



MONROE COUNTY BOARD OF SUPERVISORS

202 SOUTH K STREET, RM 1
SPARTA, WISCONSIN 54656
PHONE 608-269-8705
FAX 608-269-8747
www.co.monroe.wi.us

NOTICE OF MEETING

ADMINISTRATION & PERSONNEL COMMITTEE

DATE: Tuesday, March 12, 2024
TIME: 9:00 a.m.
PLACE: Monroe County
County Board Assembly Room
210 W. Oak Street – Room 1200
Sparta, WI 54656

SUBJECT MATTER TO BE CONSIDERED

1. Call to Order/Roll Call
2. Public Comment
3. Next month's Meeting Date/Time
4. Minutes Approval of February 13, 2024
5. Rule 5 Petition on Resolution in Opposition to COVID-19 Mandates – Discussion/Action
6. Register of Deeds
 - a. Land Records Scanning Project RFP – Discussion/Action
7. Information Technology Director Report
8. Personnel
 - a. Resolution Authorizing Changes to the Monroe County Personnel Policy Manual – Discussion/Action
 - b. Official County Business Hours - Discussion
 - c. Health Insurance – Discussion/Action
 - d. Director Report
9. County Administrator
 - a. Succession Plan Policy – County Administrator Position – Discussion/Action
 - b. Administrator Report
10. Customer Service Survey – Strategic Plan – Discussion
11. Next Month's Agenda Items
12. **CLOSED SESSION** per WI Statutes 19.85(1)(c), considering employment, promotion, compensation, or performance evaluation data of any public employee which the governmental body has jurisdiction or exercises responsibility – to complete County Administrator's Performance Evaluation – Discussion/Action
13. Adjournment

Wallace Habegger, Committee Chair
Date notices mailed: March 6, 2024

PLEASE NOTE: A quorum of the Monroe County Board or other committees may be present at this meeting. No business of the County Board or other committees will be conducted at this meeting, only the business noted above.

Admin & Personnel Committee Minutes

Tuesday, February 13, 2024

Attendance: Wally, Toni, Jim, Jason, Todd – Absent & excused

Others in attendance: Tina Osterberg, Ed Smudde, Hannah Olsen, Charles Weaver, Chris Weaver, Tiffany Giesler, Richard Folkedahl, David Pierce, Doug Rogalla, Taylor Steele TIC, Garret Jerue TIC, Mindy Hemmersbach, Pam Pipkin, Deb Brandt, Lisa Aldinger-Hamblin, Cedric Schnitzler,

The meeting was called to order in the Monroe County Assembly Room at 9:00 AM by Chair Wallace Habhegger.

- No individuals spoke during the public comment period.
- Next Month's Meeting Date/Time – The next meeting is Tuesday, March 12, 2024 at 9:00 AM in the Monroe County Assembly Room.
- Minutes Approval – Motion by Jason Jandt second by James Kuhn to approve the January 9, 2024 minutes. Carried 4-0.

5. Line Item Transfer(s) –

- a. Register of Deeds – Motion to approve by Jason Jandt second by Toni Wissestad. Carried 4-0 Deb Brandt explained the need.
- b. Corporation Counsel – Motion to approve by James Kuhn second by Jason Jandt. Carried 4-0 Lisa Aldinger-Hamblin explained the need.
- c. County Board – Motion to approve by Jason Jandt second by Toni Wissestad. Carried 4-0. Discussed by Tina Osterberg, questions by Jim Kuhn – publications, costs, publishing of minutes, discussed by Cedric Schnitzler.

6. Notice of Budgetary Adjustment(s) -

- a. Child Support – Pam Pipkin discussing the amount due to substantial increase for guardian ad litem. Motion to approve by Jason Jandt second by James Kuhn. Carried 4-0.
- b. Information Technology – Richard Folkedahl explained the need for moving the expense over to the Highway Department. Motion to approve by Toni Wissestad second by Jason Jandt. Carried 4-0.
- c. County Clerk – Motion to approve by Jason Jandt second by James Kuhn. Carried 4-0.

7. Resolutions

- **Resolution in Opposition to COVID-19 Mandates.** Motion to approve by Jason Jandt second by Toni Wissestad. Doug Rogalla provided insight on the reasoning of bringing this forward. Motion to amend original resolution to include “or medical necessity” after law in line 30 by James Kuhn, second by Jason Jandt. Carried 4-0 for amendment only. Further discussion involving Rolling Hills and the Monroe County Health Department insured. Vote was taken on the resolution as amended to be approved and failed 2-2 (Jant, Wissestad voted no).
- **Resolution Setting Salaries for County Clerk, Register of Deeds and County Treasurer for the 2025-2028 Term of Office.** Wallace Habhegger stated that the amounts needed to be established prior to approval of resolution. Discussion within committee ensued and Motion to establish \$84,872 as the starting rate for all elected offices by Jason Jandt second by Wallace Habhegger. Carried 4-0. Motion to approve the resolution with the established rates with an annual increase of 3% by Jason Jandt, second by Wallace Habhegger. Carried 4-0.

8. Register of Deeds

- a. Land Records Scanning Project RFP Update – Deb Brandt – 108,750 documents would like to have digitized and available for public. Goal is to be back in March with more bid information.

9. Information Technology

- a. Permit Tracking, Property Assessment, Taxation, and Tax Collections RFP – Richard Folkedahl – updated with IT webpage, with collaboration of other departments.
- b. Director Report – Richard Folkedahl - Projects for IT for beginning of the year with 2024, budget projects, new equipment etc..

10. Personnel

- a. RH Recruitment/Retention – Tina Osterberg and Linda Smith explained the situation and went over the details regarding the reimbursement rates from the state and need to make adjustment to allow rec/retention. Tina Osterberg explained the information that the Rolling Hills Committee has already been through regarding the rates and funding. Questions from all committee members directed to the County Administrator and Rolling Hills Nursing Home Administrator. Suggestions for revisions on increasing the proposed numbers by the County Administrator. Motion to approve the suggested adjustments based on Toni Wissestad's recommendations to increase certain positions by Toni Wissestad, second by Jason Jandt. Carried 4-0.
- b. Health Insurance – This was moved prior to the resolutions by Wallace Habegger. Presentation was provided by Garrett Jerue of The Insurance Center, and Ed Smudde of the HR Department. Motion to go out to RFP for a self-care plan and on-site clinics by James Kuhn, second by Jason Jandt. Carried 4-0.
- c. Personnel Policy Revisions – postponed to March 2024. Per Wallace Habegger.
- d. Director Report - Ed Smudde, HR Director - mention he is the new WPELRA President. Also noting that next month we will need to complete the County Administrator's performance evaluation in CLOSED Session.

11. County Administrator

- a. Succession Plan Policy - Tina Osterberg, County Administrator – Circulated information regarding her thoughts on a succession plan. Discussion on the strategic plan for future planning of county admin position. No action was taken and Tina recommended the committee review the information and bring it back next month to discuss further.
- b. Administrator Report – Tina Osterberg provided the County Administrator report.

12. Customer Service Survey – Strategic Plan - Tina Osterberg, County Administrator, shared some results. Wallace Habegger requested to hold to next month.

13. Next Month's Agenda Items

Personnel Policy Manual Discussion Action, Succession Plan Discussion Action, Official County Business Hours - Discussion, Customer Service Survey – Discussion, Closed Session for County Administrator Evaluation.

14. Adj. – Motion to adjourn by Wally, meeting adjourned at 12:45 PM

PETITION UNDER MONROE COUNTY BOARD COMMITTEE RULE 5

We the undersigned Monroe County Supervisors, hereby petition, pursuant to Monroe County Board Committee Rule #5, the Monroe County Administration and Personnel Committee to review and consider the attached resolution.

Further, pursuant to Rule #5, we ask the chairperson of the committee to forward this resolution to the full County Board to be considered for action at the next scheduled meeting.

1)	<u>DOUGLAS W ROGALKA</u> Print Name	<u></u> Signature	<u>2/19/24</u> Date
2)	<u>Zachariah Zebe II</u> Print Name	<u></u> Signature	<u>2-27-24</u> Date
3)	<u>JAMES B. KUHN</u> Print Name	<u></u> Signature	<u>2-27-24</u> Date

Committee Rule 5. Any member who wishes a particular resolution be brought before the entire Board shall do so by petitioning, in writing, the appropriate committee and filing a copy with the County Clerk. Said petition to bear the signatures of three (3) members and have the proposed resolution attached. A petition with more or less than three signatures shall be invalid. Upon presentation to the appropriate committee, the committee chair shall place it upon the committee agenda for discussion and comment at the next committee meeting. From that meeting, the petition and resolution with comments, shall be forwarded to the Board Chair to be considered at the next scheduled board meeting. Said resolution shall conform to all other requirements provided for in these Rules.

RESOLUTION NO. _____

RESOLUTION IN OPPOSITION TO COVID-19 MANDATES

1 **WHEREAS**, the Monroe County Board of Supervisors supports the healthcare rights and freedoms of
2 its residents; and

3
4 **WHEREAS**, during the COVID-19 pandemic, public health emergency orders issued statewide and
5 nationwide masking mandates applicable to businesses, schools, and public buildings; and

6
7 **WHEREAS**, the Monroe County Board of Supervisors is aware of studies that have shown that face
8 masking may not have had a demonstrable effect on the transmission of airborne viruses such as
9 COVID-19. Additionally, face coverings may impact the intake of carbon dioxide which may increase
10 blood pressure, reduce cognitive ability, cause respiratory distress, and cause reproductive concerns; and

11
12 **WHEREAS**, Wisconsin Statute Section 252.041 permits individuals, for reasons of religion or
13 conscience, to refuse vaccination during a public health emergency; and

14
15 **WHEREAS**, the Monroe County Board of Supervisors finds that forced masking, vaccine, and isolation
16 mandates may have caused harm to adults and children by contributing to isolation and increasing
17 mental health crises and social anxieties. These mandates may also have affected verbal, motor, and
18 overall development of children born during the pandemic; and

19
20 **WHEREAS**, as of August, 2023, masking mandates have been renewed in areas of the country where
21 COVID-19 transmission increases have been identified; and

22
23 **WHEREAS**, the Monroe County Board of Supervisors finds it is essential that the Board express its
24 position that, unless required by law, Monroe County residents should not have their civil liberties
25 jeopardized by mandates pertaining to face coverings or masking, vaccine requirements, or forced
26 isolation, and should be free to make their own choices regarding whether to, and where to, utilize face
27 coverings, vaccinate, or isolate.

28
29 **NOW, THEREFORE, BE IT RESOLVED** that the Monroe County Board of Supervisors hereby
30 expresses its position that, unless required by law, Monroe County residents should not have their civil
31 liberties jeopardized by mandates pertaining to face coverings or masking, vaccine requirements, or
32 forced isolation, and should be free to make their own choices regarding whether to, and where to,
33 utilize face coverings, vaccinate, or isolate.

34
35 **BE IT FURTHER RESOLVED** that this Resolution shall be directed to the State of Wisconsin
36 Department of Health Services and appropriate members of the Wisconsin Legislature.

Dated this 27th day of March, 2024.

Offered by the Administration & Personnel Committee.

Fiscal note: No fiscal impact for 2024 to Monroe County.

Purpose: To state opposition of covid-19 mandates.

Drafted: This resolution duplicates language in a Marathon County Resolution.

Finance Vote (If required):
____ Yes ____ No ____ Absent

Approved as to form on _____

Lisa Aldinger Hamblin, Corporation Counsel

Committee of Jurisdiction Forwarded on: _____, 20____
____ Yes ____ No ____ Absent
Committee Chair: _____

ADOPTED FAILED AMENDED
 OTHER _____
County Board Vote on: _____ 20____
____ Yes ____ No ____ Absent

STATE OF WISCONSIN
COUNTY OF MONROE
I, SHELLEY R. BOHL, Monroe County Clerk, DO HEREBY CERTIFY that the foregoing is
a true and correct copy of Resolution # _____ acted on by the Monroe
County Board of Supervisors at the meeting held on _____.

SHELLEY R. BOHL, MONROE COUNTY CLERK
A raised seal certifies an official document.

RESOLUTION AUTHORIZING CHANGES TO THE MONROE COUNTY PERSONNEL POLICY MANUAL

1 **WHEREAS**, the Monroe County Administration and Personnel Committee recommends approval of the
2 Personnel Policy Manual changes proposed by the Personnel Director throughout the entire policy as referenced
3 on the attached document; and
4

5 **WHEREAS**, to update various sections of the policy manual and add additional sections to better explain and
6 clarify language for Monroe County employees to comprehend; and
7

8 **WHEREAS**, this substantial update to the policy language was done with the intent to remove duplicated
9 language, modernize dated language and practices, and provide a format that is clear and concise.
10

11 **NOW, THEREFORE BE IT RESOLVED** by the Monroe County Board of Supervisors hereby approves effective
12 this date the proposed Personnel Policy Manual changes as set out in the attached document, adding sections,
13 removing language, and updating formatting and tables, to go into effect immediately.

Dated this 27th day of March 2024.

Offered by the Finance Committee.

Fiscal note: No direct costs.

Purpose: Approve changes to Personnel Policy Manual in its entirety to go into effect immediately to comply with the recommendations of the Personnel Director.

Drafted by:

Finance Vote (If required): ____ Yes ____ No ____ Absent	Committee of Jurisdiction Forwarded on: _____, 20__ ____ Yes ____ No ____ Absent
Approved as to form on _____ _____ Lisa Aldinger Hamblin, Corporation Counsel	Committee Chair: _____ _____ _____
<input type="checkbox"/> ADOPTED <input type="checkbox"/> FAILED <input type="checkbox"/> AMENDED <input type="checkbox"/> OTHER _____ County Board Vote on: _____ 20__ ____ Yes ____ No ____ Absent	STATE OF WISCONSIN COUNTY OF MONROE I, SHELLEY R. BOHL, Monroe County Clerk, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution # _____ acted on by the Monroe County Board of Supervisors at the meeting held on _____. _____ SHELLEY R. BOHL, MONROE COUNTY CLERK <i>A raised seal certifies an official document.</i>



Monroe County Personnel Department

124 North Court Street
Sparta, WI 54656
(608) 269-8719

Personnel Policy Rough Draft Summary Changes 02.13.2024

Additions

- Additional notice incentive for retirement. Up to 10% for 4 months (120 calendar days) or more notice. 4.65
- Section 4.40 Community Service Days. New language for community outreach for staff and paid time to allow it to occur.
- Attendance, Electronic Communications, social networking, respectful workplace/bullying in the workplace, reasonable accommodation, lactation accommodation, all new sections with more detailed information on specific content in sections 4.58-4.59
- Added Wellness Program as section 4.39 to mirror similar to Employee Recognition Program language.
- Under Section 4.311(2)(f) language stating “accumulated sick time shall be paid out at 100% for any death of an employee that occurs within the line of duty” was added.
- Added “Employee Acknowledgement” as part of the roll-out and update process we will be able to have each employee sign off on receiving the new language, and notification of how they can access this information.

Updates

- 4.18 – using a table to define employee status vs. long run on paragraphs. Easier to comprehend for staff.
 - Removal of the term “On-Call Employee” replaced with “Limited Use Employee (LUE)” due to misconception of 24/7 on-call association with those positions.
- Personnel Department and Personnel titles are changed to Human Resources to match the McGrath wage study position title recommendations.
- Health Insurance effective date for full month of coverage in 4.32(2)(c) to the status as of the 5th of the month.
- Revised the funeral leave section to be more flexible for the ever-changing family dynamics in section 4.41.
- Holiday 4.30 converted to tables to be easier to read.
- Changed the term sick leave to sick time throughout.
- 4.18 Full-Time Exempt employees will now have schedules based upon 80 hrs. within a pay period vs. 40 hrs. per week for comp time accrual as well as required schedules.
 - See Section 4.27(4)(a) for further details on the accrual of comp time.
- Expanded language on Section 4.15 referencing onboarding and reporting to HR prior to any authorized work being performed.
- Consistent language throughout, using “shall” vs. a variety of options, and consistent measures of time.
- More detailed language for 4.30 Holidays to explain how holiday pay vs. holiday worked would be applied for staff.
- Combined Floating Holiday, Vacation and Sick Time into one section vs. various places throughout the policy.
 - Listed as Paid Time Off, but is not the same as PTO, which is not being suggested here.
- Need for doctor’s slip would sick time usage was 2 days, and was moved to 3 days to mirror the FMLA requirements, listed in Section 4.512.
- General formatting and breakdown was adjusted to be consistent.

Removals

- Part-time benefits section extremely limited. Combined with other employment status and removed previous 4.75-4.76 language.
- Removal of sick leave payout (previously labeled 4.40(2)(s)).
- Removed language such as “regular full-time” and kept “full-time”.
- In a variety of sections there was repetitive language in multiple places, so this was removed.

Summary

The updates and suggested changes have been reviewed by the Human Resources team multiple times, the Admin/Personnel Committee for multiple months, the County Administrator, and legal counsel twice. The intended changes are presented to modernize the Monroe County Personnel Policy Manual in an effort to make it easier for employees to comprehend the actual content provided. Some of the verbiage and dated language makes it difficult for staff to understand what they really have access to. Based on the suggestions from multiple employee engagement surveys, legal counsel, and feedback from the committee this is the suggested policy manual to be implemented for the Monroe County employees going forward.

4.01 ADOPTION

- (1) This chapter contains the provisions of a comprehensive Personnel Policy Manual (the "Manual") designed to promote consistent personnel management throughout Monroe County. The Manual has been developed for use by and with suggestions from County Board, department heads, and legal counsel. All departments and County Board Supervisors are encouraged to provide input to the Human Resources Director when policies need updating and possible revisions are identified.
- (2) Nothing in these policies shall be construed as a written or implied contract of employment for any employee of the County. Monroe County reserves the right to make unilateral changes to policy terms without prior notice. This Manual supersedes and replaces all prior personnel policy manuals, handbooks and procedures, whether written or established by past practice.
- (3) The policies set forth in this Manual cover all employees of the County, except as noted otherwise. These policies may be superseded by union contract. Departments may have supplemental policies in addition to those outlined in this Manual, provided they are reviewed and kept current to the standard laws and regulations established.
- (4) Should any part of this Manual be ruled obsolete, the balance of the document will remain intact.
- (5) This Manual has been reviewed by the County Board and adopted as County policy by Resolution No. 359-81, dated November 12, 1981. Effective January 4, 1982, the County accepted Personnel Administration Delegation of the Merit Principles of the Federal Merit System Standards as offered by the Department of Health and Social Services. On December 28, 2011, the County Board reviewed and approved a revision to this Manual. All revisions must be approved by the County Board. The Human Resources Director shall notify all employees and elected officials of any substantive changes to this Manual.
- (6) Nothing in this Manual should be interpreted to prohibit employees from exercising their Section 7 rights under the National Labor Relations Act (NLRA), such as discussing terms and conditions of employment with coworkers and third parties, filing unfair labor practices, assisting other employees in filing charges and assisting in the National Labor Relations Board's (NLRB) investigative process.

EQUAL EMPLOYMENT OPPORTUNITY

4.05 DECLARATION

Monroe County is an equal opportunity employer. In accordance with state law and the guidelines of the Equal Employment Opportunity Commission (EEOC), qualified individuals are employed without attention to age, sex, gender identity, gender expression, religion, race, creed, color, national origin, ancestry, disability, marital status, sexual orientation, arrest record, conviction record, products off the employer's premises during nonworking hours, veterans status or membership in National Guard or any other reserve component of the military forces, and any other legally-protected class status, except where these factors constitute a bona-fide occupational qualification. The County has undertaken affirmative efforts to eliminate any barrier to either employment or promotion, especially for minority group members and women. Further, the Monroe County Human Resources Director serves as the Americans with Disabilities Act (ADA) Compliance Officer, designed to ensure civil rights protection in Employment, Government Services, Public Transportation, Public Accommodations, and Telecommunications to persons with disabilities.

Any violation of this policy will not be tolerated and will result in disciplinary action up to and including termination. If an employee believes someone has violated this policy or otherwise has questions regarding this policy, the employee may bring the matter to the attention of the Human Resources Department. Monroe County will promptly investigate the facts and circumstances of any claim that this policy has been violated and take appropriate corrective measures.

