8.50 hours</u>
<u>25 and more</u>	<u>264 hours (33 days)</u>	<u>10.25 hours</u>

2. An employee may choose to utilize compensatory time or vacation time instead of utilizing paid time off when absent due to illness. **All full-time employees are required to make their checks whole by utilizing PTO for time off when covered on the village's short-term disability policy.** The employee will make his/her choice at the time of completing his/her time sheet for the two week period covering the time off. Such a decision can not later be reversed.

3. **There are two types of use of PTO, planned and unplanned. When an employee is taking planned PTO, he/she must submit a request in writing to their department director for prior approval a minimum of the day prior to the absence during the work day. Employees are encourage to request PTO use at least one week prior to the use to enable the department directors to reassign work as needed. Department directors can deny planned requests.**

Paid time off may be used for the following in addition to being used as vacation time:

- ~~a. Illness or injury of employee or the employee's immediate family member **(parents, grandparents, children, grandchildren or other dependents)** who needs assistance.~~
- ~~b. Avoiding jeopardizing the health of other village employees or the public;~~
- ~~c. Approved extension of paid bereavement leave (See II.)~~

4. An employee **using unplanned PTO** will be required to notify his/her immediate supervisor of his/her absence prior to the start of his/her work shift, unless physically unable to do so. The employee shall keep his/her immediate supervisor informed of his/her illness or injury and anticipated day of return, unless he/she is physically unable to do so. The employee will be required to follow all the reporting requirements necessary for short-term disability claims.

5. If an employee remains off due to injury or illness for three days or more, the employee shall provide a doctor's certification to his/her immediate supervisor

verifying the illness or injury. The employee shall provide a doctor's release to his/her immediate supervisor prior to returning to work after an illness or injury of three days or more.

6. The short-term disability policy ~~utilized by~~ of the village (**see Section 8(B)(3) of this Policy**) will be available for employees meeting the requirements of the plan. This plan is designed to assist employees in receiving paid benefits during time off due to injury or illness for time off in excess of three days (immediate for injuries caused by an accidental injury).

7. Employees who suffer job-related illness or injury shall experience no loss of accumulated PTO during their injury or illness, unless the employee agrees to utilize accumulated PTO to make their check whole for the portion of a normal 40 hour week (or the average work week for part-time benefited employee) not covered by workmen's compensation insurance.

~~8. Employees hired during the previous year will be prorated paid time off days on January 1 based on the hours worked compared with a 2,080 hour year, excluding any overtime hours for non-exempt employees. For employees hired after November 1 of the previous year, the prorated days will be awarded after completing 60 days of continuous employment.~~

8. On January 1, 2014, employees with existing accumulated sick leave hours will convert their accumulated sick leave hours to paid time off days at a rate of 2 to 1 respectively. Any amount in excess of the 264 hours after conversion will be compensated for the excess hours on January 10, 2014 at the employees 2013 wage rate.

D. **Military Leave.** Any employee who is a member of the Reserve Armed Forces shall be entitled to leave as provided by applicable state and federal law.

~~E. **Unpaid Leave of Absence.**~~

~~1. An unpaid leave of absence may be granted to Village employees should a need arise for extended time off for the following reasons:~~

~~a. Extended illness or injury upon the exhaustion of Family and Medical Leave.~~

~~b. Extended educational or training needs, or~~

~~c. Other reasons deemed necessary by the Board.~~

~~2. Only full-time employees with at least one year of continuous full-time service with the Village are eligible for unpaid leave.~~

~~3. Written notification of requested leave must be made by the requesting employee to the employee's supervisor and Administrator, at least ten (10) days prior to the requested leave, where possible, stating:~~

