



Meeting: Village Board
Meeting Date: 10/24/2011
Agenda Item: 6c

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 Evert, Village Administrator

AGENDA ITEM: Review and take action on amendments to the personnel policy regarding the possession of weapons, cell phone reimbursement and meal allowances

POLICY ISSUE

Should the Village Board approve amending the personnel policies as follows:

1. Prohibiting employees from carrying weapons during their work hours,
2. Allowing for reimbursement of employees who use their personal cell phones for business use, and
3. Modifying the existing meal allowance to match the federal standards?

BACKGROUND INFORMATION

1. The change to state law that will go into effect on November 1, 2011 allowing concealed carry of weapons by citizens who have successfully completed a training course, does allow an employer to restrict employees from carrying weapons during the course of their employment. There are restrictions to the guidelines an employer can set in regards to weapons stored in personal vehicles in parking lots and personal vehicles used in the course of employment. Those limitations are reflected in the proposed new Section 18, "Possession of Weapons During Employment."
2. Several staff members have been reimbursed for their personal cell phones used for business purposes for over a year at a rate of \$35 per month. This policy was adopted by the previous administrator without being added to the existing personnel policies. Currently, three staff members are reimbursed for cell phone use and additional staff members may be added to this reimbursement plan.
3. The existing daily meal allowance within the personnel policy is a flat \$54 that does not mirror the federal meal and incidental (M&IE) allowance rate. Any amount that exceeds the federal amount is taxable to the recipient. An allowance that is equivalent to the federal amount is not taxable. The federal amount varies from city to city depending on the cost of living within that city; this adjustment factor allows for increased reimbursements when employees attend conferences in higher-cost cities. For example, the current federal reimbursements for Wisconsin range from a low of \$46 per day in Appleton to a high rate of \$61 per day in Milwaukee and Wisconsin Dells.

Staff recommends changing our per diem meal allowance to the federal established rates. All employees would need to check with accounting to obtain the federal rate for the city of travel before obtaining their per diem rate reimbursement.

PRIOR ACTION/REVIEW

The board originally approved the personnel policies in 1991 and has modified the policies several times since, most recently in August of 2011 to modify the grievance procedures.

RECOMMENDED ACTION

Village staff recommends the Village Board approve the personnel policy amendments. If the Village Board agrees with this action, the following motion could be used,

“I move to approve Resolution 2011-24 amending the personnel policies of the village.”

POLICY ALTERNATIVE(S)

The Village Board could take the following actions:

- Approve amendment
- Not approve the amendment and keep the policies unchanged
- Modify the amendment

ATTACHED INFORMATION

- I. Resolution 2011-24

RESOLUTION NO. 2011-24

**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 State of Wisconsin has amended laws related to concealed carry laws that take affect November 1, 2011; and

WHEREAS, the existing Policy is silent on the issue of employees being able to carry weapons during business hours; and

WHEREAS, the village has been reimbursing employees for personal cell phones for business use at a rate of \$35; and

WHEREAS, the village has a policy on meal allowances that does not mirror the federal guidelines thereby possibly making such payments taxable to employees at time of payment;

NOW THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Howard, Brown County, Wisconsin, hereby approves and adopts the attached sections of the Personnel Policies as an amendment to the existing policies this 24th day of October, 2011.

Burt R. McIntyre
Village President

Christopher A. Haltom
Village Clerk

Section 8 Other Fringe Benefits.

A. **Travel Expense.** A Village vehicle will be used by employees when conducting Village business. If an employee is required to use his/her own motor vehicle while on an approved educational, testing or training leave, he/she shall be reimbursed for such usage at the approved federal mileage rate in effect for that year. Mileage claims must be submitted 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.

1. 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 Village Board. The positions affected are the Administrator, Public Works Director, Director of Code Administration, Community Development Director and Accountant I.
2. An employee will be reimbursed for his/her actual expenses incurred for lodging and meals, only if the employee is obligated to travel ~~more than fifty (50) miles outside the corporate~~ outside of Brown County on Village business or on an approved educational, testing or training leave. Expense sheets must be itemized and supported by original receipts.
3. Reimbursements for meals **and incidentals (M&IE)** ~~(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 Village hereby adopts the federal per diem rates (M&IE) as established by the Internal Revenue Service.** The following amounts will be used as meal allowances ~~(no receipts need be submitted with expense report)~~ **in the event the employee has only a partial day of reimbursements:**

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

Employees may choose to submit actual receipts and be reimbursed up to the federal per diem rates.

4. Any travel that requires overnight stay 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.

- I. **Cell Phone Allowance/Reimbursement.** The Administrator has the authority to pay a cell phone allowance or reimbursement of up to \$35 per month for employees that use their personal phone for business purposes. Any employee participating in the program must agree to this policy and will not be forced to use their personal phone for business use. Employees may request this reimbursement but are not granted the right to obtain this allowance/reimbursement without approval from the Administrator. The Administrator has the right to modify the monthly reimbursement periodically should economic conditions deem necessary with the change being reported to the Village Board.

Newly Created Section 18.

Section 18. Possession of Weapons During Employment. All Village employees are prohibited from possessing during the course of their employment concealed and/or unconcealed weapons, as defined by state statute (i.e. handguns, knives, bull clubs, or Tasers) and said prohibition includes storage of said weapons with their personal belongings in the workplace. This prohibition does not include firearms stored in an employee's personal vehicle, even while on Village business, and does not apply if the firearm is in a personal vehicle driven or parked in a Village parking facility or Village park. This prohibition further does not apply to weapons carried by protective service employees authorized by their department manager.