No employee will be subject to, and Monroe County prohibits, any form of discipline or retaliation for reporting perceived violations of this policy, pursuing any such claim, or cooperating in any way in the investigation of such claims.

4.06 COLLECTIVE BARGAINING AGREEMENTS

This Manual applies to employees not covered by collective bargaining agreements and to represented employees when specific contractual provisions do not apply to the contrary.

4.07 SCOPE

This Manual serves as a guide to administer consistent personnel management for all employees, unless expressly excluded. The County Administrator, County Board Chair, Human Resources Director, and the Administration and Personnel Committee shall be responsible for the administration and enforcement of this Manual. Exceptions include:

- (1) Members of the County Board.
- (2) Elected officials. The offices of County Clerk, Clerk of Court, County Treasurer and Register of Deeds have one appointed chief deputy. The Register in Probate and Judicial Assistants shall be appointed by the Circuit Court Judges. Appointed deputies are excluded only from the recruitment process of this manual.
- (3) Members of boards, commissions, committees and judges.
- (4) Individuals retained to conduct temporary and special inquiry, investigation or examination on behalf of the County Board or committee thereof.

In addition, the Administration and Personnel Committee may authorize exceptions to the Personnel Policy based upon the circumstances of the exception requests. Exemptions will not be provided if the exception will violate federal, state or local laws or results in unlawful conduct.

EMPLOYMENT PLAN

4.10 POSITION VACANCIES

- (1) The County Administrator must provide approval to backfill all position vacancies prior to the start of the recruitment process. Backfill approval is not required in the following instances:
 - (a) For positions that must filled due to statutory or regulatory requirements.
 - (b) Rolling Hills nursing and dietary positions.
 - (c) Any other approved positions that have been filled for less than 90 days.
- (2) When the County determines that a vacancy or new position shall be filled, position vacancies may be filled by promotion, transfer, demotion, or new hire. It shall be County policy to promote career advancement opportunities while filling positions with the best qualified employees. It is not necessary to recruit outside applicants for vacant positions when the position is filled by promotion or transfer.
- (3) Any union contract positions that become vacant shall follow the designated language as agreed upon by the collective bargaining agreement.

4.11 OUTSIDE RECRUITMENT

- (1) **NOTICE OF VACANCY.** When a vacancy has been approved for backfill, the Human Resources Department gathers position title, salary, grade, job description, and the date the position is to be filled and coordinates with department to begin the recruitment process.
- (2) **FULL-TIME & PART-TIME VACANCY.** The designated department staff shall approve a copy of the ad as presented by the Human Resources Department prior to publication and public posting. All vacancies may be advertised in the local papers at the discretion of the Human Resources Department to ensure that the general public is aware of the opportunity for employment. The vacancy shall also be posted in at least the following places:

Human Resources Department, 124 N Court Street, Sparta, WI 54656

Human Resources Department's Social Media Platforms

Monroe County Current Job Openings Website:

<https://www.co.monroe.wi.us/departments/personnel/current-job-openings>

- (a) All applications for employment shall be made on forms approved by the Human Resources Director. An additional sheet requesting specific information directly relating to the position being filled may be added to the application form to aid in the screening process. Application forms are available in the Human Resources Department and on the Human Resources Department's current job openings website.
- (b) Applications shall only be accepted for positions currently posted as vacant, or at the discretion of the Human Resources Department. All applicants shall file completed application forms in the Human Resources Department or the application shall be rejected. As applications are submitted, or following the application deadline, applications for the vacant position shall be screened by the Human Resources Department prior to review by the designated department staff.

- (c) The Human Resources Director may require proof of application statements and may reject any application if the applicant:
1. Does not meet the minimum qualifications established for the position.
 2. Deliberately falsifies the application.
 3. Has a pending charge, arrest or conviction which is substantially related to the job and renders the applicant unsuitable for the position the County is attempting to fill.
 4. The applicant is not within legal age limits prescribed for the position or for County employment.
 5. Has established an unsatisfactory employment record which demonstrates unsuitability for the position and or employment.
- (d) When an application is rejected the candidate will be notified of the rejection promptly.

(3) EXCEPTION TO THE PUBLIC RECRUITMENT POLICY

- (a) Limited Term Employee (LTE). An LTE position is normally for a temporary period of three (3) months or less and no more than a maximum of six (6) consecutive months. In all instances, the rate paid to an individual in an LTE position shall be approved by the Human Resources Director. A completed County application must be submitted to the Human Resources Department for review before an offer of employment is extended. An LTE is not entitled to benefits. An LTE is used to fill an immediate vacancy or need in a department; therefore, the County Administrator may choose to temporarily bypass the recruitment process. At the end of three month period, should the need for the position still exist, a review of the position shall be made by the Human Resources Director and the County Administrator. An extension of three (3) months, creating a total of not more than six (6) months, may be approved by the County Administrator. At the end of any three month period, a New Position Analysis form maybe instituted. An LTE may not be placed in a regular position unless placement follows the recruitment process, or has been approved Human Resources Department to be placed in a regular position. Should a LTE be successful in gaining a regular position, no credit is given for time worked in the LTE position.
- (b) Limited Use Employee (LUE). A LUE position is designed to meet the needs of the department while remaining under requirements for benefit eligibility. In all instances, the rate paid to an individual in an LUE position shall be approved by the Human Resources Director. A completed County application must be submitted to the Human Resources Department for review before an offer of employment is extended. A LUE is not entitled to benefits. A LUE is used to fill a need in a department; therefore, the County Administrator may choose to temporarily bypass the recruitment process. A LUE may not be placed in a regular position unless placement follows the recruitment process or has been approved by the Human Resources Department to be placed in a regular position. Should a LUE be successful in gaining a regular position, no credit is given for time worked in the LUE position.
- (c) Appointees. Elected officials shall fill their authorized appointee positions (see EQUAL EMPLOYMENT OPPORTUNITY policy) pursuant to Wisconsin Statutes but are encouraged to include the Human Resources Department in the appointment process.
- (d) University of Wisconsin Extension Agents. Extension Agent positions shall be filled in accordance with §59.87(3) of the Wisconsin Statutes.
- (e) Certain Aging and Disability Resource Center (ADRC) Positions. Employees working in an on-call capacity shall be recruited and placed in positions by the ADRC Manager, after consultation with the Human Resources Department.

- (f) Certain Telecommunicator Positions. On-call employees with the required training may comprise an eligibility list for Telecommunicator positions in the Sheriff Department. When a vacancy occurs, upon mutual agreement between the department head and the Human Resources Director that enough on-call employees are qualified and available, interviews shall be conducted with those individuals. Should there be an insufficient number of qualified on-call employees to allow for a reasonable choice to be made, or should there be no acceptable candidates after interviews, the outside recruitment process shall be initiated.
- (g) Certain Patrol Deputy Positions. On-call employees with the required training may comprise an eligibility list for Patrol Deputy positions. When a vacancy occurs, the proper posting will be made in accordance with the bargaining contract language and once that is completed and if the vacancy still remains, upon mutual agreement between the department head and the Human Resources Director that a sufficient number of on-call employees are qualified and available, interviews shall be conducted with those individuals. Should there be an insufficient number of qualified on-call employees to allow for a reasonable choice to be made, or should there be no successful candidates after interviews, the outside recruitment process shall be initiated.

4.12 SELECTION

- (1) **SCREENING.** Screening criteria shall be developed by the department head and/or the County Administrator in conjunction with the Human Resources Department. Screening of applicants shall be the basis of County operational needs and individual qualifications as outlined in the position description.
- (2) **TESTING.**
 - (a) Any examination or test of skills and competencies shall be developed by the department head and the Human Resources Department and shall be as directly related as possible to the requirements of the position for which the test is administered. It is the responsibility of the department head or supervisor to demonstrate that any test is valid as a measure of prerequisite job requirements. Any testing to be done shall be coordinated through the Human Resources Department. Copies of all tests shall be submitted to the Human Resources Department prior to the test date.
 - (b) Interviews shall be treated in the same manner as a written test. Questions shall be prepared by the designated department staff and the Human Resources Department. The best suited applicants will be invited to the next step in the recruitment process. In all instances, the Human Resources Department will coordinate and monitor the process.
 - (c) The designated department staff shall advise the Human Resources Department of the current applicants selected and subsequent changes. In all instances, the Human Resources Department will coordinate and monitor the process. If no selection is made from the applications submitted, the designated department staff shall justify to the Human Resources Department why each candidate was found to be unqualified for the position. Such justification shall be acceptable to the Human Resources Department before additional applications are accepted.
 - (d) The designated department staff, or the Human Resources Department shall select the best suited applicant interviewed. If a department head is being appointed, the County Administrator shall make the appointment pursuant to WI Stats 59.18.
 - (e) If a current Monroe County employee is selected as the successful candidate for a vacancy within the same or different department following recruitment and interviews, Policy 4.23 CHANGES IN CLASSIFICATION shall apply.

- (3) **SECURITY.** Formal screening and selection materials shall be known only to the Human Resources Department, County Administrator and to other individuals designated by the Human Resources Director or County Administrator. Every precaution shall be exercised by all persons participating in the development and maintenance of screening and selection materials to ensure the highest level of integrity and security.

4.13 ELGIBILITY LISTS

- (1) **ESTABLISHMENT.** After completion of the selection process, qualified candidates shall be placed on an eligibility list in rank order or as a pool of candidates for future consideration.
- (2) **DURATION.** The duration of eligibility lists shall normally be for six (6) months or until the list is exhausted, whichever comes first. The duration may be extended beyond six (6) months if the Human Resources Department determines that candidates remaining on the list are still available for appointment.
- (3) **REMOVAL FROM ELIGIBILITY LISTS.** The Human Resources Department may remove candidates from an eligibility list if the candidate:
 - (a) Files a written statement indicating unwillingness to accept position.
 - (b) Declines an offer of employment under conditions previously indicated by the candidate as acceptable.
 - (c) Fails to respond within a specific time period to any official documented inquiry regarding availability for appointment.
 - (d) Fails to report for an interview or for duty at the time specified by the Human Resources Department or department head.
 - (e) Is disqualified for employment under County policies or state or federal laws.
 - (f) Is rejected for a reason in Policy 4.11(2)(c).
- (4) **CERTIFICAITON AND APPOINTMENT FROM ELIGIBILITY LISTS.** Whenever a vacancy in County service is to be filled, and an eligibility list exists for the position, the department head shall confer with the Human Resources Department to determine eligibility of candidates. If no eligibility list exists, the recruitment process shall be initiated.

4.14 NOTIFICAITON

- (1) Candidates not selected shall be notified by the Human Resources Department that they are no longer under consideration for the recruitment once the screening process is completed.
- (2) The Human Resources Department shall notify the proper departments to authorize access and set-up for any new employee with the exception of Rolling Hills staff.
- (3) Exceptions to this list would include contracted staff specifically designed for a specific duty. For example, the Jail Nurse staff or contracted healthcare workers at Rolling Hills.

4.15 ONBOARDING AND ORIENTATION

New employees must report to the Human Resources Department for orientation and prior to any work being performed. Once completed, the Human Resources Department will direct the new employee to their department. It is the responsibility of the department head or manager to introduce the new employee to fellow employees, to explain the various facets of the department, including regulations, policies and procedures of the department and the County. New employee departmental orientation process list is available from the Human Resources Department.

4.16 NEPOTISM

- (1) **HIRING OF RELATIVES.** It is the policy of the County to hire the best qualified individuals available for all position vacancies. However, it is necessary that judgment and discretion be used in placing employees who are closely related within the same department.
- (2) **RELATIONSHIP TO PRESENT EMPLOYEES.**
 - (a) For purposes of interpretation of this policy, a relative is considered one of the following: husband, wife, father, mother, grandparent, grandchild, father-in-law, mother-in-law, grandparent-in-law, son, daughter, son-in-law, daughter-in-law, brother, sister, brother-in-law, sister-in-law, uncle, aunt, nephew, niece, first cousin.
 - (b) An applicant for a position with the County shall be required to state on their application if the applicant has any relatives employed by the County and what the relationship is. If the relative is in an administrative and/or supervisory capacity in the department with the vacancy, the applicant shall not be considered. If the applicant falsifies or fails to disclose their relationship to a present employee, the applicant/new employee shall be subject to termination.
 - (c) A current employee who becomes married to another current employee is permitted to continue employment. However, in no instance shall an employee be permitted to directly supervise their spouse. Should one of them leave the employment, the County shall not rehire that individual while the other is employed by the County in an administrative and/or supervisory capacity in the affected department only.
 - (d) Any prior authorization or exception to 4.16(2) shall remain in effect, however separation of employment would void prior authorization and section 4.16 would apply.

4.18 DEFINITION OF EMPLOYEE STATUS

- (1) Table 4.18(1)

STATUS	AVERAGE HRS/WK.	BENEFIT ELIGIBLE	SUMMARY
Full-Time Exempt	80 hrs. per bi-weekly payroll	Yes	Budgeted Position
Full-Time Non-Exempt	40 hours per week	Yes	Budgeted Position
Part-Time Benefit Elig.	20-39.9 hours per week	Yes	Budgeted Position
Part-Time No Benefits	0-19.9 hours per week	No	Budgeted Position, working limited scheduled hours, or infrequent schedule.
Limited Use Employee (LUE)	0-40 hours per week	No	Pool budgeted hours to meet the needs of department remaining under requirements for benefit eligibility.
Limited Term Employee (LTE)	0-40 hrs. per week, vary on need of LTE position	No	Temporary for 3 months, unless extended, reference Policy 4.11(4)(a).

- (2) **APPROVALS.** All positions within Full-Time, Part-Time Benefit Eligible, or Part-Time No Benefit, must be approved through the New Position Request process, see Policy 4.22(1).
- (3) **WRS ELIGIBILITY.** Benefit eligibility for the Wisconsin Retirement System for all Part-Time, LTE, and LUE employees will be monitored by the Finance Department each payroll and for those employees who work the minimum required hours will be enrolled in the program.

- (4) **BENEFITS.** All Part-Time, LTE, and LUE employees' benefit eligibility will be reviewed each year in accordance with the Affordable Care Act (ACA) by the Human Resources Department with the properly established evaluation period annually.
- (5) **STATUS CHANGE.** Should a LUE or LTE status employee be successful in gaining a full-time or part-time position, no credit shall be given for time worked in the LUE or LTE capacity.
- (6) **CONTRACTED SERVICES.** Following approval by the County Administrator, the department head is responsible for informing the Human Resources Director of any personnel to be hired by contract. Prior to offering the contract to an independent contractor, the contract shall be approved by Corporation Counsel and must include certification of adequate liability insurance coverage. The contract amount shall be approved by the County Administrator, unless a resolution provides otherwise. The individual must provide proof of independent contractor status and provide required documentation to the Finance Department. No benefits are available to those under contracted services. The department head shall furnish the Human Resources Department with the names of those working under contract with the proper form maintained by the Human Resources Department County Clerk's Office.
- (7) **FAIR LABOR STANDARDS ACT CATEGORIES.** Employees shall be categorized as required by the Fair Labor Standards Act in one of the following categories:
 - (a) Non-exempt
 - (b) Exempt – Executive
 - (c) Exempt – Administrative
 - (d) Exempt – Professional
 - (e) Exempt – Elected/Appointed
 - (f) Exempt – Computer Employee

Each position must meet specific criteria to qualify for placement in a category. The Human Resources Department shall make determinations of status using the required FLSA criteria based on the job description and information supplied by the department head.

Link to FLSA website:

<https://www.dol.gov/agencies/whd/flsa>

CLASSIFICATION PLAN

4.20 INTRODUCTION

Many of the positions in the County are similar to one another. Similar County positions, those which require a similar level of duties, responsibilities and qualifications, are placed in the same salary grade. The County reviews the appropriate placement within the salary grade for each position. This process is completed by the County Administrator and the Human Resources Director. At times, a contracted firm will provide an independent review of the positions for an appropriate placement within the wage scale. Salary grade shall not be changed merely because an employee believes they have greater ability than the position requires.

4.21 POSITION CLASSIFICATION

- (1) The classification plan governing County employees provides for:
 - (a) The establishment of fair pay differentials between groups with similar duties and responsibilities which reflect differences in the positions as described in sections 4.25-4.27.
 - (b) Equality of rates of pay among various employing departments for similar work performed.
 - (c) Standardized and accurate position descriptions which are maintained by the Human Resources Department and utilized for employee selection.
 - (d) If a department wants to make any changes within the job description for any position they must submit the suggested changes to the Human Resources Director with supporting documentation to the necessity of the requested change. The final determination of what will be in the job description is the responsibility of the Human Resources Director, and the County Administrator for department head level positions.
- (2) A listing of the approved positions is available in the Human Resources Department.

4.22 RULES FOR ADMINISTRATION OF CLASSIFICATION PLAN

- (1) **POSITION CREATION OR MODIFICATION.** New position requests, or additional hours for current positions, shall be submitted as part of the annual budget cycle. Absent any extenuating circumstances, the procedure to complete this process is as follows:
 - 1. Department Discussion with Human Resources.** Department Head must meet with the Human Resources Director and complete the New Position Analysis (MC-5) form. During this step the department head must also gather accurate cost information from the Finance Director. The New Position Analysis form must have a detailed job description attached with it in the County's current/proper format and associated accurate information.
 - 2. Department Discussion with County Administrator.** Department Head must meet with the County Administrator and present the New Position Analysis form along with the job description. The County Administrator will then approve or deny the request.
 - 3. Draft Resolution with Human Resources & Corporation Council.** Once approved by the County Administrator the department head will work with the Human Resources Director to draft a resolution to submit to the Corporation Council. This must be submitted to the Corporation Council at least two weeks prior to the Committee of Jurisdiction scheduled May meeting.

4. Department Approval from Committee of Jurisdiction. With the Corporation Counsel approved resolution, the new position request will move to the May Committee of Jurisdictions meeting for discussion of need or approval. If approved, this will proceed to the next step, which is the Administrative & Personnel Committee.

5. Department Approval from Administration & Personnel Committee. If all steps have been approved up through the Committee of Jurisdiction, the request for discussion/action will be placed on the Administrative & Personnel Committee's agenda no later than the scheduled June meeting. If approved, this resolution will be passed to the next step, the Finance Committee for action on the Fiscal Note of the resolution.

6. Department Approval from Finance Committee. The Finance Committee will meet to approve all new position requests' fiscal notes to verify accuracy in the information no later than the scheduled June meeting. Once approved, the resolutions and new positions analysis information will be forwarded to the full County Board for the June scheduled meeting.

7. Department Approval from County Board. All new position requests and resolutions will be voted on during the scheduled June meeting. In order for a resolution to be addressed, the department head or department representative for each request **MUST** be present for their resolution to be voted on.

8. Appeal Process. If at any point prior to the Administration & Personnel Committee a new position request is denied, an appeal can be made to the Administration & Personnel Committee no later than the May scheduled meeting. For any appeal, the New Position Analysis form, job description and resolution would still be required for the committee to take action on the request.

- (2) County Board authorization for a position shall expire if the position remains vacant for one (1) calendar year. The County Administrator may grant an extension for extenuating circumstances through an appeal by the department head, due to extenuating circumstances and if budgeted funds exist.
- (3) To ensure appropriate classification and wages, the County periodically reviews positions and conducts job audits at the request of the department head. If the duties and responsibilities substantially exceed those specified for the position, or if the job has substantially changed due to the increased departmental demands which place increased responsibility on the position, it is possible to seek a position reclassification. Note: "More of the same" is not a proper basis for reclassification, but rather new work at a higher level shall be demonstrated before the Human Resources Director shall consider a reclassification request. Due to varying circumstances involved in position reclassification, the department head shall meet with the Human Resources Director prior to the initiation of any review involving reclassification. This effort should help avoid any misunderstanding during the reclassification process. The review results shall be submitted to the County Administrator, who makes the final determination concerning reclassification requests.
- (4) Conversely, some positions are reduced in level of classification to reflect a reduction in duties or responsibilities. Downgrading of positions shall follow the same procedure outlined in Policy 4.22(3).
- (5) For each position, a salary range is established which reflects differences in the level of responsibility and duties to be performed and the level of education or training required, as described in sections 4.25-4.27.