~~a. The reason for the leave, and~~

~~b. The anticipated duration, with beginning and ending dates.~~

- ~~4. The Administrator will make a recommendation regarding the request for unpaid leave to the Village Board at their next regularly scheduled meeting. The employee will be notified by his/her supervisor of the decision made by the Village Board before the date for the start of the requested unpaid leave.~~
- ~~5. Subject to the application of the State and Federal Family and Medical Leave Acts, the maximum leave of absence without pay shall not exceed six (6) months. Any employee may be required to give progress reports as to the status of his/her condition throughout the duration of the unpaid leave. A doctor's release must be provided to the employee's supervisor before the employee may return to work following any unpaid leave for any illness or injury.~~
- ~~6. In case of a leave for an extended illness or injury, all accumulated vacation leave, paid sick leave and personal leave may be used before the start of the unpaid leave of absence.~~
- ~~7. The employee will not be eligible for any pay during the leave. An employee will not accumulate any sick days during the unpaid leave. The employee will not be paid for any holidays which fall during the unpaid leave. During any unpaid leave, the employee will be considered to be an employee in continuous service with the Village. Health and life insurance benefits will continue to be paid by the Village for the first ninety (90) days of the unpaid leave, thereafter such benefits will continue only at the expense of the employee.~~
- ~~8. Upon an employee's return to work after an unpaid leave, his/her return to the same job level, job, or salary level cannot be guaranteed, but the Village has the responsibility of trying to reinstate the employee to a position at or near the one vacated for the leave, to the extent possible.~~
- ~~9. An employee may make a written request, at least thirty (30) days prior to the ending date of an approved unpaid leave to the Village Board for an extension of the unpaid leave of absence. Such written request will contain the same information which was required in the written notification made by the employee to obtain the original unpaid leave {see (E) (3)}. Notification of the grant or denial of the requested extension shall be given to the employee before the ending date of the previously approved unpaid leave.~~
- ~~10. Employees failing to report on the ending date specified for the unpaid leave shall be terminated unless an extension is granted prior to the ending date of the approved unpaid leave. Said extension cannot extend beyond the six (6) month maximum for an unpaid leave of absence.~~
- ~~11. If there is any conflict between this section and Chapter 18 of these Policies on Family and Medical Leave, the provisions of Chapter 18 shall take precedence. Nothing in this section is to be read or applied in a manner contrary to the state or federal Family Medical Leave Acts.~~

E. **Jury Duty.** Any **full-time** employee of the village shall be granted leave to serve on a jury in any state, federal or local court, if the employee is scheduled to work at the time he/she is to serve on the jury. ~~Non-exempt employees shall be paid the difference between the compensation received for the jury duty and his/her usual wage for his/her regular work day.~~ Exempt **All full-time** employees shall turn over any

compensation paid for jury duty and shall continue to be paid their normal salary or normal wage (40 hours per week multiplied by their hourly rate) for the time served. If, in the opinion of the employee's supervisor, serving or appearing by the employee will be detrimental to the public service, it will be the responsibility of the village attorney to seek an exemption from duty for the employee.

- ~~G. **Civic Leave.** Any employee shall be granted leave to serve or appear in the line of duty or in village related legal matter. Such employee shall be paid the difference between the compensation received for the service or appearance and his/her regular work day. If non-exempt employees are required to serve or appear in the line of duty or in a village related legal matter during a scheduled day off or beyond regularly scheduled work hours, the employee shall be paid the difference between any compensation received for appearing or serving and 150% of his/her usual salary or wage. Exempt employees, who are required to serve or appear in the line of duty or in a village related legal matter during a scheduled day off beyond regularly scheduled work hours, will be compensated with compensation time at a rate of 150% of the time spent on the civic leave. If, in the opinion of the employee's supervisor, serving or appearing by an employee will be detrimental to the public service, it will be the responsibility of the village attorney to seek relief or protection from the service or appearance for the employee.~~
- F. **Paid Bereavement Leave.** Full-time employees may receive up to three (3) days of paid leave upon the death of a spouse, brother, sister, child or parent **to attend and/or participate in the funeral or funeral preparation.** This may be extended by the Administrator to five (5) days in circumstances which require it. **Up to** two days leave may be granted in the event of death of mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, grandparents and grandchildren.
- ~~I. **Educational, Testing and Training Leaves.** 1. Employees may obtain leaves for educational, testing or training purposes without loss of pay for education (including seminars), testing, and training which is directly related to the employee's position with the village and is approved by the village board.~~
- ~~2. The fees and expenses of such education (including seminars), testing, and training may be paid by the village upon successful completion of the educational course of study, test, or training. All leaves must be approved in advance by the proper authority.~~
- ~~3. Employees, who have been granted an educational, testing or training leave by the proper authority as provided in this section and who are scheduled to work that same day, will be paid their regular hourly wage subject to the provisions of the state and federal Fair Labor Standards Acts.~~
- G. **Personal Leave.** Any full-time employee with at least sixty (60) days of continuous full-time service with the village shall be granted a paid leave ~~not to exceed of~~ **two (2)** ~~three (3) days per year which year shall be based on the employee's anniversary date.~~ For the purposes of administration, personal leave days will be grouped with ~~vacation~~ **PTO** leave as provided in these Policies **and have been included in the accrued amounts listed in the table in Section 7(C)(1).**
- ~~K. **Compensation Time.** All full-time, non-exempt employees with at least sixty (60) days of continuous full-time service with the Village, shall have the option of being~~

