



# EMPLOYEE HANDBOOK

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# **1 INTRODUCTION**

## **1.1 WELCOME**

**WELCOME TO WASHBURN COUNTY!** We are very pleased that you have chosen Washburn County as your place of employment! Washburn County has an “Open Door” philosophy and encourages employees to share feedback with their Supervisor, Department Head and Administration.

### **WASHBURN COUNTY MISSION STATEMENT**

Washburn County government exists to serve and protect present and future citizens, the environment and quality of life in a fiscally responsible way.

### **WASHBURN COUNTY CORE VALUES**

Needs of the public drive our priorities, and the services we provide.

- We provide a safe, welcoming environment.
- We communicate promptly, respectfully and accurately.
- We value and support competent, well-trained and empathetic staff.
- We promote teamwork to encourage creative problem-solving and efficient use of resources.

As Washburn County employees, we strive to provide the best possible service to our customers. The County employs quality professionals, interested in public service and motivated to help all who use our services.

We do our business in the public spotlight and promote public accountability in all County business operations.

We strive to provide the highest quality service to all of our internal and external customers and other members of the community in a professional, respectful and courteous manner.

## **1.2 PURPOSE OF HANDBOOK**

This summary of personnel policies is provided as a reference to the employment policies, practices and procedures of Washburn County. The Human Resources Director is responsible for the custody, distribution and updating of this summary. Each new employee will receive a copy upon commencement of employment. The Handbook should be studied carefully upon commencement of employment and referred to when questions arise. It is required that all employees read and acknowledge receipt of this Handbook on the form specifically provided for this purpose.

The Handbook provisions do not provide, nor shall they be construed as such, to create any express or implied contract between the employee and Washburn County. The Handbook provisions are not guaranteed conditions of employment. The Handbook supersedes and replaces provisions previously found in collective bargaining agreements that have expired and/or found in any prior personnel policies and procedures. The Handbook applies to non-represented employees as well as general municipal employees previously covered under a collective bargaining agreement. For employees who remain covered under a collective bargaining agreement, the terms of the bargaining agreement supersede the terms of the Handbook where applicable.

Handbook policies and procedures are subject to being changed, interpreted, withdrawn, modified or altered by the County. Any changes made to this Handbook will be brought to the attention of employees and any revisions to the provisions of this Handbook will supersede the provisions contained herein. Changes to Handbook provisions require the approval of the Board.

### 1.3 APPLICATION

The employment policies as set forth in this summary are made in accordance with existing State and Federal laws and regulations. All policies in this summary are to be interpreted and construed on that basis. Should any definitive legal inconsistency arise between the policies contained herein and State and/or Federal law, the latter shall take precedence.

These policies are intended to help facilitate understanding, cooperation, efficiency and unity among personnel through systematic and uniform application. Because the Employee Handbook is based on County policies and procedures, federal and state mandated policies and procedures, and present employee fringe benefit programs which are all subject to change, this Handbook is also subject to change. Washburn County expressly reserves the right to modify, revoke, suspend, terminate, or change any or all policies in whole or in part, at any time, with or without prior notice.

Washburn County encourages an open door philosophy between employees and management. Management will be committed to continually review policies and procedures to improve communication and ensure appropriate responsiveness to changing needs of employees and the County. Employees should feel free to discuss workplace problems or concerns with their respective Supervisor, Department Head, Human Resources Director or the Administrative Coordinator.

### 1.4 GENERAL POLICY

Unless otherwise agreed to in writing by the Washburn County Board of Supervisors, or pursuant to a specific state statute applicable to the position, employment with the County is for no definite period of time and may, regardless of the date and method of payment of salary or wages, be terminated by the County or by the employee at any time, with or without cause, and with or without prior notice. No personnel policy, procedure, practice or representation, oral or written, shall alter this condition of employment. Nothing contained herein or in any other document provided to County employees is intended to be, nor should it be construed as, a guarantee of employment or any employment benefit (except as otherwise mandated by state or federal statute). Titles used herein are for convenience of reference only and have no substantive or procedural function. Committees or Boards not reporting to the County Board and with direct oversight of County employees may adopt the policies established herein for application.

### 1.5 THE ROLE OF MANAGEMENT

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 Employer reserves any and all management rights regarding employees' employment status.