4.23 CHANGES IN CLASSIFICATION

- (1) **PROMOTION.** This is the movement of an employee from one position to another having a higher salary grade. Salary will be adjusted from the date of the promotion to a rate within the higher salary grade that provides a sufficient increase given the nature of the new position. Due to varying circumstances involved with promotions, the department head shall meet with the Human Resources Director prior to the initiation of any personnel action involving a promotion. This effort should help avoid any misunderstanding which may occur when promotions are under consideration. All promotions to a supervisory level or above, shall be approved by the County Administrator, unless otherwise established by a current union contract.
- (2) **TRANSFER.**
 - (a) Transfer is the movement of an employee from one position to another in the same or a different department. There may or may not be a change in the salary rate of an employee who is transferred.
 - (b) Whenever an employee transfers from one department to another, any accumulated accruals are carried over to the new department.
- (3) **DEMOTION.** This is the movement of an employee from one position to another having a lower salary grade in the same or a different department. When an employee is demoted to a position in a lower salary grade, pay may be adjusted by the Human Resources Director to a rate within the new salary grade. All pay rates established must be within the new position's salary grade. An employee may request a voluntary demotion in the same manner as a transfer should there be a vacancy in a lower salary grade position for which the employee is qualified.
- (4) **LAYOFF.**
 - (a) The County retains the right to lay off employees, in whole or in part, and to retain those employees who are most qualified to perform the available work, regardless of their length of employment.
 - (b) The needs of the County shall be the prime consideration used in the determination of which employees shall be laid off. The rehiring of employees that have been laid off shall be determined by the County based on its need for the most qualified person to perform the available work. Laid off employees may have some recall benefits. A combination of qualifications and County needs shall determine who may be recalled. Laid off employees shall be kept on recall status for up to one (1) year.

COMPENSATION PLAN

4.25 INTRODUCTION.

- (1) The compensation plan shall include the schedule of salary grades each consisting of a salary range for each grade. The objective of this plan is to provide an appropriate salary structure to recruit and retain qualified employees. The salary schedule is available for reference in Appendix I.
- (2) The Administration and Personnel Committee shall be responsible for the development of the Compensation Plan through periodic reviews and comparative studies of pertinent factors affecting salary levels. When appropriate the Human Resources Director shall recommend necessary changes to the County Administrator and the Administration and Personnel Committee, which shall become effective upon approval of the County Board.
- (3) The Compensation Plan shall be based on the principle of equal pay for equal work. Placement in salary grades shall be determined by factors that may include, but are not limited to, education and experience required, scope of supervisory responsibility, knowledge and discretion, customer and client service orientation, occupational skills, exposure to risks and hazards, and physical effort involved.

4.26 FORMAT OF COMPENSATION PLAN.

- (1) **SALARY GRADES.** Salary grades shall be established to differentiate between positions within the County by providing compensation based on market analysis, internal equity, education and experience required, scope of duties, level of supervision exercised, exposure to risks, and hazards. Any request for a position to be reclassified into another salary grade must be made by the department head and submitted to the County Administrator for consideration and approval.
- (2) **RANGES.** The salary ranges have been developed around the market rate of the schedule, which is set at average market for each position. There is currently a 12% range between the minimum and the market point. The total spread from minimum to maximum is currently 30%. There is currently 6-12% between pay grades.

4.27 RULES FOR ADMINISTRATION OF THE COMPENSATION PLAN

- (1) **AUTHORIZED SALARY GRADES SHALL BE INTERPRETED AND APPLIED AS FOLLOWS.**
 - (a) **Initial Employment.** The hire rate shall be the entrance rate payable to any employee upon appointment to a position. If recruitment difficulties exist, or if a potential appointee possesses unusual qualifications directly related to the requirements of the position, the Human Resources Department may authorize appointment up to eight percent (8%) above the minimum rate in the grade, as long as the wage remains within the current and future established budget for the department that it is hiring. If hiring difficulties still exist after the initial recruitment due to the hiring salary range, an appeal may be made to the County Administrator for further consideration, which may include approval of a higher wage rate above the 8% above the minimum rate up to the market of the grade, or the approval of increased benefit levels, on a case-by-case basis. In rare recruiting circumstances, the County Administrator may request to exceed the market of the salary range with the recommendation of the Human Resources Director. New employees shall receive salary adjustments in coordination with the performance evaluation process.
 - (b) **Promotion or Demotion.** If an employee is promoted or demoted and the new salary rate must be within the position's established salary grade. Starting salary due to promotion or demotion would be recommended by the Human Resources Department, with the approval of the County Administrator.
 - (c) **Part-time Employment.** Unless indicated otherwise, all wage rates prescribed in the salary grades are the rates authorized for full-time employment. Part-time employees are paid the hire rate which is equivalent to or compatible with the hire rate established for similar full-time positions. Subsequent adjustments shall be in accordance with the performance evaluation process.
 - (d) **Limited Term and Limited Use Employment.** All LTE or LUE positions pay rates will be established by the Human Resources Director with the approval of the County Administrator.
 - (e) **Compensation During Temporary Assignment.** An employee who is temporarily assigned to a position in a higher salary grade than the employee's current rate shall be paid at the rate in the higher grade which gives the employee an increase for the period worked in the temporary assignment. An employee who is temporarily assigned to a position with a lower salary grade, for any period, shall not receive a reduction in salary. In any instance, the salary rate during the temporary assignment shall be handled on a case-by-case basis between the department head and the Human Resources Director, with the approval of the County Administrator.
 - (f) **Establishment of Departmental Work Rules.** The establishment of any work rules outside the scope of the Monroe County Personnel Policies, not otherwise vested by law in boards or commissions, or in other elected officers, are to be approved by the County Administrator on a case-by-case basis and provided to the Human Resources Department.

(2) **PAY FOR PERFORMANCE.** The Monroe County pay for performance compensation system is designed to link employee work performance to the strategic plan and mission of Monroe County, as well as motivate employees to develop and contribute to the maximum of their ability by compensating those employees based on exceptional job performance.

(a) **OUTCOMES.** The County's pay for performance compensation system will produce the following outcomes:

1. Aligns pay and performance with the County's mission, strategic plan, values, leadership and culture.
2. Differentiates among performers in evaluation and recognizes varying levels of performance through variations in compensation.
3. Directs the focus on outcomes and results that benefit the public, and strengthens public confidence that the County will listen, adapt, and produce results.
4. Maintains the County's competitive position in the labor market in order to attract and retain the best talent possible.
5. Provides incentives for continuous performance improvement and high achievement.

(b) **STANDARDS.** The County's pay for performance compensation system has the following standards:

1. The requirements of the pay for performance compensation policy shall be clearly communicated in a manner that is understood and accepted by employees.
2. All departments are responsible for establishing operational goals for each of its units and employees that are specific, measurable, attainable, realistic and timely.
3. All employees will be evaluated in an appropriate category for their position as outlined by a standard set of core competencies.
4. All departments will be expected to engage in continuous measurement, assessment, coaching and feedback.
5. All departments will use the official evaluation format provided by the Human Resources Department for all evaluations.
6. All employees' annual performance evaluations shall be reviewed by the Department Head or designated managers, prior to submission to the Human Resources Department.
7. The Human Resources Director shall review the effectiveness of the County's performance evaluation system upon which pay for performance is based and, in consultation with the County Administrator, revise the program as necessary to encourage employee performance that strives to attain the mission and goals of the County.

(c) **FUNDING.** Each fiscal year the County Administrator shall recommend an appropriate funding level to be available for pay for performance wage adjustments through the budget process. The County Administrator will consider the County's overall financial state in establishing a budget for pay for performance, and the cost of living adjustment for the wage scale, which is part of the overall budget submitted to the County Board of Supervisors.

- (d) SCOPE. The pay for performance compensation system applies to all full-time and part-time benefit eligible employees, with the exception of part-time no benefit ADRC employees whose pay is not subject to some other pay system, contract or agreement. Exceptions to the pay for performance compensation system include elected officials, union employees, LTE, and LUE. Eligible employees may be considered for pay for performance adjustments only once in each fiscal year. Employees at the maximum of their pay grade are not eligible to be considered for the pay for performance adjustments, but the County Administrator may grant an exception for extenuating circumstances. Any wage adjustment made outside of the scheduled compensation schedule must be requested to the County Administrator by the department head. Approval would be contingent upon review of expansion of duties for the position. LUE, LTE, and part-time no benefit employees pay rates will be established separate from the pay for performance on the basis of the County Administrator's approval. All LUE and LTE pay rates will be established by the County Administrator annually and will remain at the minimum of the pay grade the position is placed in unless approved above that established rate.

(3) ESTABLISHMENT AND MAINTENANCE OF COMPENSATION RATES.

- (a) Hourly and annual rates are to be established or maintained according to established procedure on file in the Human Resources Department.
- (b) The compensation plan will be updated on a periodic basis so that rates remain current and competitive.

(4) OVERTIME/COMPENSATORY TIME.

- (a) Exempt employees (see section 4.18(7)) shall be compensated as follows:
1. Overtime Accrual of compensatory time shall be allowed for necessary work in excess of eighty (80) hours worked in a bi-weekly pay period, excluding paid time off, with prior approval of the employee's department head or designee. Paid time off shall not be counted as hours worked. For an hour of overtime, the employee is entitled to an hour of compensatory time. Compensatory time may be accumulated to a maximum of forty (40) hours at any given time. Compensatory time is earned based on a bi-weekly pay period calculation of hours worked in excess to eighty (80) hours, and is not based on a daily calculation. Compensatory time can only be earned in 30-minute intervals.
 2. Compensatory time may be used with prior approval of the employee's department head or designee. The use of compensatory time shall not conflict with the needs of the department. Compensatory time may be used in increments of 30-minute intervals.
 3. Exceptions must be approved by the County Administrator.
 4. The salaries paid to FLSA Exempt employees are generally intended to compensate for the total responsibilities of the position regardless of the number of hours worked; however circumstances may exist where hour-for-hour payment or accrual of compensatory time is appropriate.
 - a. The additional hours are generated in response to an unscheduled event or cause beyond the control of the employee or employee's department and occurring outside the regularly scheduled work day and to which response cannot be reasonably delayed (example: response to weather-or-climate-related events; response to structure damage or failure; response to traffic incident, crash or recovery, response to civic emergency, response to fire or natural disaster, response to technical or mechanical building emergency, and other similar events). This exception is not available to respond to a staffing shortage.

b. If any such event were to occur, the determination of the emergency authorization would be responsibility of the department head or elected official, and they would report this to the Human Resources Department.

5. Each department head is responsible to ensure that accumulation of, reasons for, and use of compensatory time by department staff is being done correctly and is submitted through the appropriate payroll timekeeping system for review each bi-weekly payroll. Increments of time should be rounded to the nearest quarter hour.

6. Compensatory time accrual/usage by a department head must be approved bi-weekly by the County Administrator.

7. Under no circumstances shall employees be permitted to use compensatory time prior to actually earning the time.

8. In all instances, use of compensatory time shall count as time worked.

(b) Non-exempt employees [see section 4.18(7)] shall be compensated as follows:

1. Overtime shall be allowed for necessary work in excess of forty (40) hours worked in a Sunday - Saturday workweek, excluding paid time off, with prior approval of the employee's department head or designated department staff. Overtime for the Sheriff Department Jailer and Jail Sergeant positions are calculated based on any hours over 86 in a 14-day work period (bi-weekly pay period). Paid time off shall not count as hours worked. These hours must be compensated at time and one-half the regular rate of pay.

(c) Employees covered by a collective bargaining agreement shall be governed by contractual language relative to overtime and/or compensatory time.

(6) PAYROLL TIME SHEETS.

(a) There shall be twenty-six (26) bi-weekly pay periods annually, in a typical year, with the potential of twenty-seven (27) pay periods on some years based on the calendar of bi-weekly pay periods. Employees shall be paid every other Friday after a holdback not exceeding two (2) weeks. Highway Department non-administrative positions have a holdback not exceeding three (3) weeks.

(b) Time sheets shall be submitted in the prescribed format to the Finance Department by 9:00 AM of the Tuesday following each two-week pay period. Each department head or designated supervisor is responsible for the accuracy of the information contained on the time sheets.

(c) Paychecks shall be direct deposited on Friday with pay stubs distributed to employees via email Thursday following a Tuesday submission of time sheets. If a pay day falls on a holiday, paychecks will be issued the day before the holiday.

(7) UNIVERSITY OF WISCONSIN EXTENSION AGENTS. Monroe County and the University of Wisconsin-Extension have entered into an annual contract to deliver programs in the Monroe County community around the academic disciplines including Agriculture, Natural Resources, Community Development, Youth, Human Development & Relationships, and Health. Monroe County may decide on an annual basis to continue, modify, or discontinue the contract.

- (8) **SHERIFF DEPARTMENT NON-REPRESENTED MANAGEMENT.** Chief Deputy, Captains, Lieutenants and the Emergency Management Coordinator shall receive the established uniform allowance. Under mutual aid, assisting another agency and/or grant reimbursement, sworn law enforcement personnel who are classified as exempt employees of the County, may receive hour-for-hour pay for each hour worked beyond forty (40) hours within a work week in lieu of compensatory time. These hours worked must be approved by the Sheriff or their designee before the work is performed. The cost of this straight pay shall be reimbursed by a grant or requesting agency/jurisdiction. The hour for hour pay would also apply to the Warrens Cranberry Festival each year for those exempt law enforcement staff assigned to work if their wages are reimbursed by the governing body of this event.
- (9) **ON-CALL AVAILABILITY.** Departments that require on-call availability will need to submit a coverage and compensation plan, specific to the department's needs to the County Administrator prior to implementation for approval.

BENEFITS

4.30 HOLIDAYS

(1) **AUTHORIZED HOLIDAYS.**

- (a) The following holidays are currently authorized:

Authorized Holidays Monday-Friday Employees	Authorized Holidays 24/7 Employees *Applicable positions listed below
New Year's Day	New Year's Day
Friday Before Easter	Easter Sunday
Memorial Day	Memorial Day
Independence Day	Independence Day
Labor Day	Labor Day
Thanksgiving	Veterans Day
Friday Following Thanksgiving	Thanksgiving
Christmas Eve	Christmas Eve
Christmas Day	Christmas Day

*Sheriff Department – Patrol Sergeant, Patrol Deputy, Jail Sergeant, Jailer, Telecommunicator
Justice Department – Justice Program Specialist, Rolling Hills – Staff Nurse, RN, LPN, CNA, PCA,
Head Cook, Dietary Cook, Dietary Aide

(2) **RULES FOR ADMINISTRATION OF HOLIDAY COMPENSATION**

- (a) To be eligible for holiday pay, the employee shall not have leave without pay (LWOP) the day before or the day after the holiday. For those employees who have irregular or flexible hours in their schedule they must meet the requirement of their scheduled work week prior to and after the observed holiday.
1. Example: The observed holiday falls on a Friday. The employee would have to have 32 hrs. of paid time prior to the holiday and have paid time for the next scheduled workday after the holiday. Any altered schedule must be approved by the department head or designee.
- (b) For purposes of this section only, time off for sick time, vacation, floating holiday, funeral leave or earned compensatory time shall be considered as time worked.
- (c) Leave without pay shall not be considered as time worked if leave without pay is used on the employee's regularly scheduled work day before or after a holiday, it shall void all eligibility for holiday pay for that holiday. No prorated holiday pay shall be made for a partial day's work.
- (d) Employees required by the department head to work on an authorized holiday, shall receive time and one-half compensation in addition to the employee's regular salary for any hours worked.
- Example: $1.5 \times \text{regular hourly rate} + \text{holiday hours (8)} = 2.5 \times \text{regular hourly rate}$
- (e) Limited Use Employees for Law Enforcement and Telecommunicator personnel shall be paid at a rate of one and one-half times the regular rate of pay for hours worked on an authorized holiday.

- (f) When a holiday falls on a Saturday, it shall be observed on the preceding Friday. When a holiday falls on a Sunday, it shall be observed on the following Monday. Employees regularly scheduled to work on a holiday shall receive holiday pay on the actual day of the holiday, rather than the day County offices may be closed. For departments with 24/7 operations, those who are scheduled on the actual holiday if it falls on a weekend shall receive holiday pay for that day.

Example Christmas falls on Sunday, county offices are closed on Monday, 24/7 staff works on Sunday, they will receive holiday for Sunday instead of Monday. For those on a 24/7 schedule that are not scheduled on the holiday shall still receive 8 hrs. of holiday pay for the observed holiday.

- (3) Part-Time employees shall retain all the same benefits as full-time employees in regards to holidays observed. Each regular part-time employee shall receive holiday pay equal to what the employee would normal have been scheduled for that holiday. If the holiday falls on a scheduled day off or weekend, the regular part-time employee would observe the day before if on a Saturday and day after if on a Sunday.
- (4) All accruals earned for a part-time employee shall be prorated on the amount of hours worked within each payroll period, not to exceed what would be accrued by a full-time employee. For accrual maximum amounts allowed please refer to section 4.31(2)(a).

4.31 PAID TIME OFF (VACATION, FLOATING HOLIDAY)

AUTHORIZED FLOATING HOLIDAY

- (1) Full-time and part-time benefit eligible employees shall receive floating holiday based on the table below:

Floating Holiday Table Hours received based on hire date:

Dates of Hire	Full-Time Employee	Part-Time Benefit Employee
1/1 – 6/30	12 hrs.	9 hrs.
7/1 – 10/31	6 hrs.	4 hrs.
11/1 – 12/31	0 hrs.	0 hrs.

- (a) If floating holiday hours are not used in the calendar year, they are lost. There is no payout of floating holiday hours upon termination. Floating holiday hours shall not be used in increments of less than 30 minutes. Prior authorization is required before using floating holiday hours. Department heads or designee shall determine whether requests are approved. Floating holiday hours may be used any time after an employee's hire date.

AUTHORIZED VACATION SCHEDULE

- (2) After one (1) year of continuous employment, a full-time employee will have accrued (80 hrs.) paid vacation. Employees have access to use vacation accruals, as accrued upon date of hire.

- (a) Below is the breakdown of how the vacation accrual is earned based on years of service with the County.

Length of Continuous Service	Hours of Vacation Accrued per paycheck/annually	Maximum amount allowed on anniversary date. Any amount above is lost.
0-5 Years	3.08 hrs./80 hrs.	120 hrs. +
5-13 Years	4.616 hrs./120 hrs.	160 hrs. +
13-21	6.16 hrs./160 hrs.	200 hrs. +
21+ years	7.08 hrs./184 hrs.	224 hrs. +

- (b) Part-time benefit eligible employees earn vacation at a prorated amount based on the hours worked within the pay period and the years of continuous service on the table above.
- (c) If an employee uses leave without pay within a pay period, the amount of vacation accrual will be prorated based on the amount of leave without pay used.
- (3) **RULES FOR ADMINISTRATION OF VACATION**
- (a) Vacation cannot be used until earned.
- (b) Any amounts of vacation that are beyond the maximums listed in the table above will be lost on your anniversary date, and not paid out. Employees are allowed to carry over their annual accrual plus forty (40) hrs. on their anniversary date each year. Requests for extension of time beyond the anniversary date, necessitated by departmental workload, shall be presented to the County Administrator for consideration and approval. Requests shall be handled on a case-by-case basis.
- (c) Employees who retire or resign following one (1) year of employment shall be paid for accumulated vacation time earned through the last date of employment, provided policy required notice is given per section 4.64. A vacation balance shall not be used to extend the termination date. No vacation accrual shall be paid out to any employee who leaves County employment with less than one (1) full year of County service.
- (d) Requests for vacation use are to be submitted through employee self-service (ESS) or on other departmental required documentation to the department head or designated supervisor, no later than two (2) weeks prior to when the vacation usage is desired. This notification may be waived in the case of an emergency or other approved circumstances. All vacation requests require approval before being used.
- (e) An employee who moves from one position to another in the County by transfer, promotion, demotion, or reassignment shall be credited with accumulated vacation in the new position.
- (f) Vacation hours will not be accrued for hours worked in excess of the normal workweek. All vacation accruals will mirror the tables within this section of the policy manual, and no hours worked shall allow staff to accrue beyond the established rates for a full-time employee.
- (g) No vacation time shall accrue for time an employee is on a worker's compensation program of fourteen (14) calendar days or more.