~~paid overtime at 1 ½ times their hourly rate or accumulate compensation time. Compensation time shall be calculated at one and one half (1 ½) hour in leave time for each hour in excess of forty (40) hours worked per week. All requests for use of compensation time must be approved by the employee's department head. Eligible employees will be able to accumulate no more than eighty (80) hours of compensation time. Compensation time will be given as time off and will not be paid as a cash stipend. In addition, compensation time will not be granted in advance. Upon termination or separation of employment, the employee will be paid for hours accumulated as compensation time at the employee's current, equivalent hourly rate.~~

~~Exempt employees are not eligible for compensatory time~~

Section 10 Other Fringe Benefits.

A. **Travel Expense.** 1. A village vehicle will be used by employees when conducting village business **whenever possible**. If an employee is required to use his/her own motor vehicle while on an approved educational, testing or training leave or meetings scheduled away from employee's normal work site, he/she shall be reimbursed for such usage at the approved federal mileage rate in effect for that year. Mileage claims must be submitted with an employee's timesheet to allow for reimbursement through biweekly payroll. ~~on at least a quarterly basis for approval and subsequent payment.~~ Any employee obligated to travel outside the corporate boundaries on official village business or on an approved educational, testing or training leave shall be reimbursed, with the prior approval of the employee's supervisor, for actual expenses incurred.

2. Certain employees will be granted an auto allowance for their continued use of their personal vehicle for village business. The allowance is being utilized in lieu of purchasing additional vehicle for employees to use. This allowance will be paid with the normal biweekly payroll and the amount will be determined by the board. The positions affected are the Administrator, Public Works Director, ~~Director of Code Administration,~~ Community Development Director and Accountant I.

3. An employee will be reimbursed for his/her actual expenses incurred for lodging and meals, only if the employee is obligated to travel **outside of Brown County** ~~more than fifty (50) miles outside the corporate boundaries on village business or on an approved educational, testing, training leave or village business.~~ Expense sheets must be itemized and supported by original receipts.

4. Reimbursements for meals (or payments made through credit cards purchases) will be covered only for meals deemed reasonable and customary. All alcoholic beverages are not eligible for reimbursement from the village. The following amounts will be used as meal allowances (no receipts need be submitted with expense report):

12 a.m. through 10 a.m.	\$12.00
10 a.m. through 5 p.m.	\$18.00
5 p.m. through 12 a.m.	\$24.00
Any travel over 12 hours	\$54.00

5. Any travel that requires overnight stay **outside of Brown County** ~~that is within 50 miles~~ will be eligible for a \$54 per diem allowance. If meals are included as part of a seminar or training registration fee, then all such amounts are deemed reasonable **and**

paid by the village and deducted from the \$54 per diem from the schedule above.