**General Guidelines:** The role of management includes, but is not limited to, the right to:

- A. Manage and direct the employees;
- B. Hire, promote, 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. Determine work schedules;
- H. Assign work duties and on-call time;
- I. Introduce new or improved methods or facilities or change existing methods or facilities;
- J. Contract out for goods and services;
- K. Discontinue certain operations;
- L. Direct all operations of the County.

## **1.6 PERSONNEL COVERED BY THIS HANDBOOK**

The Handbook applies to all non-represented employees as well as general municipal employees previously covered under a collective bargaining agreement. For employees who remained covered under a collective bargaining agreement, the terms of the bargaining agreement supersede the terms of the Handbook where applicable.

### ***1.6a. PART-TIME EMPLOYEES***

Regular part-time employees, normally working at least 50% FTE receive all benefits, holidays, vacation, and sick leave on a prorated basis unless otherwise specified. Note: Temporary, Casual, and PT Employees normally working less than 50% FTE, generally are not entitled to benefits upon hire; however, these employees may become eligible for benefits upon meeting eligibility requirements.

## **2 EMPLOYMENT**

### **2.1 EQUAL OPPORTUNITY EMPLOYMENT/AFFIRMATIVE ACTION**

Washburn County shall comply with the principles and practices of equal opportunity employment applicable by Federal, State and local laws and regulations prohibiting employment discrimination on the basis of race, color, age, religion, creed, sex, sexual orientation, national origin, disability, marital status, veteran status, political affiliation, arrest record, conviction record, genetic testing, membership in the national guard, state defense force, or any reserve component of the military forces of Wisconsin or of the United States, or other classifications protected by law. Washburn County strives to create and maintain an environment in which all individuals are treated with dignity, decency and respect. The environment should be characterized by mutual trust with the absence of intimidation, oppression and exploitation. Unlawful discrimination or harassment will not be tolerated. Discrimination is any overt or covert behavior that excludes access to, admission to, full utilization of, or benefit from any public service because of any legally-protected class status or failure to ensure access for disabled persons unless the public service can demonstrate that providing the access would impose an undue hardship on its operation.

Positive action is required from all employees to help ensure that Washburn County complies with its obligations under state and federal law with regard to equal employment opportunity for qualified applicants and employees. Violations and/or complaints of this section shall be referred to the Administrative Coordinator/Human Resources Director. It is the intent of the County that issues concerning equal employment opportunity be dealt with in a timely and appropriate manner. Employees found to be in violation of this policy will be subject to disciplinary action up to and including discharge from employment. The County prohibits any form of retaliation for making a report, in good faith, about issues of equal employment opportunity.

In accordance with the Americans with Disabilities Act (ADA), the County will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of their job. A qualified individual who can be reasonably accommodated for a job without undue hardship to the County will be given the same considerations for that position as any other applicant. If you need assistance in the performance of your work-related duties, please contact the Human Resources Director.

### **2.2 HIRING and NEPOTISM**

The County will not prohibit the hiring of relatives of current employees provided no relative is in a direct administrative and/or supervisory capacity to an immediate family member. For purposes of this section, "immediate family member" is defined to include mother, father, father-in-law, mother-in-law, husband, wife, brother, sister, daughter, step-daughter, son, step-son, daughter-in-law, son-in-law, brother-in-law, sister-in-law, grandson and granddaughter.

- a. All applicants for County positions will be required to list on their application form whether they have any relative employed by Washburn County and what the relationship is.
- b. No person employed by or elected to serve Washburn County may have any part in the screening or hiring of job applicants, or have any part in the evaluation, promotion, demotion, termination, negotiation of wages and benefits, or supervision of an employee who is a member of their immediate family.
- c. If two (2) persons employed by the County marry, the Personnel Committee shall investigate any potential areas of conflict of interest and take whatever steps are necessary to eliminate such conflict of interest.
- d. Any Committee or Department Head action, which results in the hiring or promotion of any relative of a County employee or elected official, shall be subject to approval of the Personnel Committee.
- e. All situations involving employment of relatives shall be evaluated and, if deemed necessary, acted upon by the Personnel Committee.
- f. Decisions of the Personnel Committee in the above matters may be appealed to the County Board.

### **2.3 RECRUITMENT AND INTERVIEW GUIDELINES**

Washburn County strives to recruit and select the best and most qualified individuals for County employment. The Human Resources Director shall develop and conduct an active recruitment program designed to meet the current and projected employment needs of the County. Recruitment efforts shall be tailored to the vacant position and shall be directed to sources likely to yield qualified applicants. Recruitment, selection and interview guidelines shall be conducted in compliance with all applicable laws.