- (h) Vacation shall not be used in increments of less than 30-minute intervals.
- (i) The County Administrator may, upon the request of the Human Resources Department, authorize additional vacation when recruiting a candidate for County employment (4.27(1)(a)).
- (j) Employees may donate up to forty (40) hours of accumulated vacation time to another benefit eligible employee who has a serious health condition as defined by the Family and Medical Leave Act (FMLA). The forty (40) hour maximum is per donating employee, per calendar year.

4.311 SICK TIME

- (1) Full-time employees earn eight (8) hours of sick time per month of service. Maximum accumulation shall be 1,040 hours at any given time.
- (2) RULES FOR ADMINISTRATION OF SICK TIME.
 - (a) Employees shall be paid while utilizing your sick time accrual at the regular rate of pay for the same number of hours that would have normally worked.
 - (b) Sick time does not guarantee an employee the right to a certain number of hours off each year with pay. As a matter of policy, it shall be empathized that sick time shall be construed as a form of insurance against loss of income during a short-term illness rather than free paid time off.
 - (c) For the purposes of this section, sick time shall be granted when an employee:
 1. Received medical, dental, optical examination, chiropractic, and mental health counseling or treatment.
 2. Is incapacitated from the performance of job duties by sickness or off-the-job injury.
 3. Is required to provide care to a member of the immediate family (spouse, child, or other relative who is a member of the employee's immediate household) up to a maximum of forty (40) hours per year. The County reserves the right to verify that family sick time is being used for a legitimate purpose.
 4. Donate blood to charitable organization (e.g., Red Cross) up to a maximum of one (1) hour per month with the supervisor's prior authorization. This does not include giving blood for personal compensation.
 - (d) Sick time shall not be used until earned. Employees have access to use sick time accruals upon date of hire.
 - (e) Sick time may not be used to provide childcare in the event of daycare or school closures.
 - (f) Upon retirement (for this section, eligibility to draw a monthly annuity from the Wisconsin Retirement Fund), total disability or death of an employee, the employee or beneficiary (in case of death) shall be paid 25% of the accumulated sick time credits as severance pay up to a maximum of 25% of 1,040 hours. Accumulated sick time shall be paid out at one hundred percent (100%) for any death of an employee that occurs within the line of duty.
 - (g) To use same day sick time, an employee shall report to use of sick time at least one (1) hour prior to starting time, whenever possible.
 - (h) The county reserves the right to verify that sick time is being used for legitimate purposes.

- (i) A doctor's certificate may be required after the third day of sick time, certifying an employee's inability to work on those occasions where fraud or sick time abuse is suspected.
- (j) Willful misuse of sick time shall subject the employee to disciplinary action up to and including termination of employment.
- (k) While an employee is on paid sick time, the accrual of sick time benefits shall continue.
- (l) Employees shall be allowed to use sick time if ill while on vacation; however, a doctor's certificate supporting this illness shall be required.
- (m) When an insufficient sick time balance remains to cover the absence of an employee, the remainder must be charged to any accumulated time the employee may have on record at the time the leave commences, i.e. vacation, compensatory time, or floating holiday. Sick time advances shall not be permitted. Before leave without pay can be granted to extend a sick time, a physician's certificate must be furnished and further verified from time to time to substantiate the need for continuing the leave. In no case shall the use of paid time be split up during a leave; earned time shall not be utilized to specifically qualify for further benefits.
- (n) Sick time requests, with the exception of an emergency shall be completed through the designated department documentation or employee self-service (ESS) time entry system.
- (o) Sick time shall not be used in increments of less than 30-minute intervals.
- (p) Employees who use no sick time for an entire calendar year and also comply with any County approved time off policies, shall have eight (8) hours of floating holiday provided for use in the succeeding calendar year.

4.32 INSURANCE

(1) PROGRAMS.

(a) Worker's Compensation.

1. The County shall provide worker's compensation benefits for all employees injured while in the performance of job-related duties. Employees shall report all injuries within 24 hours after occurrence, or knowledge of possible compensable illness, to the department head or the immediate supervisor. The department head or supervisor shall promptly report the matter to the County Clerk's Office located at 202 South K Street, Sparta, WI 54656, or by phone 608.269.8705, or by email at McClerk@co.monroe.wi.us.
2. Benefits shall continue only for the first fourteen (14) working days of the period in which an employee may be receiving worker's compensation benefits. Examples of these include accumulation of vacation and holiday benefits. The County's portion of health insurance premiums shall be continued for a maximum of one (1) year for employees eligible for worker's compensation due to a job-related injury or illness. Sick time shall be used the first three (3) working days following a job-related injury, after which worker's compensation shall take effect or any other paid accrual at the employee's discretion.

- (b) Unemployment Compensation. Eligible employees are covered under this state administered program and there is no cost to the employee. See link below:

<https://dwd.wisconsin.gov/uiben/>

(c) Health Insurance.

1. Employees who work at least 20 hours per week shall be eligible for health insurance coverage. Insurance coverage shall be effective the first day of the month following one complete month of employment. The employee may choose either single or family coverage, with the County paying a set amount of the premium.
2. An employee's benefit status is contingent upon the fifth day of each month that the insurance would cover. Employees must have at least one full day of paid time within the month to be eligible for health insurance for the month in its entirety.
3. If an employee uses leave without pay for an entire month outside of FMLA they will be responsible for the complete monthly premium.
4. Retirees, who are eligible and draw a monthly retirement annuity from the Wisconsin Retirement Fund through age 65, may remain in the health insurance group provided the employee pays the full premium for the applicable coverage. After age 65, the retiree is eligible for the appropriate coverages in accordance with the Consolidated Omnibus Budget Reconciliation Act (COBRA). These timelines and restrictions would also apply to the dental insurance for a retiree.

(d) Dental and Life Insurance. Employees shall be eligible for dental and life insurance coverage effective on the same basis as health insurance.

(2) **ELIGIBILITY FOR INSURANCE PROGRAMS.**

- (a) Employees shall be granted the opportunity to participate in all insurance programs offered by the County, provided the employee is eligible and elects to participate in these programs.
- (b) Employees not desiring to participate in these programs shall not receive like contributions in cash or kind.
- (c) Those employees on an approved unpaid leave of absence shall be eligible to continue insurance coverage provided the employee pays the full premium until the approved time period is completed. Failure to provide proper payment would constitute loss in coverage. To coordinate payment of full premium employee must contact the Monroe County Finance Department at 608.269.8791.

4.33 WISCONSIN RETIREMENT PROGRAM

- (1) Retirement, for this section shall be considered as eligibility to draw a monthly retirement annuity from the Wisconsin Retirement Fund.
- (2) The retirement program in effect is the state-administered program and is supported by the Wisconsin Retirement Fund.
- (3) Each eligible employee is automatically covered by the Wisconsin Retirement Fund from the first day of employment in a qualifying position, or when they meet required hours per WRS that were not originally expected upon date of hire.
- (4) The County shall contribute the employer percentage of total earnings equal to the current service contribution rates as annually set by the Employee Trust Funds Board. In addition, the County shall contribute a percentage of the employee's share only if required by a collective bargaining agreement. Current rates may be obtained from the Human Resources Department. More information is available for the Wisconsin Retirement Program at: <https://etf.wi.gov/> or 1.877.533.5020.

4.34 UNIFORM ALLOWANCE

- (1) For employees required to wear special uniforms, a uniform allowance request may be presented to the County Administrator by the department head. This is the practice unless otherwise established within signed union contract.
- (2) Each year thereafter, uniform allowances may be included in the department budget as presented to the Finance Committee for approval by the County Board.
- (3) Unless provided otherwise, uniform allowances shall be paid in January for that year. Signed and approved vouchers are required.

4.35 EMPLOYEE ASSISTANCE PROGRAM

County employees are eligible to participate in an Employee Assistance Program (EAP). The EAP is a free County-provided consultation and referral service to assist employees in resolving a variety of problems that may interfere with the employee's productivity on the job. Under the EAP, employees may seek consultation and referral for a variety of problems including emotional, marital, substance abuse, family problems, and other situations. After consultation, the employee may be referred to third-party resources where medical or counseling services may be obtained. After initial consultation, some counseling and treatment services may have full or partial coverage under the County's health insurance plan if the employee is enrolled. For further details, contact the Human Resources Department.

4.36 TRAINING PROGRAM

- (1) Organized training programs shall be established as needed for the purpose of enhancing the knowledge, proficiency, ability and skills of employees and/or to keep personnel well informed of current developments in their occupational fields and to assure high quality performance.
- (2) The Human Resources Director shall be responsible for the general development of the employee training program; shall be responsible for the general supervision of the administration and coordination of the employee training program, and shall:
 - (a) Periodically analyze and evaluate the overall need for employee training and development and discuss these needs with department heads.
 - (b) Assure, as budgets allow, that employees receive an opportunity to participate in training programs being offered and are properly encouraged to do so.
 - (c) Assure that programs are arranged at various times so they are available to all and at the same time do not unduly interrupt operations in departments.
- (3) Department heads and designated department staff shall provide active leadership in training of employees under their supervision and shall:
 - (a) Maintain a current file of training opportunities available in the area and periodically evaluate their effectiveness.
 - (b) Recommend any particular training that would be helpful to employees in their department.
 - (c) Cooperate in the organization of programs and encourage employees to attend training sessions.
 - (d) Properly credit each employee's departmental training file upon successful completion of training and development activities to assure maximum consideration for promotional opportunities.
 - (e) Assist in assessing the effectiveness of employee training programs and make recommendations for improvements and modifications.

- (f) Grant employees sufficient time to participate in training programs, provided that such participation does not unduly interfere with the necessary operations of the department.
- (4) In departments where mandatory in-service training is required, an individual shall be assigned the responsibility of supervising training and these supervisors shall keep the department head informed of their programs.
- (5) Attendance at a training, seminar or conference will be evaluated by the department head or designee based on work schedule requirements, cost, status of budget, training alternatives, job relatedness and appropriate skill level. If it is determined that the training would be beneficial to the employee and the County, the department head will submit a request for approval by the County Administrator. The request is to include an estimated total cost including travel, lodging, meals and other costs, as well as the amount of time away from the work location. Employees are expected to avoid overnight stays whenever possible. A maximum lodging reimbursement of not more than the current State of Wisconsin rate or the group rate established by the lodging facility shall be in effect for all County employees and elected officials, regardless of which party requests the attendance. Reimbursement for multiple occupancy shall be at the actual cost per person as long as it does not exceed the state or group rate, whichever is less. Lodging shall be prohibited unless attendance involves travel of at least 50 miles or more, one way, from the Monroe County Justice Center. There shall be no appeal procedure for these limitations. The County Administrator has final approval for all training, seminar or conference requests, but may delegate limited authority to department head for requests received on short notice or for required training, provided sufficient training funds are available in the department budget and the Administrator is notified in a timely manner.

4.37 SAFETY AND HEALTH PROGRAM

Monroe County will provide and maintain a safe and healthful work environment, to follow operating practices that will safeguard employees on the job, and to maintain property and equipment so that there is no hazard to employees or the public. Because of the diversity of County operations, department heads shall develop and maintain safety rules and a safety and health program that are specific to the department's operation. As a general guideline, an occupational safety program should contain the following elements:

- (1) Management commitment and employee involvement
- (2) Worksite analysis
- (3) Emergency action plans
- (4) Hazard prevention and control
- (5) Safety and health training

An effective program includes provisions for the systematic identification, evaluation, and prevention or control of general, specific and potential workplace hazards which may arrive from foreseeable conditions.

The Human Resources Director shall assist the department heads with safety and health program development and evaluation, and shall monitor the County's safety efforts to assure consistency and minimize liability. See also section 4.21(4) concerning the grievance procedure for workplace safety concerns.

4.38 EMPLOYEE RECOGNITION PROGRAM

The Human Resources Department shall maintain and update the Employee Recognition Program policy. Monroe County shall provide recognition to all full and part-time staff who hit milestones for every five (5) years of service. Staff must be in a full or part-time status position with no breaks in service in order to receive recognition through this program. Each five (5) year milestone will be addressed with the employee in the month prior to the anniversary date, with an option to select recognition from the Employee Recognition Program as maintained by the Human Resources Department. These options will vary between paid time off and other tangible benefits as determined and approved by the County Administrator at the suggestion of the Human Resources Department.

If a manager or department head wishes to request recognition prior to any milestone as mentioned above, they must do so in writing to the Human Resources Director and County Administrator. These requests will be reviewed on a case-by-case basis by the County Administrator, Human Resources Director, and County Board Chair to determine if the recognition is warranted. If approved, the employee will receive recognition as outlined by the Human Resources Department's Employee Recognition Program.

4.39 WELLNESS PROGRAM

The Human Resources Department shall maintain, administer, and update the Wellness Program for all full-time and part-time benefit eligible employees. Incentives and other options may vary between paid time off and other tangible benefits as determined and approved by the County Administrator at the suggestion of the Human Resources Department.

4.40 COMMUNITY SERVICE DAYS

Monroe County encourages employees to become involved in their communities, lending their voluntary support to programs that positively impact the quality of life within these communities. Employees will be provided with eight (8) hours of paid time off each calendar year to participate in a volunteer program.

Volunteer time must be requested in advance and when possible should be regular and on a set schedule to help with the coordination of other work-related responsibilities. Volunteer time should not conflict with peak work schedules and other work-related responsibilities, create the need for overtime, or cause conflicts with other employees' schedules. Volunteer opportunities must be approved by the Human Resources Department to ensure no conflict of interest, malicious intent, and that the opportunity is in accordance with the standards set forth by this policy. All requests must be submitted to the employee's direct supervisor and the Human Resources Department on the designated form by the Human Resources Department.

All full-time and part-time benefit eligible employees interested must meet or be exceeding performance standards to be eligible. Interested employees should meet with their managers to discuss volunteer opportunities and receive approval. While employees are volunteering, they must maintain the standards as set forth by this policy. If any violations of this policy are committed during the volunteer opportunity employees would be subject to discipline as defined in this policy.

LEAVES OF ABSENCE

4.41 FUNERAL LEAVE

- (1) Employees receive 40 hours of funeral leave with pay for the death of a spouse, child, mother, father, sister, brother, mother-in-law, father-in-law, daughter-in-law, son-in-law, stepchild, stepsibling, or stepparent. Certification of attendance will be required to qualify for this benefit and must be submitted to the Human Resources Department. Funeral leave is to be taken before or after the funeral, visitation, celebration of life, or burial. In addition, this time can be used when the employee is notified of the loss of a family member or member of their immediate household.
- (2) Funeral leave can be used for other individuals of no family relation but certification of attendance to the funeral must be submitted to the Human Resources Department and would be limited to eight (8) hours per funeral with a maximum allotment of forty (40) hours per calendar year.
- (3) Employees shall receive four (4) hours of funeral leave with pay when attending a funeral as a pallbearer. Such attendance shall be limited to three (3) times per calendar year.
- (4) Employees shall receive four (4) hours of funeral leave with full pay when attending as a participant at a funeral with military honors. Such attendance shall be limited to three (3) times per calendar year.

4.42 MILITARY LEAVE

- (1) Employees are eligible to take military leave if the employee is a member of a military branch of service.
- (2) Employees who are members of a military reserve unit shall be granted a leave of absence for an annual tour of up to two (2) weeks. Employees shall be granted a military leave of absence when called to active duty.
- (3) Employees receiving leave for an annual two (2) weeks' tour shall be paid the difference between the military pay and the pay that would have normally been earned had the employee worked for Monroe County. A copy of the military pay voucher shall be submitted to the Finance and Human Resources Department.
- (4) Employees drafted or ordered into military service shall be entitled to return to the employee's former position at the current rate of pay with no loss in seniority and benefits, provided the employee returns to work within the time period specified based on the length of military service upon discharge from mandatory service. Monroe County adheres to all rights and regulations granted to anyone on military leave under the Uniformed Services Employment and Reemployment Rights Act (USERRA).

4.43 PERSONAL LEAVE (NON-FMLA/WFML)

- (1) Application for a personal leave beyond accumulated accruals shall be made on the proper form (MC-1) and presented to the department head or designee at least ten (10) working days prior to the date the leave is requested to begin. The granting of such leaves and the length of time shall be contingent upon the reason(s) for the request and approval of the department head or designee. Any accumulated vacation, compensatory time or floating holiday must be used before a leave without pay will be granted. Exceptions to this requirement will be handled on a case-by-case basis with the department head and the Human Resources Director.
- (2) Leaves of absence in excess of five (5) working days in a calendar year shall be discussed with the department head or designee and presented to the Human Resources Director with a recommendation. The Human Resources Director may approve or deny the leave. Decisions of the Human Resources Director may be appealed to the County Administrator by an employee.
- (3) Before anyone can be granted leave without pay they must have used all of their accruals banks of paid time off first.

- (4) A return to work earlier than the scheduled termination of leave date may be arranged by the supervisor and the employee, with notification to the Human Resources Director.
- (5) If an employee is unable to return to work on the date stipulated, a written request shall be submitted prior to the expiration date to extend the leave of absence subject to approval of department head and the Human Resources Director. If on the date following the expiration of the leave of absence, an extension is not requested and granted, and the employee has not returned to work, the employee shall be considered to have resigned willfully from employment.
- (6) If the first of the year falls during a leave, the employee will have the option to use their floating holidays. In no case shall the use of paid time be split up during a leave; earned time shall not be utilized to specifically qualify for further benefits.

4.44 FAMILY, MEDICAL AND MILITARY LEAVES

- (1) Eligible employees may qualify for unpaid leave under Wisconsin's Family and Medical Law (§103.10, Wis. Stats.) and/or the federal Family and Medical Leave Act. When applicable, the leaves shall run concurrently. Employee rights posters for both laws are posted in the workplace for reference by all employees. In addition, each employee shall be given a general notice, attached hereto as Appendix A.
- (2) WISCONSIN FMLA: Any employee who has worked for more than 52 weeks (for a minimum of 1,000 paid hours) is eligible for unpaid leave under Wisconsin's Family and Medical Leave Act (§103.10, Wis. Stats.). However, the employee may, but is not required to, substitute definite and quantifiable paid leave benefits for unpaid leaves under the state law (e.g., paid vacation).

The amount of unpaid leave available in a calendar year pursuant to Wisconsin's law is presently as follows:

(a) Family Leave

1. Up to a maximum of six (6) weeks per twelve (12) month period for the birth or adoption of a child. The leave must begin no earlier than sixteen (16) weeks before estimated birth or placement and no later than sixteen (16) weeks after birth date or placement of the child.
2. Up to a maximum of two (2) weeks leave per twelve (12) month period to care for a child, spouse, parent, parent-in-law, domestic partner [as defined in Wis. Stat. § 40.02(1) and § 770.01(1)], or domestic partner's parent who has a serious health condition.

Total maximum time for #1 and #2 is eight (8) weeks per twelve (12) month period.

(b) Medical Leave

1. A maximum of two (2) weeks per twelve (12) month period for the employee's serious health condition.
2. Up to a maximum of six (6) weeks per twelve (12) month period for the purpose of serving as a bone marrow or organ donor, provided that the employee provides his or her employer with written verification that the employee is to service as a bone marrow or organ donor and so long as the leave is only for the period necessary for the employee to undergo the bone marrow or organ donation procedure and to recover from the procedure.

[NOTE: "Serious health condition" means a disabling physical or mental illness, injury, impairment, or condition which requires inpatient care in a hospital, nursing home or hospice, or outpatient care that requires continuing treatment or supervision by a health care provider.]

- (3) **FEDERAL FMLA:** Any employee who has worked for more than 12 months (for a minimum of 1,250 hours) is eligible for unpaid leave under the Federal Family and Medical Leave Act of 1993. An employee may be required to substitute definite and certain paid leave benefits for unpaid leave.

The federal law provides 12 weeks of unpaid leave during a 12-month period for any covered purpose, which are:

- (a) For incapacity due to pregnancy, prenatal medical care or child birth.
- (b) To care for the employee's child after birth, or placement for adoption or foster care.
- (c) To care for a child, spouse or parent who is suffering from a serious health condition.
- (d) For a serious health condition of the employee that makes the employee unable to perform his or her job duties.
- (e) Because of a qualifying exigency arising out of the fact that the employee's spouse, child, or parent is on covered active duty or call to covered active duty as a member of the Armed Forces, National Guard, or Reserves.