B. **Medical, Dental and Short-term Disability Insurance.**

1. All full-time employees and their eligible dependents (as defined by the insurance policies adopted by the village) will become eligible for medical, dental and short-term disability benefits in accordance with the terms and conditions of the policy **approved by the board. Central States Health and Welfare Plan C6 (C6 Plan).** The village will pay for the C6 Plan. Employees will be responsible to pay 10% of the premium through payroll deductions in 2014 and 12.5% beginning on 1/1/15. ~~Employees will be responsible for all deductibles and copayments as outlined in the C6 Plan.~~

2. ~~The village will provide a medical reimbursement plan and a dependent care plan under Sections 125 and 129 of the Internal Revenue Code, respectively. Under the plans, each employee may elect to participate at his/her discretion. The election must be made near the end of each calendar year as directed by the third party plan administrator. Payroll deductions for each plan will be made on each biweekly payroll. All benefits, reimbursement procedures and other rules of the plan are covered in the plan documents.~~ **This policy allows the Administrator to work with outside vendors to provide the appropriate medical reimbursement plans (such as Section 125, 129 and 213(d) of the Internal Revenue Code) to allow for employee use. Any village contributions to such plans require village board approval.**

3. The village will provide self-funded short-term disability insurance for all full-time benefited employees. The village will provide up to six (6) months of disability insurance by paying 75% of their normal wages or hourly rate each biweekly pay period ~~minus any loss of time benefits paid by the C6 Plan.~~ Employees receiving disability payments ~~must will have the ability to~~ “make their check whole” by supplementing the 25% unpaid salary or wages with **any** paid time off or ~~sick time~~, compensatory time ~~or vacation time~~ **of hours banked at the time of disability. Any employee on a short-term disability will not accrue time-off benefits during their absence (for employees hired after 12/31/13).**

~~C. **Longevity.** Employees shall receive longevity benefits according to the following schedule:~~

Anniversary date	In 2011	In 2012	In 2013
5th through 9th	\$101.00	\$103.78	\$106.64
10th through 14th	\$202.00	\$207.56	\$213.27
15th and subsequent	\$303.00	\$311.33	\$319.89

C. **Retirement Plan.** The village will participate in the State of Wisconsin, Department of Employee Trust Fund (ETF) Retirement Plan (WRS). All rules established by ETF will be enforced and followed. ~~The village elects to pay 100% of exempt employee portion of contributions. Non-exempt employee contributions will be paid at a rate of 100%.~~

- D. **Group-term Life Insurance.** The Village will provide group-term life insurance coverage equal to the employee's previous year's annual salary or wage, rounded up to the nearest \$1,000. For new employees, an estimate of annual salary will be used in determining the amount of life insurance coverage. The village will pay 100% of premiums on the life insurance coverage equal to one year's salary. Any insurance premiums on coverage above the annual salary will be paid by the employee.
- E. **Deferred Compensation Program.** The village will participate in the Wisconsin Deferred Compensation Program offered through the State. Participation is elective by the employee. The village will not make any contributions to the plan. All contributions will be made by pre-tax payroll deduction from employee's biweekly payroll in accordance with the State's plan unless the Roth option is taken with after-tax dollars contributions.
- F. **Income Continuation Insurance (Long-term disability).** The village will provide income continuation insurance for all benefited employees. The village will pay 100% of the premiums for the insurance coverage. The coverage is designed to pay a benefit to employees who are unable to work for 180 days due to illness or injury and their other benefits for leave pay are exhausted. Employees become eligible on the first day of the month following completion of 180 days of continuous work.
- G. **Employee Retirement Gift Policy.** (See Resolution 2008-10) Employees, age 55 or older, who retire with 10 years or more of consecutive service with the village (this includes Fire Department personnel whether volunteers, part-time or full-time) shall receive a gift, selected by the Administrator or his/her designate, as follows:
- i. ~~\$125400~~ for employees with 10 to 19 years of experience.
 - ii. ~~\$250200~~ for employees with 20 to 29 years of experience.
 - iii. ~~\$375300~~ for employees with 30 to 39 years of experience.
- H. **Clothing Allowance.** The Department of Public Works (DPW) full-time laborers and working foreman (those individuals working in the field on a daily basis) shall receive an annual clothing allowance of \$375 towards the purchase of safety boots, rubber boots, t-shirts, long sleeve shirts, hooded sweatshirts and winter jackets. Reimbursements will be made to the employee through use of an expense report with attached supporting original receipts for the items purchased. Carryover of unused allowance shall not be permitted. Three (3) coveralls shall be provided to mechanics and laundered by the village. The mechanics uniforms shall continue to be supplied by the employer and laundered by the employer. Mechanics shall receive a \$175.00 annual coat, work boot and rubber boot allowance. Seasonal and part-time DPW employees will be provided t-shirts for use but must maintain and launder at their own expense.
- I. **Tool Allowance.** Full-time mechanics shall receive an annual allowance of \$400 towards the purchase of tools (no carry over of unused allowances). These employees shall be required to provide an original receipt in order to receive reimbursement. Employees shall be responsible for providing insurance for tools purchased with this allowance. Upon commencement of employment with the village, all other Department of Public Works full-time laborers and working foreman shall be issued a standard tool kit and receive an annual allowance of \$50 (paid on second payroll of January) towards the purchase of tools to replace and maintain the tool kit. Employees shall be

required to provide an original receipt in order to receive reimbursement. The standard issue tool kit shall be maintained by the employee for inspection by the village each day. In the event an employee issued a standard tool kit leaves employment with the village under any circumstance within 6 months of employment, the employee shall return to the village all tools issued to the employee within 5 days of the cessation of employment. After 6 months of employment, the employee obtains ownership of the tools.

Section 11 Employee Performance Evaluations.

- A. **Occurrence.** Each full-time, permanent employee will undergo an employee performance evaluation at least once annually by their department head or Administrator.
- B. **Purpose.**
1. To ascertain whether employees are performing sufficiently to warrant continued employment and pay raises.
 2. To make sure each employee's skill is being best utilized in the position held.
 3. To investigate the level of skills possessed by village employees matched with their job function, and to find out if, and what type of, training is necessary.
 4. To communicate to each employee any apparent misunderstanding or unacceptable work habits or performance.
 5. To help department heads by giving them annual review of their departments with respect to: employee morale, performance trends, assessing and communicating problem areas, and the like.
- C. **Procedure.** 1. Department employees will be evaluated by their immediate supervisor and/or the department director, and such evaluation will be reviewed by the Administrator. A department director head will be evaluated by the Administrator.
2. In all cases employees will be notified as to the result of the evaluation. Such notification will be in writing, and each employee will be required to sign his/her evaluation notice. A signature on this notice in no way indicates the employee's acceptance of the content, but merely that the employee has seen the evaluation results.
- D. **Evaluation Appeal Procedure.** The procedure to appeal an employee evaluation will be identical to the formal grievance procedure in Section 12 of this title.

Section 12 Hiring Procedures.

- A. **Authorization.** The Administrator shall be directly responsible for the hiring of and have final authority to hire all personnel for the village. The Administrator may delegate hiring authority to directors and department heads as deemed necessary.
- B. **New Employee Procedures.** Upon the hiring of any employee, the employee will receive the following:
1. A complete set of personnel Policies;

2. A copy of any applicable employment contract; ~~(union employees shall receive their contracts from their union upon completion of probation).~~
3. A job description outlining job duties and responsibilities;
4. All necessary tax and insurance forms;
5. Employment Eligibility Verification, as required by the United States Department of Justice, Immigration and Naturalization Service.
6. A tour of the employee's work area and a work-related job orientation conducted by the immediate supervisor;
7. A general orientation conducted by the Administrator to review village policies and answer any questions.

The new employee will sign a statement indicating that he/she has received all seven (7) items. Only after these procedures are completed may the employee begin employment.

- C. **Nepotism.** For purposes of this Policy, a “relative” is a spouse, child, sibling, parent, grandparent, aunt, uncle or a corresponding in-law or “step” relation. Relatives are permitted to work for the village, provided no direct reporting or supervisory/management relationship exists. No employee is permitted to work within the “chain of command” of a relative such that one relative’s work responsibilities, salary, or career progress could be influenced by the other relative. No relatives are permitted to work in the same department or in any other positions in which the village believes an inherent conflict of interest may exist. Employees who marry while employed are treated in accordance with these guidelines. This Policy applies to all categories of employment, including regular, temporary, seasonal and part-time classifications.