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered activity duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

[NOTE: A "serious health condition" is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three (3) consecutive calendar days combined with at least two (2) visits to a health care provider or one (1) visit and a regimen of continuing treatment, or incapacity due to pregnancy, or due to a chronic condition. Other conditions may meet the definition of continuing treatment.

*The FMLA definitions of "serious injury or illness" for current servicemembers and veterans are distinct from the FMLA definition of "serious health condition".]

- (4) **INTERMITTENT LEAVE:** Under some circumstances, employees may take FMLA leave on an intermittent basis. Intermittent leave may be taken in the smallest increment of leave allowed by the County for any other type of leave.
- (a) Federal leave based on a birth or child placement may only be taken intermittently or on a reduced leave schedule if the County agrees;

- (b) State family leave for birth/placement or care of a child, spouse, parent or parent-in-law, or parent of a domestic partner with a serious health condition may be taken as partial absences from employment if scheduled so as not to unduly disrupt the County operations.
 - (c) Federal leave based on a serious health condition of an employee, employee's child, spouse or parent may only be taken intermittently or on a reduced-leave schedule when medically necessary, unless the County agrees otherwise.
 - (d) Federal leave due to a qualifying exigency may be taken on an intermittent basis, as needed.
 - (e) State medical leave for self may be taken in non-continuous increments as medically necessary.
 - (f) Leaves will be granted in hourly increments or less as may be specified in County policies or labor agreements. If it is physically impossible for an employee using intermittent leave to commence or end work midway through a shift, the entire time the employee is forced to be absent shall be designated as FMLA leave.
 - (g) Employees shall make a reasonable effort to schedule medical treatments so they do not unduly disrupt current operations and they shall provide the County with reasonable advance notice.
- (5) **BENEFITS:** The County is required to maintain group health insurance coverage for an employee on FMLA leave whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work. If applicable, arrangements will need to be made for employees to pay their share of health insurance premiums while on leave. In addition to paying their portion of health insurance premiums, employees shall be required to pay the full cost of continuing their dental and life insurance, etc. during leave. If an employee fails to return to work for a reason other than the continuation of the serious health condition of the employee or the employee's immediate family member, or other reason beyond the employee's control, the employee will be required to reimburse the County for the employee's cost of these benefits while the employee was on unpaid leave.
- (6) **NOTICE:** Both state and federal law provide that the employee requesting family and/or medical leave has an obligation to provide reasonable advance notice to management, when practicable, of the nature and extent of any leave requested. In any event, employees will always have a duty to cooperate with management in arranging and processing leave requests under the state and federal laws to avoid undue disruption of the County operations. The County requests that thirty (30) days advance notice be provided whenever possible.

To receive FMLA leave, an employee must complete an FMLA leave request form (Appendix B). If an employee is unable to do so because the need for leave was not foreseeable, a request may be made verbally. Supervisors are not to discuss medical conditions or leave requests with employees, but are to forward them to the Human Resources Department. Human Resources shall evaluate the request and provide a response to the employee approving or denying the request and providing the employee with a "Notice of Eligibility and Rights & Responsibilities (Family and Medical Leave Act)" (Appendix C) and a "Designation Notice (Family and Medical Leave Act)" (Appendix D) within five (5) business days, absent extenuating circumstances, of the employee's request. If Human Resources needs additional information to determine whether a leave is being taken for an FMLA-qualifying reason, Human Resources may wait until it has received the requested information from the employee and then notify the employee whether the leave will be designated as FMLA leave with the "Designation Notice" within five (5) business days, absent extenuating circumstances, after obtaining the information.

The County may require employees to provide medical certification supporting the need for leave due to a serious health condition, second or third medical opinions (at the County expense) periodic recertification, and periodic reports during FMLA leave regarding the employee's status and intent to return to work. A medical certification form (Appendix E) must be presented by the employee within fifteen (15) days of being asked to do so by the County. A return to work form from a physician will, in most cases, be required in the case of an employee's serious illness, injury, work-related injury (worker's compensation) or illness which has caused a prolonged absence from work, or if the employee's supervisor reasonably determines, for the sake of safety, that a medical authorization is advisable.

The County may require an employee seeking FMLA leave due to a qualifying exigency to submit a certification (Appendix F). The County may require an employee seeking FMLA leave due to a serious injury or illness of a covered service member to submit a certification providing sufficient facts to support the request for leave (Appendix G). The County may require an employee seeking FMLA leave due to serious injury or illness of a veteran for military caregiver leave to submit a certification providing sufficient facts to support the request for leave (Appendix H).

- (7) **UPON RETURN TO WORK:** Upon return from FMLA leave, an employee must be restored to the employee's original job, or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment. FMLA leaves shall not be counted as absences for disciplinary purposes.
- (8) **CONFORM WITH EXISTING LAWS:** This policy does not provide any greater benefits than those provided by the family and medical leave laws. Any change in the law will impact upon the operation of this policy by modifying its provisions to conform to the law.
- (9) **INTEPRETATION.** Any questions regarding Family and Medical Leave use and/or interpretation should be directed to the Human Resources Department for clarification.

4.45 JURY AND WITNESS DUTY

- (1) An employee who responds to a call for jury duty shall receive their regular wages minus the amount of compensation received from such jury duty (minus mileage paid), if the amount thereof is less than the amount they would have received while performing their regular duties for up to a maximum of ten (10) days per calendar year. The employee must provide prior notice to their supervisor and furnish their supervisor with satisfactory evidence of their call to jury duty, the number of days served, and the amount of compensation. To receive the employee's regular rate of pay for hours performing jury duty, they must provide the received payment for services to the County Treasurer and provide receipt to the Human Resources Department.

In case an employee is required to serve as a witness for the County, or is subpoenaed to appear for a matter arising out of the employee's employment with the County, the employee also shall be reimbursed for their regular wages as set forth above.

Employees will return to work if the jury or witness duty requires them to be away from work less than their full work day, unless excused by their supervisor.

CONDITIONS OF EMPLOYMENT

4.50 MANAGEMENT

- (1) The County, through the County Administrator, various committees of the County Board, and the County Board as a whole, possesses the sole right to operate County government and all management rights repose in it. Certain rights and responsibilities are imposed by state and federal laws and regulations. Many of these rights and responsibilities have implications for policies and procedures governing employment. For this reason, the County reserves any and all management rights regarding employees' employment statuses. The role of management includes, but is not limited to, the right to:
 - (a) Manage and direct employees;
 - (b) Hire, promote, demote, schedule, transfer and assign employees;
 - (c) Lay off and recall employees;
 - (d) Discharge employees or take disciplinary action;
 - (e) Schedule overtime as required;
 - (f) Develop job descriptions;
 - (g) Assign work duties;
 - (h) Introduce new or improved methods or facilities or change existing methods or facilities;
 - (i) Contract out for goods and services;
 - (j) Discontinue certain operations; and
 - (k) Direct all operations of the County.

4.51 HOURS OF WORK

- (1) The usual business hours for all regular full-time employees shall be forty (40) hours per week. This shall not be construed as a guaranteed work day or work week. With County Administrator approval, Department Heads may adjust the regular work day and work week due to weather-related or other operational needs. Alternative working arrangements (e.g., flexible schedules, working at home, telecommuting, etc.) may be considered if an employer benefit to the County can be shown, and require advance approval from the County Administrator. Departments shall maintain coverage for usual business hours of operation Monday-Friday 8:00 AM – 4:30 PM to best serve the public and other employees of Monroe County. Departments may be closed only with prior approval of the County Administrator, excepting unforeseen emergencies. Departments with twenty four (24) hour operations must maintain usual business hours that best meet the needs of the public and the standard day-to-day operations required.
- (2) EMERGENCY CLOSING: The Monroe County Administrator subject to any statutory limitations is allowed to determine when the Justice Center and other County offices may be closed to the public as a result of emergency, weather or other urgent circumstances. Employees affected may use paid time such as vacation, floating holiday, compensatory time, or utilize an unpaid leave of absence upon approval of their department head or designated supervisor, or continue to work for the balance of the day, or portion thereof, relating to an emergency closing, if safe to do so.

4.512 ATTENDANCE

- (1) The success of Monroe County depends upon the cooperation and commitment of each member of our team. Therefore, your attendance and punctuality are extremely important. Your coworkers must bear the burden of your absence. Your responsibility to the County and your fellow employees requires good attendance.
- (2) Please be at your workplace and ready to work at your starting time. Give yourself enough time to make preparations to begin work prior to your starting time. However, if you are a non-exempt employee, we request you do not report to work more than five (5) minutes before your starting time without your supervisor's permission. We also ask that non-exempt employees not stay more than five (5) minutes after the end of your work day without your supervisor's permission. Non-exempt employees may never work off the clock.
- (3) We recognize there may be times when your absence or tardiness cannot be avoided. In that event, notify your supervisor as early as possible but at least one (1) hour before your scheduled shift. Unless you have made other arrangements with your supervisor, you must call your supervisor each day of your absence.
- (4) Failure to give your supervisor notice of your absence may result in disciplinary action. If you are absent due to the illness of yourself or a family member for more than three (3) consecutive work days or have a pattern of absence, we may require you to produce a certification from your healthcare provider. If you fail to notify your supervisor of your absence for three (3) consecutive workdays, you may be considered to have voluntarily terminated your employment with the County.
- (5) A pattern of excessive or unexcused absences or tardiness may result in disciplinary action, up to and including termination.

4.52 LUNCH AND BREAKS

- (1) All employees shall receive a 15-minute break during the first half of their workday and a 15-minute break during the second half of their workday. There is no accumulation of break time. Any time not used is lost. 15-minute breaks shall not be used in conjunction with the lunch break or with starting or quitting times.
- (2) Employees shall receive a 30-minute unpaid lunch break. As with the 15-minute breaks above, there is no accumulation of lunch break time, and lunch breaks shall not be used in conjunction with 15-minute breaks or with starting or quitting times.

4.53 PERSONAL APPEARANCE

- (1) Employees shall be expected to dress in an appropriate manner in accordance with the nature of the position. Employees are expected to exercise good judgement, common sense, and pride regarding their professional and business-like appearance. The County does not wish to infringe on individuality or personal style however, please keep in mind that athleisure wear, including sweatpants, yoga pants, athletic shorts and flip-flops are not appropriate attire for a professional business setting.

4.54 TRAVEL

- (1) Employees shall receive the current IRS mileage rate in effect in the County when required to use their personal cars while conducting County business. If the travel begins or ends at the employee's home, travel time and mileage shall be calculated from the work site or home, whichever is less.
- (2) Employees who use their own car during the normal workday while conducting County business are responsible for providing proof of automobile liability insurance coverage consistent with the coverage outlined by Wisconsin statutes. Appropriate forms are available from the Finance Department and shall be filed with that department upon completion. The Finance Department is located at 124 North Court Street, Sparta, WI 54656.

- (3) Employees shall receive reimbursement for meals when on official business overnight outside of Monroe County. Itemized receipts are required, and detailed printed receipts shall include vendor name, date of the expense, items purchased and amount of the purchase. No reimbursement is allowed for alcohol or other non-meal related expenses, and no reimbursements are authorized if meals are provided at the hotel or conference center where the conference or training occurs. Meal reimbursement rate maximums are currently \$8 breakfast, \$12 lunch, and \$18 dinner. Employees are expected to exercise discretion and good judgment concerning reimbursements and provide all documentation necessary to justify a reimbursement claim to the Finance Department.
- (4) Elected officials and department heads are authorized to furnish meals, lodging or other facilities to persons not employed by Monroe County with the approval of the County Administrator.
- (5) An employee shall, with department head and County Administrator approval, receive reimbursement for personal expenses when the employee serves as coordinator of a conference, seminar or convention held within the County. All preceding rules shall be followed and the employee shall notify the County Administrator as far in advance as possible of any conference, seminar or convention to be held within the County.
- (6) A maximum lodging reimbursement of not more than the current State of Wisconsin rate or the group rate established by the lodging facility shall be in effect for all County employees and elected officials, regardless of which party requests the attendance. Reimbursement for multiple occupancy shall be at the actual cost per person as long as it does not exceed the state or group rate, whichever is less. Lodging shall be prohibited unless attendance involves travel of at least 50 miles or more, one way, from the Monroe County Justice Center. There shall be no appeal procedure for these limitations.
- (7) Reimbursement by the County to any official or employee shall be limited to a reasonable amount as determined by the County Administrator considering all factors in the reimbursement process.
- (8) More detailed information regarding the County's reimbursement of business expenses can be found in the County's Accounting & Financial Policies and Procedures Manual located at:
<https://www.co.monroe.wi.us/departments/finance/-folder-28>

4.55 GIFTS AND GRATUITIES

- (1) No employee or public official shall receive or offer to receive, either directly or indirectly, any gift, gratuity or anything of value which the employee is not authorized to receive from any person if such person:
- (2) Has or is seeking to obtain a contractual or other business or financial relationships with the County or the County's governmental body. Incidental items received at conferences or through initial meetings of less than a value of \$25.00 shall not be considered a violation of this section.
- (3) Conducts operations or activities which are regulated by the County public employee's employer or the County's governmental body.
- (4) Has interests which may be substantially affected by the County or the County's governmental body

4.551 ELECTRONIC COMMUNICATIONS POLICY

- (1) Monroe County's electronic communication systems including, but not limited to, computers, internet systems, telephone, county issued cellphone, voice mail and e-mail systems are provided to employees by the County and are intended only for business use. Access is intended for approved purposes. Users have no legitimate expectation of privacy in regard to system usage.
- (2) The County may access its electronic communications systems and obtain the communications within the systems, without notice to users of the system, in the ordinary course of business when the County deems it appropriate to do so. The County also has the right to and may inspect or monitor without advance notice any devices employees use to access the County's electronic communications systems, including but not limited to computers, laptops, notebooks, tablet computers or mobile devices.
- (3) The reasons for which the County may obtain such access include, but are not limited to: maintaining the system, preventing or investigating allegations of system abuse or misuse, assuring compliance with software copyright laws, complying with legal and regulatory requests for information, protecting proprietary information, and insuring that the County's operations continue appropriately during an employee's absence. The County may store electronic communications on magnetic media for a period of time after the communication is created. From time to time, magnetic media copies of communications may be deleted.
- (4) The County's policy prohibiting all types of harassment applies to the use of the County's electronic communications systems, including Internet access. No one may use electronic communications in a manner that may be construed by others as harassment based on age, sex, gender identity, gender expression, religion, race, creed, color, national origin, ancestry, disability, marital status, sexual orientation, arrest record, conviction record, or any other characteristic protected by applicable federal, state or local law. No jokes on these bases should be transmitted over the County's electronic communications systems.
- (5) The County may store electronic communications for a period of time after the communication is created. From time to time, copies of communications may be deleted. No one may access, or attempt to obtain access, to another individual's electronic communications without appropriate authorization.
- (6) Employees may not install or remove software on the County's computer systems without prior management or a member of the Information Technology (IT) Department's approval. Personal computers and other electronic devices (cell phones, tablets, etc.) may not be connected directly to the County's secure network computer systems without prior management approval.
- (7) Violators of this Electronics Communications Policy may be subject to discipline, up to and including termination.
- (8) Any information not individually identified within this policy language will defer to the Information Technology Use Policy, which can be accessed by contacting the Human Resources or Information Technology Departments.

4.552 SOCIAL NETWORKING POLICY

- (1) Monroe County recognizes that Social Networking (such as personal websites, blogs, Facebook, TikTok, Instagram, X, LinkedIn, Snapchat, online group discussions, text messaging, message boards, chat rooms, etc.) are used by many of our employees. The County respects the right of our employees to maintain a blog or post a comment on social networking sites. However, the County is also committed to ensuring that the use of social media serves the needs of the County by maintaining and protecting the County's interests and ensuring employees focus on their job duties. Please make sure that you are aware of your obligations in this regard.

To protect the County's interests and ensure employees focus on their job duties, employees must adhere to the following rules:

- (a) Employees may not post on a blog or social networking site during their working time. Working time includes the time during which any of the employees involved are actually scheduled to work, but does not include scheduled rest periods, meal breaks and other specified times when employees are not expected to be working. This is only allowable if part of the responsibilities of your position.
- (b) If an employee mentions the County on any social networking site and expresses either a political opinion or an opinion regarding the County's actions, the communication must include a disclaimer that the views expressed are those of the author and do not necessarily reflect the views of the County. This is necessary to preserve the County's goodwill in the community.
- (c) All rules regarding confidential information apply in full to blogs and social networking sites. Any information that cannot be disclosed through a conversation, a note or an e-mail also cannot be disclosed on a blog or social networking site.
- (d) Any conduct which is impermissible under the law if expressed in any other form or forum is impermissible if expressed through a social networking site. For example, posted material relating to the County and its employees that is discriminatory, defamatory, libelous or threatening is not permitted. County policies prohibiting discrimination, retaliation, and/or harassment based on any protected category as well as the County's Workplace Violence policies apply equally to employee comments concerning the County and its employees on social networking sites, even if done on non-working time. Employees are encouraged to review those sections (4.58-4.59) of the policy manual for further guidance.

Any employee who violates this policy may be subject to disciplinary action, up to and including termination. The County reserves the right to monitor all public blogs and social networking forums for the purpose of protecting its interests and maintaining compliance with this policy.

Nothing in this policy is designed to interfere with, restrain, or prevent employee communications regarding wages, hours, or other terms and conditions of employment.

If you have any questions at all regarding this policy, please contact the Human Resources Director or the County Administrator.

4.56 CONFLICT OF INTEREST

- (1) Employees shall not accept employment which will conflict with their County job responsibilities. Employees holding other employment, including self-employment, shall notify their department head, who will notify the Human Resources Department on a Notice of Outside Employment form (MC-2). The Monroe County Ethics Code addresses conflicts of interest in detail and should be consulted regarding any conflict of interest questions. In addition, the nepotism policy addresses conflicts of interest issues concerning employment of relatives (see Policy 4.16, and Monroe County Board Code of Ethics located at: <https://www.co.monroe.wi.us/government/county-board-of-supervisors/boards-committees/monroe-county-ethics-board>)

4.57 POLITICAL ACTIVITY

- (1) Employment shall not be offered as consideration or required for the political support of any political party or candidate for public office.
- (2) No employee is precluded from engaging in political activity provided that such activity does not interfere with normal work performance and is not conducted during normal working hours and does not involve the use of County equipment or property. Employees are specifically prohibited from directly or indirectly coercing any person to hold or contribute monetary or other types of assistance to any political candidate, party or purpose.
- (3) Under provisions of the Federal Hatch Act, employees who are principally employed in an activity which is financed in whole or in part by federal loans or grants shall not become political candidates in partisan elections. Federal funds may be withheld for violations of the Act. Attorney General Opinion 63 AG 217 authorizes the granting of a leave of absence to an employee who intends to become a political candidate in a partisan election.

4.58 ANTI-HARASSMENT POLICY

- (1) Monroe County is committed to maintaining a work environment that is free of discrimination. In keeping with this commitment, harassment of County employees by anyone, including any supervisor, co-worker, vendor, client, elected officials, contractors, or customer of the County will not be tolerated.
- (2) Harassment consists of unwelcome conduct, whether verbal, physical, or visual, that is based upon a person's legally-protected status, such as sex, gender identity, gender expression, religion, race, creed, color, national origin, ancestry, disability, marital status, sexual orientation, arrest record, conviction record, disability, genetic testing, marital status, veterans' status or membership in any reserve component of the military forces or other protected group status. The County will not tolerate harassing conduct that affects tangible job benefits, that interferes unreasonably with an employee's work performance, or that creates an intimidating, hostile, or offensive work environment.
- (3) Sexual Harassment includes: Unwelcome sexual advances, requests for sexual favors, and other physical, verbal, or visual conduct based on sex constitutes sexual harassment when: (A) submission to the conduct is an explicit or implicit term or condition of employment, (B) submission to or rejection of the conduct is used as the basis for an employment decision, or (C) the conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive work environment.

Examples of sexual harassment include explicit sexual propositions, sexual innuendo or suggestive comments, sexually oriented jokes or teasing, foul or obscene language or gestures of a sexual nature, display of foul or obscene printed or visual material of a sexual nature, and unwelcome physical contact such as patting, pinching, or brushing against another's body.

- (4) All employees are responsible to help ensure that harassment in the workplace is avoided. If harassment is experienced or witnessed, the County Administrator, Human Resources Director, department supervisor, or any member of management is to be notified immediately.
- (5) The County forbids retaliation against anyone for an action taken in good faith including reporting harassment, assisting in making a harassment complaint, or cooperating in a harassment investigation.
- (6) The County's policy is to investigate all harassment complaints thoroughly and promptly. To the fullest extent possible, the County will keep complaints, investigative records, and the results of the investigation confidential. If an investigation confirms that harassment has occurred, the County will take corrective action, including appropriate discipline, up to and including termination. Managers, supervisors, and all other employees are required to cooperate fully with the investigation and resolution of all harassment complaints.

4.581 RESPECTFUL WORKPLACE/BULLYING IN THE WORKPLACE POLICY

- (1) Monroe County is committed to a workplace free of threats, intimidation, violence, and bullying. Bullying is any repeated, unreasonable behavior directed toward an employee, customer, or vendor that is intended to intimidate, creates a risk to health and safety, or results in threatened or actual harm. The following list describes activities that are expressly prohibited and is not exhaustive:
 - (a) Intimidating, threatening, or hostile statements, actions, or gestures
 - (b) Excluding someone from workplace activities, social isolation
 - (c) Falsely accusing and punishing “errors” not actually made or blaming without justification
 - (d) Verbal abuse, demeaning comments
 - (e) Direct, conditional, or implied threats
 - (f) Being treated differently than the rest of a work group
 - (g) Intimidation
 - (h) Yelling, screaming, and other demeaning behavior
 - (i) Being given the majority of unpleasant tasks
 - (j) Public humiliation
 - (k) Hostility such as glaring, clenched fists, or a threatening posture
- (2) The County expects employees to behave in a professional manner and to treat colleagues, customers, and vendors with dignity and respect when they are at work. They County has this same expectation of all elected officials and contractors.

If you feel you have been bullied, you should immediately contact your supervisor. If you feel you cannot seek help from your supervisor, then you should contact their department head, the Human Resources Department, or County Administrator for assistance.

Complaints will be investigated, and the County will protect the confidentiality of complaints to the extent possible. If the investigation determines that bullying has occurred, the County will take immediate and appropriate action up to and including termination.

The County will ensure that managers and supervisors take positive steps to comply with this policy. They are required to monitor the workplace to prevent bullying, resolve bullying issues that arise, and refrain from and prevent retaliation or harassment against any employee involved in the filing, investigation, or resolution of a bullying complaint.

Managers, supervisors, and all other employees are required to cooperate fully with the investigation and resolution of all bullying complaints.

4.582 REASONABLE ACCOMODATION OF INDIVIDUALS WITH DISABILITIES

- (1) Monroe County recognizes and supports its obligation to endeavor to reasonably accommodate job applicants and employees with known physical or mental disabilities who are able to perform the essential functions of the position, with or without reasonable accommodation. Monroe County will endeavor to provide reasonable accommodation to otherwise qualified job applicants and employees with known physical or mental disabilities, unless doing so would impose an undue hardship on the County or pose a direct threat of substantial harm to the employee or others.

An applicant or employee who believes they need reasonable accommodation for a disability should discuss the need for possible accommodation with the Human Resources Department, their manager, or the County Administrator.

4.583 LACTATION ACCOMODATION

- (1) The County will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child, to the extent required and in accordance with applicable law. The break time, if possible, must run concurrently with rest and meal periods already provided to the employee. If the break time cannot run concurrently with rest and meal periods already provided to the employee, the break time will be unpaid, to the extent permitted by applicable law.
- (2) The County will make reasonable efforts to provide employees with the use of a room or location other than a toilet stall for the employee to express milk in private. This location may be the employee's private office, if applicable. The County may not be able to provide additional break time if doing so would seriously disrupt the County's operations. Please speak to the Human Resources Director if you have questions regarding this policy.

4.584 REASONABLE ACCOMODATION OF INDIVIDUALS' RELIGIOUS BELIEFS AND PRACTICES

- (1) Monroe County recognizes and supports its obligation to endeavor to reasonably accommodate job applicants and employees with sincerely held religious beliefs or practices who are able to perform the essential functions of the position, with or without reasonable accommodation. Monroe County will endeavor to provide reasonable accommodation to otherwise qualified job applicants and employees, unless doing so would impose an undue hardship on the County.
- (2) An applicant or employee who believes they need a reasonable accommodation of a sincerely held religious belief or practice should discuss the need for a possible accommodation with their direct manager, County Administrator or Human Resources Director.

4.585 WORKPLACE VIOLENCE POLICY

- (1) Monroe County is committed to providing a safe workplace for its employees. Threats, threatening behavior, or acts of violence against employees, visitors, guests, or other individuals by anyone on Monroe County property will not be tolerated. Harassing and/or threatening behavior that occurs off County property, which relates to the work environment, will also not be tolerated. Violations of this policy will lead to disciplinary action which may include termination, arrest, and prosecution.
- (2) Any person who makes threats, exhibits threatening behavior or engages in violent acts on Monroe County property shall be removed from the premises as quickly as safety permits, and shall remain off Monroe County premises pending the outcome of an investigation. Monroe County will initiate an appropriate response. This response may include, but is not limited to, suspension or termination of any business relationship, reassignment of job duties, suspension or termination of employment, and/or criminal prosecution of the person(s) involved.

- (3) All Monroe County employees are required to report to their supervisor or department head and may also notify the Monroe County Sheriff Department of any threats which they have witnessed, received, or have been told that another person has witnessed or received. Even without an actual threat, employees should also report any behavior they have witnessed which they regard as threatening or violent, when that behavior is job related or might be carried out on a County controlled site, or is connected to County employment. Employees are required to make this report regardless of the relationship between the individual who initiated the threat or threatening behavior and the person(s) who were threatened or were the focus of the threatening behavior.
- (4) All individuals who apply for or obtain a protective or restraining order which lists County locations as being protected areas must provide the Monroe County Sheriff with a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent.

The designated contact is:
Monroe County Sheriff Department
ATTN: Sheriff
112 S Court St, Sparta, WI 54656
608.269.8712 or 911

4.59 DRUG FREE WORKPLACE POLICY

- (1) Monroe County has a significant interest in ensuring the health and safety of its employees and the citizens we serve. A significant part of that interest is Monroe County's commitment to the objective of creating a workplace free of substance misuse. Employees are not to report to work or be under the influence of alcohol or illegal drugs during working hours. Monroe County has instituted the following policies as an integral part in establishing a drug free workplace.
 - (a) The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance, including marijuana (THC), is prohibited at the workplace or while on duty.
 - (b) As a condition of employment, all employees of Monroe County must agree to follow its Drug Free Workplace Policy. If an employee is convicted of any criminal drug statute violation, the employee must notify the Human Resources Department no later than five (5) days after such conviction.
 - (c) Any employee convicted of any criminal drug statute violation or any employee who violates the drug free workplace policy, may be subject to discipline up to and including termination or be required to participate in an approved drug rehabilitation program.
- (2) **PROCEDURE.** In furtherance of its policy to provide for the health and safety of its employees and to ensure the health and safety of others, Monroe County has established the following procedures for maintaining a drug free workplace.
 - (a) The Human Resources Department shall establish a drug free awareness program to inform employees about:
 - 1. The dangers of drug abuse in the workplace.
 - 2. The employer's policy of maintaining a drug free workplace.
 - 3. Any available drug counseling, rehabilitation, and/or employee assistance programs.
 - 4. The penalties that may be imposed upon employees for drug abuse violations.
 - (b) The Human Resources Department shall notify any applicable government contracting or grant agency in writing within ten (10) calendar days after receiving notice under section 4.59(1)(b), with which the County is doing business, of any employee who has been convicted of a drug offense.

(3) **DEFINITIONS.**

- (a) Applicant - any person applying for a position with Monroe County open to the general public.
 - (b) Employee - any part-time or full-time employee of Monroe County including LTE and LUE as defined in section 4.18.
 - (c) Drugs in the workplace - refers to the illegal use of drugs and any illegal drug activity on Monroe County property and/or on duty.
 - (d) Controlled substance – refers to those substances as defined in Wisconsin Statutes 161.01(4).
- (4) Employees operating any County/government vehicle shall refrain from alcohol use or being under the influence during the workday, or during any period of vehicle operation, subject to discipline up to and including termination. Employees attending conferences shall adhere to all of the terms of this policy while on compensated time.
- (5) **EXCEPTION.** Nothing in Monroe County's drug free workplace policy shall be construed to require law enforcement agencies, if the head of the agency determines it inappropriate with the agency's undercover program, to comply with this policy. Law enforcement agencies need not comply when conducting law enforcement investigations, which include the storage of evidence.

4.60 IDENTIFICATION BADGE POLICY

- (1) As part of its commitment to safety, Monroe County provides identification badges to all employees. The employee identification badge is a hard plastic card that includes the County name and logo, department name, employee name, job title, and photo of the employee. The Human Resources Department issues all employees identification badges aside from some positions and departments that may require variations of these requirements. The Sheriff Department administers identification badges to all sworn staff (Sheriff, Chief Deputy, Captains, Lt., Sgt., Investigators, Bailiffs, Jail Sgt., Jailer). The Human Resources department issues all civilian Sheriff Department staff (Telecommunicators, Administrative Staff). Rolling Hills facilitates and administers their own badges to all staff who only work within that department.
- (2) Identification badges will be reissued at the discretion of the Human Resources Department or every five (5) years or earlier, if requested, by a department head and approved by the Human Resources Department. Other reasons cards may be reissued are due to official name change or department/position changes, when the badge becomes damaged, or when the photo becomes unrecognizable. A lost badge may be replaced without charge on a one-time basis, and employees will be charged \$10.00 for all subsequent replacements. Badges will be created by the Human Resources Department. All authorizations and security accesses for the identification badges will be programmed by the Sheriff's Department.
- (3) Identification badges must be worn and visible by staff at all times while on the clock so they are easily identifiable, unless wearing such badge would pose a health or safety risk.
- (4) Each employee is responsible for safeguarding their own identification badge, and any lost badges are to be reported immediately to the Human Resources Department. Because the policy is intended to provide for the safety and security of Monroe County employees, any employee who violates department identification badge requirements may be subject to disciplinary action, up to and including termination.

4.61 INFECTIOUS DISEASE POLICY

- (1) The purpose of this plan is to provide guidance to Monroe County Department Heads and employees on Monroe County's plan for responding to any public health emergency. This policy language will only be put into action when a serious public health concern is determined by the Monroe County Health Director/Officer in accordance with the County Administrator.

Administration of Infection Disease Policy:

- (a) Once a determination has been made and approved by the Monroe County Health Director/Officer and County Administrator, an official announcement will be given to all Monroe County employees as to what the expectations and guidelines will be for the public health emergency.
- (b) All communication will be sent by the Monroe County Human Resources Department.
- (c) Any requirements of social distancing, face coverings or masking, or any other precautionary matters will be outlined in detail to assist all staff with expectations and compliance in reference to this policy.

This plan is to provide clarity and guidance regarding taking time off during the public health emergency. Our goal is to give our staff a few options to help them navigate through this difficult time.

What does this mean for Monroe County Employees?

- (2) Employees are expected to follow the guidance listed below:

- (a) Any staff that may be experiencing one or more of the symptoms directly related to the serious public health concern should remain home until cleared by a medical provider or the Monroe County Health Department.
- (b) If a mask or face-covering requirement for certain buildings is put in place, staff working outdoors with the ability to social distance from other individuals will not be required to wear a mask.
- (c) Those who fail to comply with this policy will be subject to discipline per the Monroe County Personnel Policy.
- (d) Some departments and buildings may have additional requirements above and beyond this policy, which may state face coverings are required (example: Rolling Hills). Department Heads have the authority to implement these requirements.

- (3) **Staffing**

- (a) Department Heads that wish to implement alternate scheduling are authorized to do so. Due to these measures, staff may be working rotating schedules with a combination of telework and office time. It is recommended that you contact the Human Resources Department regarding the need to take leave due to public health emergency related circumstances.

(4) **Leave Options**

For those who need to take time off due to public health emergency related circumstances, whether it be personal illness or child care, will have the following options to consider.

Compensation during any public health emergency related leave will be through the use of earned vacation, sick time, floating holiday, comp time or leave without pay. Employee's will have the choice of the accrual bank or leave without pay during any circumstances directly related to the public health emergency, whether it is a quarantine order, positive test result, own serious illness, or care for an immediate family member. During this process the required certification from a health care facility may be waived unless there is cause to believe the employee falsified the request and this will be evaluated on a case-by-case basis. Determination if telework would be an alternative to accrual usage would be dictated by the Department Head. Certain departments may have more strict enforcement in order to adhere to state and other guidelines (e.g., a health care or other type of facility).

Employees shall notify their manager of any leave being taken. All employees taking leave must contact their manager or the Human Resources Department for accrual bank usage wishes. If staff do not specifically communicate accrual bank usage to their manager or the Human Resources Department, their time will be charged as such:

1. Vacation
2. Floating Holiday
3. Sick Time
4. Comp Time (if applicable)
5. Leave without pay

(5) **Process**

All requests for any leave options must be completed on the appropriate Personnel Leave Request Form as maintained by the Monroe County Personnel Human Resources Department.

(6) **When to Stay Home from Work**

Many times, with the best of intentions, employees report to work even though they feel ill. The County provides paid sick time and other benefits to compensate employees who are unable to work due to illness, including Family & Medical Leave Act leave, and leave without pay.

During an infectious disease outbreak, it is critical that employees do not report to work while they are ill and/or experiencing one or more of the symptoms directly related to the serious public health concern should remain home until cleared by a medical provider or the Monroe County Health Department. Currently, the Centers for Disease Control and Prevention recommends that people with an infectious illness such as the flu remain at home until at least 24 hours after they are free of fever (100 degrees F or 37.8 degrees C) or signs of a fever, without the use of fever-reducing medications. Employees who report to work ill will be sent home in accordance with these health guidelines.

When you communicate to your department head or designated department contact that you are sick or concerned about coming to work, you will be asked to report the following types of information:

- 1) Are you staying home because you are sick, or because you are caring for someone else who is sick?
- 2) Does the illness present flu-like symptoms (fever, cough, sore throat, headache/body aches), or something else?
- 3) If it is flu-like symptoms, do you have any reason to believe you may have contracted COVID-19 or any other communicable or infectious disease per a public health emergency?

If you are experiencing flu-like symptoms, please call and consult with your medical provider. If you are exhibiting some symptoms but are not sure whether you should stay home, please stay home and consult your medical provider via telephone for additional guidance.

Given the potential seriousness and magnitude of a public health emergency, our goal is to remove as many barriers as possible for staff to be able to stay home if they are exhibiting symptoms or otherwise have reason to believe they may have been infected. In addition, a Department Head or designated department supervisor, in consultation with the Monroe County Health Department, may send an employee home who reports to work exhibiting signs of illness as described below:

- (a) The employee is exhibiting flu-like symptoms.
 - (b) Someone in the employee's family or household is exhibiting flu-like symptoms.
 - (c) The employee has been exposed to someone who is being quarantined due to suspicion of or potential exposure to COVID-19 or other communicable or infectious disease per a public health emergency.
- (7) If staff are sent home by a supervisor, they will have the option to use earned vacation, sick time, floating holiday, comp time or leave without pay.

In these circumstances, dates or timeframes could vary on a case-by-case basis and will be reviewed with the Human Resources Department under the advisement of the Monroe County Health Department. During this process, the required certification from a health care facility will be waived unless there is cause to believe the employee has falsified the request and this will be evaluated on a case-by-case basis. Determination if telework would be an alternative to accrual usage would be dictated by the Department Head. Certain departments may have more strict enforcement in order to adhere to state and other guidelines for (e.g., a health care or other type of facility).

Employees shall notify their supervisor of any leave being taken. All employees taking leave must contact their manager or the Human Resources Department for accrual bank usage wishes. If staff do not specifically communicate accrual bank usage to their manager or the Human Resources Department their time will be charged as such:

1. Vacation
2. Floating Holiday
3. Sick Time
4. Comp Time (if applicable)
5. Leave without pay

County travel must be approved by the department head prior to any travel for conducting County business or operations.

County travel required for a court proceeding, a bona fide law enforcement purpose, or by the medical examiner for a death investigation, is exempt from the restriction above.

(8) School or Daycare Closure

Any employee that must miss work due to school or daycare closures will be required to use their accrued vacation, sick time, floating holiday, comp time, or leave without pay within the guidelines established within this policy if leave is in direct relation to a public health emergency.

Taking leave without pay under this section will not affect accruals of benefits provided by the County. For tracking purposes, the Department Head or Supervisor shall have the employee complete the proper form and report the time on their timesheet accordingly for approval.

Departments are encouraged to be flexible, if possible, with hours of work for staff members to continue to complete tasks. We ask all staff to be in communication and ensure approval through their manager before taking time off.

(9) Reporting to Work

- 1) Employees should continue to report to work unless directed otherwise. As County employees, we have obligations to maintain services to the extent possible during an emergency. We will be making every effort to reduce exposure in our workplace.
- 2) Employees who fail to come to work without supervisor approval in a public health emergency will be treated as if they failed to come to work at any other time and may be subject to disciplinary action, up to and including termination.
- 3) Employees must work as assigned unless granted leave. Employees may be required to assist in performing work for absent or ill co-workers to ensure that the County is able to provide essential services. The County will attempt to provide the appropriate protective measures to employees assigned to work in a public health emergency situation that would put them at greater risk of exposure than the typical interactions encountered in conducting normal life activities.

(10) Social Distancing

Social distancing includes any actions taken to limit contact with others. General actions we may direct departments to take include:

- (a) Limiting face-to-face meetings: To the greatest extent possible, you should consider how to limit face-to-face meetings, including using email, phone conferences, or videoconferencing when possible. Consider whether any meetings, either within the department or within the community, can be cancelled/rescheduled or conducted remotely with the use of technology. Our default position should be that in-person meetings will be cancelled unless there is a compelling need to meet in person. If additional technology conferencing tools are needed, please reach out to the IT Director and County Administrator for approval of such need.

(11) Office Closure

Complete County department/office closure will only be authorized by the County Administrator, with the guidance of Public Health Officials.

Exceptions to Monroe County Policies and Procedures and this Infectious Disease Policy may be considered and approved by the County Administrator on a case-by-case basis during a public health emergency.

4.62 INTRODUCTORY PERIOD

- (1) All full-time and part-time employees shall serve a twelve (12) month introductory period. Department heads and department supervisors shall monitor and review the performance of the employee within their twelve (12) month introductory period.
- (2) Employees terminated during the introductory period have no appeal rights under this Personnel Policy Manual.

4.63 PERFORMANCE REVIEW

- (1) A performance review shall be conducted on an annual basis according to the steps outlined in sections 4.26 and 4.27. The performance review process shall be conducted in the manner as determined by the Human Resources Department. The timeline to complete evaluations shall follow the following criteria for a complete review of the performance of the employee for the entire year:

Employee Status	Evaluation Period	Wage Increase Applied
General Employee	December 1 st through January 31 st	Second payroll in April following
Managerial Employee	February 1 st through February 28 th	Second payroll in April following
Department Head	March 1 st through March 31 st	Second payroll in April following
County Administrator	April Admin & Personnel Committee Mtg	Second payroll in April following

- (2) If any employee receives less than a satisfactory rating, the Human Resources Director and department head shall determine future procedure, to be handled on a case-by-case basis.
- (4) At a minimum, the supervisor and employee shall meet on an annual basis to discuss the employee's performance and to review the employee's job description for accuracy. This meeting shall be documented by the completion of the annual employee review and acknowledged by both the supervisor and the employee.

4.64 RESIGNATION

- (1) **WRITTEN NOTICE.** An employee deciding to leave County employment shall submit a resignation in writing stating the last working day for Monroe County. This notice shall be given to the employees' department head or direct supervisor. The department head or direct supervisor shall be given to the Human Resources Department immediately. It is expected that employees will give as much notice as possible to facilitate the hiring and orientation of new staff members. Paid time off (i.e., vacation, sick time, floating holiday) may not be used to extend the last day worked. The County reserves the right to determine the last day of employment once notice is given. Failure to give the required notice of resignation shall cause forfeiture of payout of any accumulated benefits, including vacation, unless required by law or applicable collective bargaining agreement provisions. The final paycheck shall include payment of hours actually worked since the last paycheck. Employees are required to work their last day for a full scheduled shift unless the County determines otherwise.
 - (a) Employees in salary grades A through F, as seen in Appendix I, shall give notice in writing at least two (2) weeks in advance of the planned departure.
 - (b) Employees who are not department heads in salary grade G through Q, as seen in Appendix I, shall give notice in writing at least three (3) weeks in advance of the planned departure.