- ~~D. **Probationary Period.** All newly hired employees will be placed on probation for a period of 6 months. Near the expiration of that time a follow-up interview will be conducted by the immediate supervisor to review the employee's performance. The immediate supervisor will provide the Administrator with a written report regarding the follow-up interview, which report will contain the supervisor's recommendations with respect to options 1, 2 and 3 listed below. The Administrator will discover any problems which the employee has, and decide:~~

- ~~1. Whether the employee should be retained;~~
- ~~2. Whether the employee should continue on probation for a specified duration; or~~
- ~~3. Whether the employee should be dismissed.~~

Section 13 Employee Files.

- A. **Content.** All village employees shall (subject to applicable laws) have confidential personnel files containing the following:

1. Employment application;
2. All necessary insurance and tax forms;
3. Copies of all employee performance evaluations;
4. Verification letter as to receipt of new employee information;
5. Records of all disciplinary actions;
6. **Annual** salary or **hourly** wage record; and
7. Other pertinent information concerning employee performance.

Employees will also have an Employment Eligibility Verification, as may be required by the United States Department of Justice, Immigration and Naturalization Service, which will be retained as required by law.

- B. **Location.** The employee files and any Employment Eligibility Verification will be kept in the village hall offices under the custody and control of the **Director of Administrative Services** ~~Administrator~~.
- C. **Accessibility.** The employee files will be kept confidential. Access to such files is explained as follows:
 - 1. All employee's files will be accessible to the Administrator, the Director of Administrative Services and the legal counsel of any of the foregoing, representing the foregoing in their official capacities with the village.
 - 2. Department Heads will have access only to files of the employees under their direct supervision;
 - 3. All employees or ex-employees will have access to their file as provided by section 103.13 Wis. Stats;
 - 4. Third parties will have access to an employee file only with written consent of that employee or, as provided by applicable law.

Section 14 Grievance Procedures

A. Definitions

- 1. A grievance is a complaint by an employee that must pertain to discipline or discharge of that employee or workplace safety, as those terms are defined below. For purposes of this grievance procedure, the following definitions shall apply:
- 2. "Employee Discipline" means any unpaid suspension or other formal adverse action issued in writing against an employee by his or her supervisor that is maintained in the employee's personnel file. The term does not include performance meetings or evaluations, implementation and evaluation of an employee, a performance improvement plan, informal discussions between a supervisor and employee, employee assignments, demotions or transfers, or any oral reprimand that is not memorialized in writing and placed in the employee's personnel file.
- 3. "Employee Discharge" means any involuntary termination of an employee's employment with the village, excluding such termination due to layoff or partial layoff, job abandonment or terminations due to medical condition, lack of qualification or license or inability to perform job duties.
- 4. "Workplace safety" means any condition of employment or duty, responsibility, or environmental hazard that may reasonably be viewed to adversely affect an employee's health.
- 5. Any written grievance filed under this policy must contain the following information:
 - a. The name and position of the employee filing the grievance
 - b. A statement of the issue involved,
 - c. A statement of relief sought,

- d. A detailed explanation of the facts supporting the grievance,
- e. The date(s) the event(s) giving rise to the grievance took place,
- f. The identity of the policy, procedure or rule that is being challenged,
- g. The steps the employee has taken to review the matter, either orally or in writing, with the employee's supervisor; and
- h. The employee's signature and the date.

B. Step One

1. Every reasonable effort should be made by supervisors and employees to resolve any questions, problems and/or misunderstandings that have arisen. Accordingly, employees should first discuss any complaints or questions they may have with their immediate supervisors, and are urged to initiate such discussions at the time the dissatisfaction or questions arises. Supervisors, in turn should take positive and prompt action to answer employee's questions and resolve complaints presented to them.
2. The employee shall notify his supervisor in writing within ten (10) calendar days following the day the employee first became aware of the particular discipline or safety problem or complaint. The employee shall be specific as to the intent to initiate a grievance. If such grievance is not received by the Supervisor within the specified time period, then it shall be deemed waived and abandoned and shall not thereafter form the basis of a grievance. In the event of extenuating circumstances, the time limit may be extended by written mutual agreement of the employee and supervisor.
3. Within ten (10) calendar days after receiving the grievance, the supervisor shall investigate the complaint and will talk with the employee. Within ten (10) days after the meeting between the employee and the supervisor, the supervisor shall give an answer in writing. Where an employee does not have an immediate supervisor, the grievance shall be submitted to the Administrator. If the employee is not satisfied with the supervisor's answer, appeal may be taken to the Administrator, except in cases where the Administrator serves as the employee's immediate supervisor. In these cases the employee will have the opportunity to appeal to the Independent Hearing Officer as outlined in Step 3.
4. Any grievance as the result of an employee's termination of employment shall be commenced at Step Two of this procedure, and must be submitted in writing to the village Administrator with ten (10) days of the notice of termination.