- (c) Employees in salary grades R-Z, as seen in Appendix I, County department heads, and Rolling Hills individual Department Managers/Coordinator, and Registered Nursing Staff as listed below, shall give notice in writing at least thirty (30) days in advance of the planned Departure.

Rolling Hills Senior Living Administrator
Director of Nursing
Social Services Manager
Food Service Manager
Medical Records Coordinator
CBRF & Activities Manager
Registered Nurse/Staff Nurse (any position requiring an RN)

- (d) Employees failing to give the required advance notification of resignation shall not be considered for reemployment except for unusual reasons and with the approval of the Human Resources Director.
- (2) **EXIT INTERVIEW.** An exit interview shall be conducted, when possible, with a sampling of employees separating from County employment regardless of length of service, position, or circumstances of separation. The mailing or emailing of a form or a survey to former employees may be used to supplement or replace interviews. The exit interview is used to gain insight into the effectiveness of County personnel and managerial practices, to determine where personnel policies and procedures need review or revision, and to determine where supervisory or managerial practices need modification or improvement.
- (a) The Human Resources Director, or an authorized designee, shall conduct exit interviews and shall also analyze the results of each interview to determine relation to current personnel policies and procedures.
 - (b) Department heads shall notify the Human Resources Department as soon as it is learns that an employee is leaving employment. The Human Resources Department shall then schedule a time and place for the interview if desired.

4.65 RETIREMENT

- (1) Retiring employees must provide written notices as outlined in Policy 4.61(1). There is no mandatory upper limit on retirement age.
- (3) Employees who give advanced written notice to their department head or direct supervisor, and the Human Resources Department of 4 months or more, shall be entitled to an additional 10% of sick time payout in addition to the 25% authorized in section 4.40(2)(f). If retirement is amended or rescinded during this notice period, the employee would not be eligible for the additional payout incentive. The Human Resources Director will monitor this notice period and will notify the Finance Department of proper payout.

4.66 GROUNDS FOR DISCIPLINARY ACTION

- (1) The County expects employees to report to their assigned place of work and be on-the-job at the beginning of the shift. It is further expected that employees will be physically, emotionally and psychologically able to perform assigned tasks. An inability to perform assigned tasks may be grounds for initiating disciplinary action. Complaints concerning an employee's performance or actions should be referred to the employee's supervisor. Any complaint concerning the County Administrator will be addressed by the Administration and Personnel Committee. Any questions concerning the chain of command should be referred to the Human Resources Department.
- (2) The following list, which is not intended to be all inclusive, gives examples of specific conduct which may warrant discipline ranging from a documented verbal warning to immediate termination, depending on the seriousness of the offense in the judgment of management and the Human Resources Department:
 - (a) Failure to perform duties of assigned position.
 - (b) Dishonesty or falsification of records.
 - (c) Assuming duties while under the influence of controlled substances or intoxicants; or possession or use of intoxicants or controlled substances during working hours.
 - (d) Unauthorized use or abuse of County equipment or property.
 - (e) Theft or destruction of County equipment or property.
 - (f) Work stoppages such as strikes or slowdowns.
 - (g) Insubordination or refusal to comply with the legal order, or directive of an authorized supervisor.
 - (h) Unlawful conduct defined as a violation of or refusal to comply with pertinent laws and regulations when this conduct impairs the efficiency of County service.
 - (i) Habitual tardiness, unauthorized or excessive absence or abuse of sick time.
 - (j) Use of official positions or authority for personal or political profit or advantage.
 - (k) Disregard or repeated violations of safety rules, regulations and work rules.
 - (l) Conduct constituting unlawful harassment, discrimination, bullying or retaliation.
 - (m) Use or possession of weapons while performing County work, with the exception of law enforcement employees.
 - (n) Violation of any departmental or County policy.
 - (o) Off duty conduct or behavior that adversely impacts an employee's ability to effectively and efficiently perform their job duties, harms the County's reputation, or causes reluctance, refusal or inability of others to work with an employee.
 - (p) Other circumstances which may warrant disciplinary action shall be addressed on a case-by-case basis.

4.67 DISCIPLINARY ACTION PROCEDURE

- (1) It is expected that department heads or designated supervisors shall uniformly enforce rules and regulations and document and date supporting evidence of misconduct. In all instances, this shall be done with the employee's knowledge. The degree of disciplinary action shall be tailored to the offense. It is not necessary that a series of notices (progressive discipline) be given for a serious instance of misconduct which would more properly be handled by an immediate suspension or involuntary termination. Prior to any involuntary termination, the Human Resources Director must be consulted.
- (2) **DOCUMENTED VERBAL WARNING.** A documented verbal warning shall be given to an employee of any violation of the County's policies or performance standards. An individual conference shall be used to fully explain and discuss the nature of the violation. The warning shall be signed by the supervisor issuing the warning and a copy shall be provided to the employee. Documented verbal warnings may not be appealed through the grievance procedures outlined Policies 4.71 and 4.72.
- (3) **WRITTEN WARNING.**
 - (a) Written warnings shall be documented with a copy given to the employee and shall contain specifics of the conduct for which the employee is being warned. The supervisor shall sign the written warning, and the record of such warning shall be maintained in the employee's personnel file.
 - (b) Written warnings may not be appealed through the grievance procedures outlined Policies 4.71-2.
 - (c) Employees may insert a response/rebuttal to verbal and written warnings in their personnel file, if they choose.
- (4) **SUSPENSION.**
 - (a) All suspensions shall be without pay and result in either full reinstatement or termination.
 - (b) An employee on suspension shall leave work and not report to work until instructed in writing to do so.
 - (c) All suspensions may be grieved in accordance with the Grievance Procedure in Policy 4.71.
 - (d) All suspensions shall be in writing, with a copy given to the employee. Suspensions should not exceed thirty (30) calendar days. Suspensions for exempt employees shall be in increments of one (1) week to protect their exempt status under the Fair Labor Standards Act.
- (5) **INVOLUNTARY TERMINATION.**
 - (a) All involuntary terminations shall be delivered by the department head with notification to the County Administrator.
 - (b) All involuntary terminations shall be in writing, and approved by the Human Resources Director, with a copy for the employee.
 - (c) All involuntary terminations receive no severance pay apart from payment for time already worked, accrued vacation, and comp time accrual balance. Unless extenuating circumstances exist and are requested by the Human Resources Director and approved by the County Administrator.
 - (d) All involuntary terminations may be appealed in accordance with the Grievance Procedure in Policy 4.74-4.75
- (6) **EXCLUSIONS.** Exclusions from the grievance and disciplinary action procedure processes are outlined in sections 4.05-4.07.

4.68 ADMINISTRATIVE LEAVE FOR INVESTIGATORY PURPOSES

- (1) An employee may be placed on paid administrative leave during the investigation of any matter relative to the employment of the suspended individual.
- (2) Administrative leave with pay shall be used cautiously and shall be approved by the County Administrator or designee as soon as is practical.
- (3) Administrative leave under this section shall be limited to no more than two (2) weeks, unless further time is needed to complete necessary investigatory work. Extensions shall be reviewed with the County Administrator prior to implementation.
- (4) The employee shall be returned to work or have disciplinary action taken against them at the completion of the investigation.

4.69 PAYMENT OF CERTAIN DAMAGES FOR EMPLOYEES

- (1) Departments shall reimburse employees who have eyeglasses or watches broken or destroyed by a physical assault when the employee is acting in an official capacity, provided that the item is only restored to its condition prior to the assault or replaced with a like item, if destroyed. The department shall pursue all means necessary to obtain restitution from the assailant to reimburse the department paying for the damage.
- (2) This payment shall apply only if worker's compensation insurance does not cover the damage.

4.70 COUNTY/GOVERNMENT OWNED VEHICLES

- (1) No employee shall be allowed to use any county/government owned vehicle for personal use, nor shall any employee be allowed to take such vehicle to a residence overnight or at any other time except as stated in 4.68(2). This policy shall apply to all departments and any exceptions must be approved by the County Administrator and by the Administration and Personnel Committee and said exceptions must be included as part of this section of the Manual.
- (2) The departments that shall allow employees to take a vehicle to a residence overnight or during off duty hours shall be the following: Sanitation, Planning, Zoning and Animal Control Department, Highway Commissioner, Operations Managers, Sheriff Department, Forestry & Park Department, Land Conservation Department, Medical Examiner Department, Maintenance Department, District Attorney Office, ADRC (van and mini bus etc.). These departments must complete vehicle logs as determined by the department for purpose of maintaining vehicle use records. The Sheriff Department will be allowed to continue the current record keeping practice. Internal Revenue Service vehicle usage guidelines apply, and the taxable value of the fringe benefit will be included in the employee's W-2 form for the year, with the exception of Sheriff Department and Medical Examiner Department vehicles and any other vehicles exempted by law.

4.71 NOTICE OF SUSPENSION OR REVOCATION OF LICENSE OR CANCELLATION OR MODIFICATION OF LIABILITY INSURANCE

- (1) Any employee whose duties include driving has a significant responsibility to the County and the general public to operate any motor vehicle in a safe and appropriate manner that conforms with all applicable traffic and safety laws. The employee also must at all times maintain the levels of liability insurance required by law. The County, in turn, has responsibilities to employees, the general public and its insurance carrier with respect to employees whose duties include driving.

- (2) To fulfill these responsibilities, the County requires employees with driving responsibilities to inform the Human Resources Department within prior to completing any official county work duties, if the employee's driver's license has been suspended or revoked or if the employee's liability insurance has been canceled or modified in any manner. Employees who fail to comply with this requirement will be subject to disciplinary action, up to and including termination.

4.72 USE OF CELLULAR PHONES AND HAND-HELD RADIOS WHILE OPERATING A VEHICLE

- (1) Whether employees use a cell phone provided by the County or their own cell phone for work-related calls, it is important for employees to know and understand our policy on cell phone use while driving a vehicle.

The County is committed to promoting roadway safety and to minimizing risk to the well-being of our employees by encouraging the safe use of cell phones by our employees while they are on County business. While the County recognizes there often is a business need to use cellular phones, safety must be a priority.

- (2) Employees must use a "hands free" device when using a cell phone while operating a motor vehicle for work. Even when using "hands free" technology, an employee who needs to make or answer a cell phone call while driving, should if practical, find a proper parking space or designated "pull off" area first. Stopping on the shoulder of the road is not acceptable except in the case of a genuine unexpected emergency. This section of policy will work in coordination with the Financial Systems Policy and Information Technology Policy.
- (3) The employee is prohibited from any other activity, such as reading and/or writing, while participating in a cell phone conversation and while driving a vehicle. If an in-coming call occurs while the employee is driving, and it is practicable to do so, the employee should answer the phone with care and caution and if possible, return the call when not operating a vehicle. If it is not practicable to answer the phone, under the circumstances (e.g., poor visibility due to weather, heavy traffic), do not answer the phone. Rather, allow the call to go into voicemail. You should then find a parking space or pull-off area as noted above, check voicemail, and return the call if necessary.
- (4) Texting or emailing while driving is prohibited at all times.
- (5) Employees who violate applicable laws may be subject to a fine. The County will not reimburse any employee for any fine imposed as a result of violating these laws.

4.73 COMPUTER USAGE

The Information Technology Director shall maintain and update County-wide computer usage policies concerning internet access, E-mail communications, telephone systems, and other information technology functions, with the approval of the County Administrator and the Administration and Personnel Committee. Upon hire the Human Resources Department shall provide appropriate notice regarding computer usage policies. For further information regarding the policies are available upon request from the Information Technology Department.

GRIEVANCE PROCEDURE

4.74 GRIEVANCE PROCEDURE (NON-UNION)

PURPOSE. This grievance policy is established pursuant to Wis. Stat. §66.0509(lm) to address employee terminations, employee discipline and workplace safety as required by law. An employee shall use this grievance policy for resolving disputes regarding employee termination, employee discipline or workplace safety issues covered by this policy.

If an employee is subject to a contractual grievance procedure, the contractual grievance procedure must be followed, as applicable. This procedure does not replace or supersede any statutory provision which may be applicable to an employee's employment with the County. This Grievance Procedure does not create a legally binding contract or a contract of employment.

(1) DEFINITIONS

- A. "Administration" means the person or persons designated by the County to represent the interests of management in a grievance matter. The Administration may be represented by counsel at any point in the procedure.
- B. "Employee" for purposes of a grievance involving discipline or termination means a non-probationary full-time or part-time employee of Monroe County, as defined in applicable County personnel policy and excludes elected officials, on-call, casual-call, temporary, limited term employees, contractors, employees covered by a collective bargaining agreement containing a grievance procedure for discipline or termination. Also excluded from this definition is any employee, official or officer that serves at the pleasure of an appointing authority as provided by Wisconsin Statutes.
- C. "Employee" for purposes of a grievance involving workplace safety means an employee of Monroe County, as defined in applicable County personnel policy, excluding contractors.
- D. "Discipline" means any of the following adverse employment actions: suspension of employment; disciplinary reduction in base pay; reduction in rank; or demotion. "Discipline" shall be narrowly construed and shall **not** include, without limitation by enumeration, the following: layoffs or workforce reduction activities; adverse employment actions resulting from misconduct or poor performance other than a suspension, disciplinary reduction in base pay, reduction in rank or demotion; plans of correction or performance improvement; performance evaluations or reviews; documentation of employee acts and/or omissions in an employment file; oral or written reprimands; administrative suspension pending investigation of misconduct or nonperformance; non-disciplinary wage, benefit or salary adjustment; or change in assignment or assignment location resulting from a bona fide personnel reorganization.
- E. "Grievance" means a written complaint filed under this policy by an employee involving discipline taken against the employee, termination of the employee or an alleged workplace safety issue directly affecting the employee. All complaints must be filed on the applicable form attached to this personnel policy manual.
- F. "Termination" means involuntary separation of employment initiated by the County that does not include layoff, furlough or workforce reduction, reduction in hours, job transfer or reassignment, or retirement.
- G. "Calendar Days" means all days in a month, including weekends and holidays with each day running from midnight to midnight. The employer and grievant may mutually agree to waive time limits, in writing. If the last day on which a grievance is to be filed or a decision is to be appealed is a Saturday, Sunday or day in which the Human Resources Department is closed, the time limit is the next day which is not a Saturday, Sunday or day the Human Resources Department is closed.

- H. “Workplace Safety” for purposes of this procedure, includes any conditions of employment related to the physical health and safety of employees, including the safety of the physical work environment, the safe operation of workplace equipment and tools, provision of personal protective equipment and accident risks. “Workplace Safety” does not include conditions of employment unrelated to physical health and safety matters, including, but not limited to, hours, overtime, and work schedules.
- I. “Other Interim Earnings” for purposes of this procedure, includes any source of income which replaces the wages lost as a result of a suspension, termination or other reduction.

(2) GRIEVANCE PROCEDURE FOR DISCIPLINE AND TERMINATION

A. Initiating a Grievance Related to Discipline or Termination

- (1) A grievance relating to the discipline or termination shall be initiated by presenting a written complaint on the form attached to this personnel policy manual to the Human Resources Director within fourteen (14) calendar days of the event giving rise to the grievance. The grievance must contain all of the information required on the attached form Appendix A to be considered complete.
- (2) A grievance may only be filed by the employee who is the subject of the discipline or termination. The Grievant must sign and date the grievance. A grievance will not be considered filed until the Grievant signs the grievance, provides all of the required information and delivers the grievance to the Human Resources Director. Upon receipt, the Human Resources Director shall immediately assign a case number to the grievance and provide a copy of the grievance to the appropriate department head.
- (3) If a grievance is untimely or incomplete, the Human Resources Director shall issue a written notification to the Grievant indicating it is untimely or identifying the information needed to complete the grievance. The Grievant shall have fourteen (14) calendar days from receipt of the written request to provide the Human Resources Director with: in the case of untimely grievance, a statement as to why the grievance should be considered timely; or with respect to an incomplete grievance, with the information identified by the Human Resources Director. Upon receipt of the Grievant’s response, the Human Resources Director shall refer the response to the County Administrator to determine whether the response is sufficient. Failure of the Grievant to timely provide the requested information within fourteen (14) calendar days of the Human Resources Director’s request or a finding by the County Administrator that the grievance is either untimely or that the Grievant has failed to provide sufficient information to allow the grievance to move forward shall constitute a waiver of the right to use this grievance procedure and an abandonment of the grievance. The completed grievance shall be forwarded to the County Administrator for resolution.
- (4) By signing the grievance, the Grievant is acknowledging and affirming that the statements contained in the grievance are true and accurate to the best of the Grievant’s knowledge.
- (5) Throughout the grievance process, the Grievant may represent themselves or the Grievant may be represented by counsel or an individual of the Grievant’s choosing.

B. Decision by County Administrator

The County Administrator shall have fourteen (14) calendar days to review the grievance and determine if resolution can be reached. If the grievance cannot be resolved, the County Administrator shall direct the Human Resources Director to deliver a written response to the Grievant with a brief explanation as to why the grievance is denied. The employee shall have fourteen (14) calendar days following receipt of the Administrator's denial of a grievance to file a written request on attached form Appendix B with the Human Resources Director for a Hearing. A \$50 administrative fee must accompany all Hearing requests. Failure of the Human Resources Director's office to receive a written request accompanied by the required administrative fee for a Hearing from the employee within fourteen (14) calendar days shall constitute a waiver of the employee's right to use the grievance procedure of an abandonment of the grievance.

C. Hearing Before an Impartial Hearing Officer

- (1) As soon as reasonably possible following the receipt of a timely request for a Hearing, the County Corporation Counsel shall appoint an Impartial Hearing Officer and provide the Grievant and the County Administrator with the name of the individual appointed.
- (2) Upon notice of their selection, the Impartial Hearing Officer shall schedule a hearing within a period of not less than twenty-one (21) calendar days nor greater than forty-five (45) calendar days. Within fourteen (14) calendar days of the date of the appointment of the Impartial Hearing Officer, the Impartial Hearing Officer shall conduct a pre-hearing conference with the Grievant, Human Resources Director and County Administrator to select the date for the Hearing. Once a hearing date is scheduled, it may be adjourned only upon written motion by the Grievant or the County and a finding by the Impartial Hearing Officer that there is 'good cause' for an adjournment. The decision of the Impartial Hearing Officer regarding the request for adjournment shall be final, binding and not subject to appeal.
- (3) There shall be no pre-hearing discovery. The Grievant and the County shall exchange, and provide a copy to the Impartial Hearing Officer, a list of witnesses they intend to call at the hearing and any documents and exhibits they intend to introduce at the hearing no less than fourteen (14) calendar days before the Hearing. No witness, exhibit or document which was not identified or exchanged by a party may be introduced absent a written finding by the Impartial Hearing Officer that there was excusable neglect for the failure of the party to identify a witness or document within the deadline for exchanging witness lists or documents. Each party may file a pre-hearing statement of no more than two (2) type written single space pages outlining their position relative to any issue related to the Grievance. Normally the Impartial Hearing Officer will not serve as a mediator. However, should information present itself at this step, which had not been known or disclosed at any prior step, the Impartial Hearing Officer may attempt to act as a mediator, suggesting a possible solution which must be acceptable to both parties. If a consensus is not reached with the mediated solution, the Impartial Hearing Officer must follow the steps outlined in this procedure in making their decision.
- (4) Hearing
 - (a) The Hearing before the Impartial Hearing Officer will not be recorded. The Hearing shall be closed to the public.
 - (b) The Grievant and the County may be represented by an individual of their choice. Each party shall bear its own costs for witnesses and all other out of pocket expenses, including attorney fees.