C. Step Two

1. If the grievance has not been satisfactorily resolved in Step One of the Grievance Procedure, the grievance may then be presented to the Administrator.
2. The employee shall notify the Administrator in writing within ten (10) calendar days following the written decision by the immediate supervisor that further review is requested. If such grievance is not presented within the specified time period, then it shall be deemed waived and abandoned and shall not thereafter form the basis of a grievance. In the event of extenuating circumstances, the time limit may be extended by written mutual agreement of the parties.
3. Within ten (10) calendar days after receiving the grievance, the Administrator shall investigate the complaint and give an answer in writing.

D. Step Three

1. If the employee is not satisfied with the answer of the Administrator, the employee may appeal to the Independent Hearing Officer as designated by the Board. The request for review by the Independent Hearing Officer must be submitted in writing within ten (10) days of the decision of the Administrator by submitting a written request to the Administrator to initiate such review by an Independent Hearing Officer. The Independent Hearing Officer shall conduct a hearing at such time and place as determined by the Independent Hearing Officer. The Independent Hearing Officer shall issue a written decision within thirty (30) days of the hearing unless such time is extended by mutual consent.

E. Step Four

1. After the decision of the Independent Hearing Officer, the grievance may be advanced by either the employee or the Administrator by a request in writing within ten (10) days of the decision of the Independent Hearing Officer for village board review.
2. The written appeal request shall be signed and dated by the requesting party and filed with the village board president or designee. The written request for review shall clearly state reasons why the decision of the Independent Hearing Officer at Step Three was not acceptable. New grievance issues that were not raised at step one may not be raised to the Board.
3. The non-requesting party shall submit a written position statement to the board within ten (10) days of the submission of the request for review to the board.
4. The board may review the matter with or without a hearing. If the board chooses to conduct a hearing, and should there be more than one grieving employee on an issue, the group will select one person to act as their primary spokesperson. Additional witnesses may be called, as the reviewing body deems necessary.
5. The board shall, within thirty calendar (30) days of receipt of the appeal, issue a written decision unless such time is extended by Board action. The decision of the board is final.

Section 15 No Payment in Advance. No employee, including salaried employees, shall be paid in advance of completing work during each pay period. Non-exempt employees are expected to be present at the work site for 40 hours per week, excluding authorized leaves and holidays. Non-exempt employees ~~will~~ **may** accumulate compensatory time for hours worked in excess of the 40 hour week in accordance with Section 7, (K.) of this document.

Section 14 Pay Ranges/Job Classifications

—————(See Compensation Plan annually adopted by Village Board.)

Section 15 Working Agreements. ~~Any exception in the area of compensation, fringe benefits or working conditions as may be set out in separate employment or collective bargaining agreements. If a direct conflict exists between any such agreement that has been approved by the Village Board and these Policies, the agreement will prevail. However, if any ambiguity exists, these Policies will prevail.~~

Section 16. Specific Job Duties Authorized by Board Action. ~~From time to time it becomes necessary for the Board to take specific action creating authority not specifically outlined in a job~~

~~description and contrary to normal village practices and procedures. Such actions are summarized in the document titled “Specific Job Duties Authorized by Board Action” and attached as an addenda to this Policy. Such addenda will be updated as the Board takes action to make specific job duty adjustments and authorizations.~~

Section 16. Family and Medical Leave. A separate policy document was created in Resolution No. 2002-37 for this section and is incorporated to this Policy by reference along with any amendments made after Resolution No. 2002-37 affecting the Policy.