- (c) The Grievant may call witnesses and present testimony and exhibits that are relevant to the grievance. At the close of the Grievant's case, the County shall call its witnesses and present testimony and exhibits that are relevant to the grievance. The Grievant and the County may cross-examine any witnesses presented by the opposing side subject to relevancy and shall be limited to ten (10) minutes per witness unless this time period is extended by the Impartial Hearing Officer. The Impartial Hearing Officer may refuse to allow testimony or receive exhibits that the Impartial Hearing Officer deems irrelevant or repetitious.
- (d) The rules of evidence shall not be strictly followed, but no factual conclusion may be based solely on hearsay evidence.
- (e) During the hearing, the Impartial Hearing Officer may ask questions as the Impartial Hearing Officer deems necessary or helpful. The Impartial Hearing Officer shall maintain order and decorum at all times during the hearing, including refusing to take evidence until a disruption has ceased or terminating the hearing if the disruption does not cease after a warning is given.
- (f) After the Grievant and County have finished introducing evidence, the Impartial Hearing Officer shall close the record. The parties shall have no right to file briefs or position statements and the Impartial Hearing Officer shall make a decision based solely on the evidence and argument presented at the Hearing.
- (g) Burden of proof. For a grievance involving termination of an employee that is subject to Wis. Admin. Code Chap. DHS 5, the County bears the burden of proof to persuade the Impartial Hearing Officer by clear, convincing and satisfactory evidence that good cause exists to terminate the Grievant as provided in Wis. Admin. Code Chap. DHS 5.06(2)(b).

For all other employees, the Grievant bears the burden of proof to persuade the Impartial Hearing Officer by clear, convincing and satisfactory evidence that the County abused its discretion in disciplining or terminating the Grievant. If the Grievant does not meet their burden of proof, the Impartial Hearing Officer shall deny the grievance.

- (h) Remedies. If the grievance is sustained, the Impartial Hearing Officer may award the Grievant one or more of the following remedies, if reasonable, under the totality of the circumstances:

If the grievance involves employee discipline other than termination, the Impartial Hearing Officer may award any of the following or combination of the following: lesser adverse employment action than the discipline imposed by the County such as a reduced period of suspension, reduction in base pay, reduction in rank, demotion, oral or written reprimand or performance improvement plan, documentation of employee acts and/or omissions in an employment file, and/or waive cost share of Impartial Hearing Officer or that no adverse employment action be taken by the County. If the Impartial Hearing Officer reduces an unpaid suspension, the Impartial Hearing Officer may award back pay, less other interim earnings, to the employee for any period of unpaid suspension served by the employee that was reduced.

If the grievance involves employee termination, the Impartial Hearing Officer may award any of the following or combination of the following: reinstatement, a lesser adverse employment action than termination such as, suspension of employment, reduction in base pay, reduction in rank, demotion, oral or written reprimand or performance improvement plan, documentation of employee acts and/or omissions in an employment file, and/or waive cost share of Impartial Hearing Officer. If reinstatement is awarded, the Impartial Hearing Officer may award back pay to the employee reduced by any other interim earnings and unpaid suspension imposed by the Impartial Hearing Officer.

- (i) Cost of Impartial Hearing Officer.

The Grievant shall pay a \$50 non-refundable administrative fee to the County at the time the Hearing request is filed. The Grievant and County shall share the costs of the Impartial Hearing Officer. The total cost to the Grievant shall not exceed \$400.

- (5) Decision

The Impartial Hearing Officer shall issue a written decision no later than thirty (30) calendar days from the date of the hearing, with a copy provided to the Grievant, Human Resources Director and County Administrator. The written decision shall contain the following: the case number and caption describing the parties; the final decision and reasoning; and if the County's decision is overturned, the remedy for the Grievant.

- (6) Appeal

Appeal to the County Board of a Grievance relating to discipline or termination shall proceed under Section 4.72(5) below.

(3) **GRIEVANCE PROCEDURE – WORKPLACE SAFETY**

A. Preconditions to Filing.

- (1) Report an Unsafe Condition. Any employee who personally identifies, or is given information about a workplace safety issue or incident, must notify their supervisor of the issue or incident as soon as reasonably practicable. All safety issues, no matter how insignificant the situation may appear to be, must be reported. An earnest effort shall be made to resolve the issue informally between the aggrieved employee and the employee's immediate supervisor.

If the matter is not resolved informally, in order to be addressed as part of the grievance procedure, a written report of the incident or issue, outlining the events that transpired and proposed resolution, if any, shall be signed by all concerned parties and submitted to the Human Resources Director along with attached form Appendix C within fourteen (14) calendar days from the date the supervisor was notified of the incident or issue.

An employee may not file a grievance relating to a condition that the employee believes constitutes a Workplace Safety violation unless the employee has first reported the condition to the Human Resources Director in writing on the attached form Appendix C.

- (2) County Response. Upon receiving notice of an alleged Workplace Safety violation from an employee, the County shall have fourteen (14) calendar days in which to investigate the condition and advise the employee in writing that the County: (a) has determined that the condition does not constitute a Workplace Safety violation and will not be taking corrective action; or (b) is taking corrective action in accordance with the law to address the condition.
- (3) Grievance Filing Limitation. If the County advises the employee in writing within fourteen (14) calendar days that it is taking corrective action in accordance with the law and has commenced corrective action within this period, an employee may not initiate a Workplace Safety Grievance.

B. Filing Procedure.

- (1) Who May File A Workplace Safety Grievance. A grievance may only be filed by an "employee". The employee need not be personally impacted by an alleged condition to constitute a Workplace Safety violation.

C. **Initiating A Grievance.** An employee may initiate a grievance relating to Workplace Safety by presenting a written grievance on the form Appendix C attached to this personnel policy manual to the office of the Human Resources Director within fourteen (14) calendar days of: (a) the employee's receipt of written notice from the County that the County will not be taking corrective action with respect to an alleged Workplace Safety violation; (b) the County's failure to begin corrective action within fourteen (14) working days of the employee's report of the Workplace Safety violation referenced in Section 4A above; (c) the failure of the County to respond to a report of a Workplace Safety violation within fourteen (14) calendar days. The employee must sign and date the grievance. The grievance will not be considered filed until the employee signs the grievance and the grievance is received by the Human Resources Director. Upon receipt, the Human Resources Director shall immediately assign a case number to the Grievance.

(1) **Extension of Time; Impact of Untimely Filing.** The Human Resources Director may, at their sole and absolute discretion, agree to extend the time for filing a grievance up to an additional fourteen (14) calendar days based upon a written request for an extension received from the employee prior to the expiration of the fourteen (14) calendar day deadline to file the grievance. Any written request for an extension of time must explain the reasons why the employee cannot meet the grievance filing deadline. Failure to timely file a grievance with the Human Resources Director within fourteen (14) calendar days or any period of extension granted by the Human Resources Director shall constitute a waiver of the right to use the grievance procedure and an abandonment of the grievance.

(2) **Incomplete Grievance; Impact of Failure to Provide Complete Information.**

If a Grievance is untimely or incomplete, the Human Resources Director shall issue a written request to the Grievant indicating it is untimely or identifying the information needed to complete the Grievance. The Grievant shall have fourteen (14) calendar days from receipt of the written request to provide the Human Resources Director with: in the case of untimely Grievance, a statement as to why the Grievance should be considered timely; or with respect to an incomplete Grievance, with the information identified by the Human Resources Director. Upon receipt of the Grievant's response, the Human Resources Director shall refer the response to the County Administrator to determine whether the response is sufficient. Failure of the Grievant to timely provide the requested information within fourteen (14) calendar days of the Human Resources Director's request or a finding by the County Administrator that the Grievance is either untimely or that the Grievant has failed to provide sufficient information to allow the Grievance to move forward shall constitute a waiver of the right to use this grievance procedure and an abandonment of the Grievance. The completed Grievance shall be forwarded to the County Administrator for resolution.

(3) **Grievance Verification.** By signing the Grievance, the Grievant is acknowledging and affirming that the statements contained in the Grievance are true and accurate to the best of the Grievant's knowledge.

(4) A Grievant shall not be allowed to amend a Workplace Safety Grievance.

D. **Decision by County Administrator.**

The County Administrator shall have fourteen (14) days to review the grievance and determine if resolution can be reached. If the Grievance cannot be resolved, the County Administrator shall direct the Human Resources Director to deliver a written response to the Grievant with a brief explanation as to why the Grievance is denied. The Grievant shall have fourteen (14) calendar days following receipt of the Administrator's denial of a Grievance to file a written request on the attached form Appendix D with the Human Resources Director for a Hearing. Failure of the Personnel Coordinator's office to receive a written request for Hearing from Grievant within fourteen (14) calendar days shall constitute a waiver of the Grievant's right to use the Grievance procedure and an abandonment of the grievance.

E. **Hearing Procedure.**

The selection of an Impartial Hearing Officer and hearing on a Workplace Safety violation shall be conducted in accordance with the Hearing Procedure in Sections 4.71(3)C and (4)a-f above.

F. **Burden of Proof; Impartial Hearing Officer's' Decision; Remedies.**

- (1) **Burden of Proof; Standard of Review.** The Grievant bears the burden of proving by a preponderance of the evidence that the condition identified by the Grievant constitutes a Workplace Safety violation and that corrective action is required. If the Grievant does not meet their burden of proof, the Impartial Hearing Officer shall deny the grievance.
- (2) **Decision.** The Impartial Hearing Officer shall issue a written decision no later than thirty (30) calendar days from the date of the hearing, with a copy provided to the Grievant, Human Resources Director and County Administrator. The written decision shall contain the following: (a) the case number and caption describing the parties; (b) a statement of the standard of review; (c) if applicable, the particular provisions of Wis. Admin. Code Chap. Comm 32 that are implicated by the Workplace Safety grievance; (d) findings, and, (e) if the grievance is sustained, a recommendation of corrective action.
- (3) **Remedies.** If the grievance is sustained, the Impartial Hearing Officer may order the County take corrective action on accordance with the law to address the Workplace Safety violation. The Impartial Hearing Officer shall have no authority to require the County to take any specific corrective action or provide any specific remedy in response to the Workplace Safety violation, but may make recommendations regarding effective remedial action.
- (4) **Cost of Impartial Hearing Officer.** The County shall pay all costs for the Impartial Hearing Officer associated with a Workplace Safety grievance.
- (5) **Appeal.**

Appeal to the County Board of a Grievance relating to workplace safety shall proceed under Section 4.71(5) below.

(5) **COUNTY BOARD APPEAL OF DISCIPLINE, TERMINATION AND WORKPLACE SAFETY MATTERS**

- A. **Who May File an Appeal.** An appeal of the Impartial Hearing Officer's decision may be filed by the Grievant or the County.
- B. **Requesting an Appeal.** An appeal may be initiated to the County Board by filing an appeal with the Human Resources Director on the applicable form Appendix B or Appendix D attached to this handbook within fourteen (14) calendar days of the date of the Impartial Hearing Officer's decision. Failure to file a written appeal by the filing deadline will result in the waiver of the right to an appeal and the outcome of the proceedings before the hearing officer shall be final.
- C. **County Board Appeal.** When the Human Resources Director Personnel Coordinator receives a timely request for appeal, the Human Resources Director shall forward the appeal to the Chair of the County Board along with a copy of any exhibits introduced at the grievance hearing. The Chair shall schedule a meeting of the County Board to review the Impartial Hearing Officer's decision. The County Board shall not take testimony, accept additional evidence, accept briefings, accept oral argument or otherwise conduct a hearing of any sort in relation to the appeal.

- D. Standard of Review. If the County Board finds that the request for review was timely, the County Board shall review the written decision of the Hearing Officer as set forth below. If the County Board finds that the request for review was untimely, the Hearing Officer's written decision will be affirmed by the County Board without further review.

To review the written decision of the Hearing Officer, the County Board shall review the written decision of the Hearing Officer, the reasons for the appeal and the reply. The County Board may receive additional evidence or conduct a hearing only if an issue is raised under paragraph 2 below. The role of the County Board, in reviewing the decision of the Impartial Hearing Officer, is to address the following questions:

1. Did the Impartial Hearing Officer fail to follow a fair and impartial process such that the award should be rendered invalid?
2. Is there evidence of corruption, fraud or misconduct by the Impartial Hearing Officer such that the award should be rendered invalid?
3. Did the Impartial Hearing Officer make an error of fact and/or law which renders their makes his/her award invalid?

If the answer to each of the above questions is "No" the County Board shall will uphold the decision of the Impartial hearing Officer. If the answer to any of the questions above is "Yes," the County Board shall reverse the decision of the Impartial Hearing Officer.

- E. Decision. The County Board shall deliver a written decision to the Grievant and the County no later than fourteen (14) calendar days from the date of the County Board meeting. The written decision shall contain: (a) the case number and caption describing the parties; (b) a statement of the issues; (c) findings, along with an explanation if the Board answers "Yes" to any of the three questions above; and (d) a remedy, as appropriate, if the Impartial Hearing Officer's decision is reversed.
- F. Remedies on Appeal; Discipline and Termination. If the decision of the Impartial Hearing Officer is reversed, the County Board may award the Grievant one or more of the following remedies, if reasonable, under the totality of the circumstances:

If the grievance involves employee discipline other than termination, the County Board may award any of the following or combination of the following: uphold the disciplinary action as initially imposed, impose a lesser adverse employment action than the discipline imposed by the Impartial Hearing Officer such as a reduced period of suspension, reduction in base pay, reduction in rank, demotion, oral or written reprimand or performance improvement plan, documentation of employee acts and/or omissions in an employment file, and/or waive cost share of Impartial Hearing Officer or that no adverse employment action be taken by the County. If the County Board reduces an unpaid suspension, the County Board may award back pay, less other interim earnings, to the employee for any period of unpaid suspension served by the employee that was reduced.

If the grievance involves employee termination, the County Board may award any of the following or combination of the following: uphold the termination as initially imposed, reinstatement, a lesser adverse employment action than termination such as, suspension of employment, reduction in base pay, reduction in rank, demotion, oral or written reprimand or performance improvement plan, documentation of employee acts and/or omissions in an employment file, and/or waive cost share of Impartial Hearing Officer. If reinstatement is awarded, the County Board may award back pay to the employee reduced by any other interim earnings and unpaid suspension imposed by the Impartial Hearing Officer.

- G. Remedies on Appeal; Workplace Safety. If the County Board determines on appeal that a violation of Workplace Safety has occurred, the County Board may, by simple majority, order that corrective action be taken by the County according to law. Any order of corrective action must include a provision for appropriation of funds adequate to cover the entire cost of any corrective action ordered, requiring a 2/3 majority vote of the entire membership of the Monroe County Board.
- H. Final Decision. The decision of the County Board shall be final. Any judicial review of the County Board's decision shall be only as provided by law.

4.75 GRIEVANCE BY UNION EMPLOYEE

To provide an effective and acceptable means for employees to bring problems and complaints concerning the employee's well-being at work to the attention of management, a grievance procedure has been established for the use of County employees who are members of a union. For this procedure, refer to the respective union contract or agreement.

COMMUNICATION AND GUIDELINES

4.80 STAFF COMMUNICATIONS WITH BOARD, STAFF, PUBLIC & MEDIA

This policy serves to provide a common identity in the structure of information presented to County elected officials and staff, the public, visitors, businesses and media. The policy shall also facilitate the central repository of County information with the County Administrator for appropriate dissemination to the County board, staff, public, businesses and the media.

4.81 GUIDELINES

- (1) The County Administrator shall serve as the chief administrative spokesperson for the County, in coordination with the Monroe County Board Chairperson, who serves as the chief elected spokesperson.
- (2) Major/Special Events. The County Administrator shall be informed of major events as soon as possible. The Administrator will in turn inform the County Board prior to public release of information, if practical. In the case of special events, the County Administrator shall be informed prior to the release of information and may determine, how, when and by whom this special event information is released.
- (3) Routine Events and Routine Projects. Department heads and/or designated staff are encouraged to provide the board, media and general public with information regarding routine upcoming events and activities within their departments. The County Administrator shall be provided with this information concurrently.
- (4) Major/Special Projects. Department heads and/or designated staff shall submit all correspondence, informational documents or media releases related to major/special County projects to the County Administrator for review and approval prior to dissemination to the County Board, staff, public, businesses or the media. Department heads and/or designated staff shall cc: the County Administrator on all correspondence, emails, documents or media releases related to major/special County projects.
- (6) County Board Member Communications. Department heads and/or designated staff shall submit all non-routine correspondence, informational documents, reports, etc. to the County Administrator for review and approval prior to distribution to the County Board. Such communications shall then be distributed along with the committee or board meeting agenda and packet and concurrently made available to the media. Department heads and/or designated staff shall cc: the County Administrator on all correspondence, emails, documents or other communication directed to County Board members.
- (7) Legal Notices. All legal notices are distributed according to State Statutes. For assistance contact the County Clerk 608.269.8745 or Corporation Counsel 608.269.8891.
- (8) Meeting Notices. Monroe County follows the State of Wisconsin Open Meetings Law. Agendas for all meetings shall contain the appropriate statutory exceptions for closed sessions where applicable (see §19.85). All Monroe County committees, sub-committees and boards shall follow the open meetings law as managed by the County Clerk.
- (9) Press Releases and Public Service Announcements.
 - (a) Non-routine press releases shall be prepared and/or approved by the County Administrator.
 - (b) Routine press releases promoting special community activities, and fast-breaking news updates regarding emergency, weather, police and fire activity may be prepared and released by the appropriate department. Fast breaking news shall be forwarded to the County Administrator immediately.
- (10) Official Letters to the Editor and Feature Articles. The County Administrator shall authorize these types of communications or approve departmental communications prior to release. Presenting a coordinated message throughout the County is of utmost importance.

- (11) Press Conferences. The County Administrator or County Board may convene a press conference to announce a major County decision or to respond to an issue of general interest to the media. Staff members who believe they have an item that warrants a media conference shall contact the County Administrator for approval.
- (12) Sheriff's Department. It is recognized that the Sheriff's Department/County Jail receives ongoing requests regarding daily activities and may provide routine press releases or other activity reports to the media. The Monroe County Sheriff's Department shall comply with the Open Records Law.
- (13) Department Heads in Elective Office. Monroe County Department Heads in elective positions are encouraged to comply with this policy to the extent they determine is reasonable and shall comply with the Open Records Law and Open Meetings Law.
- (14) Public Records. Disclosure of public records to the media is covered by Wisconsin Statutes and County Ordinances. The media are no more or less privileged than the general public in being provided access to County records during normal working hours. Accurate information provided to the media is beneficial both to citizens and the County in carrying out its public information efforts. Non-routine requests may be forwarded to the County Corporation Counsel for interpretation.
- (15) Requests for Information from Department Heads. If a department Head receives an information request that meets the statutory definition of a public record, the Department Head shall forward the written request to the custodian of the record, who shall respond to the request in accordance with statutory requirements and with the advice of the Corporation Counsel, if requested by the custodian of the record. If the information request is not a public record, the Department Head shall inform the County Administrator and the Committee of Jurisdiction Chair to include the requested topic on the next committee meeting agenda. The committee of jurisdiction shall review the request concerning the purpose, need and specifics of the request, and may take action to direct the Department Head to respond to the requestor and committee of jurisdiction, and any other parties as determined by the committee of jurisdiction. When a Department Head receives a request for information which is not in conformance with this policy, they are to refer those requests to the County Administrator for resolution. Department Heads are not to engage in discussion with the requesting parties regarding the merits of the request or this policy. Department Heads may make this written County policy available to the requesting party.

EMPLOYEE ACKNOWLEDGEMENT

I understand that my employment with Monroe County is for an unspecified term and may be terminated at the will of either the County or myself, with or without reason or cause, and with or without notice. No words or actions of the County will be deemed to create an express or implied contract of employment or require the County to have good cause for terminating my employment. No County representative is empowered or authorized to modify this at-will relationship, on an individual or collective basis, other than the County Administrator.

I acknowledge that I have received a copy of the Monroe County's Personnel Policy Manual. I understand that I am responsible for reading the contents of the Personnel Policy Manual, and for complying with the policies and rules outlined therein. I further acknowledge that I have read the Manual in its entirety in accordance with this responsibility.

I understand that while employed by Monroe County, I must comply with all County policies and rules, except as otherwise provided and/or prohibited under federal and/or state law or otherwise included within a collective bargaining agreement. I further understand that any rules, policies, and benefits described in the Personnel Policy Manual may be modified or varied from by the County at any time, except as required by law and except for the rights of the parties to terminate employment at will (which may be modified, on an individual or collective basis, only by an express written agreement signed by the County Administrator).

Date

Employee Name

Employee Signature

(Return to Human Resources)