- When Washburn County determines that a vacancy or new position shall be filled, the County may post a position both internally and externally to recruit the most qualified applicants. Internal postings will typically remain for a 10-day minimum. The posting shall include the date the position is to be filled, if known, title of position, requirements, range of pay, benefits and job description.
- Background information checks - It is the policy of Washburn County Personnel Office to conduct background information checks on the final candidate(s) prior to extending an offer of employment.. Additional periodic background checks shall be completed as may be required by state or federal law.
- Driving Record Checks – It is the policy of Washburn County to conduct a driving record check of employees or prospective employees, who will be driving as part of their normal day-to-day activities (which will include, but are not limited to, i.e., Highway, Forestry, Survey, Zoning, Health, Social work) as well as contracted/Limited Term employees who will be driving Washburn County equipment or residents (i.e., Unit on Aging, Veteran’s). These checks are required prior to initial hire as well as on a random check basis. Employment and/or continued employment is contingent upon a successful driving record check. A copy of the driving record findings will be kept in the employee’s personnel file.

### **2.4 RESIDENCY REQUIREMENT**

In general, it is the Policy of Washburn County that employees do not need to reside within the County boundaries. However, to provide for efficiency of operations, employees in key positions who are required to be available for emergency duty or who, by the nature of their position, must be available for work on very short notice, shall reside within a designated travel time or distance from their work site. The following departments or positions will have the following requirements:

Sheriff Deputy - All newly-hired (as of January 1, 2007) employees will need to reside within fifteen (15) miles of the boundaries of Washburn County, or within fifteen (15) miles of the boundaries of the geographic areas within Washburn County (city, village or town) to which they have been assigned, allowing them to commence and end their assigned duties from their residence and thus be available for emergencies and services in the area they reside. Newly-hired employees will have a period of six (6)

months after the end of their probation to move within fifteen (15) miles of the Washburn County boundaries.

Highway Department – employees will need to live within 40 minutes of the Highway Shop.

Newly hired employees in these departments will be required to meet the residency requirements as a condition of employment and the requirement will need to be met within six months of hire.

## **2.5 EMPLOYEE IDENTIFICATION CARDS/BADGES**

All employees shall be required to wear or have the card/badge on them appropriately. Employees are expected to take care of the card/badge and must report lost/stolen cards to their Supervisor immediately.

## **2.6 ORIENTATION**

Each new employee will be provided with information on employee benefits, County policies and operations, position description, department orientation checklist, other related material, and a union contract if applicable.

The department provides additional information to the new (or transferred) employee, including:

- Departmental policies (if applicable)
- Hours of work, time cards or reports, leave requests, etc., and schedule for lunch and breaks
- Duties of the position
- Safety rules and procedures, location of safety or protective equipment
- Tour of the work area, including location of equipment, supplies, and facilities
- Introduction to co-workers
- When and whom to report absence from work
- Department chain of command
- Other department unique information
- Data processing information

1. New employee orientations shall occur on or near the first day of employment for the new employee.
2. Declaration of dependents for income tax withholding (W-4) and reporting the new employee's social security number should also be done at this time in conjunction with completion of the I-9 Authorization form.
  - a. The Immigration Reform and Control Act (IRCA), makes it unlawful for an employer to hire or to continue to employ an individual who is not authorized to work in the United States. Individuals offered employment in Washburn County must demonstrate their eligibility to perform work in this Country by completing an eligibility form designated as an I-9 Form. Upon the completion of the form, the individual must provide evidence of being a citizen of the United States using documents specified per I-9 regulations.
  - b. The I-9 form must be retained for a minimum of 3 years. However, if an individual is employed for more than a three-year period, the County must retain the form until one year after the individual leaves employment. The I-9 forms are to be kept in a separate folder marked "I-9 Forms." State and Federal employment laws prohibit discrimination in employment based on the individual's national origin or citizenship status.
3. Each Department Head should ensure new employees receive appropriate orientation upon hire as set forth above and other information related to the department operations.
4. In addition, the Human Resources Director may assist Department Heads in regard to other personnel matters arising.

## 2.7 ADMINISTRATION OF EMPLOYEE PERSONNEL RECORDS

Reasonable access to personnel records will be authorized in accordance with public records laws and regulations. Any and all personal medical information will be secured in an area separate from the personnel record, with strictly controlled and limited access, in order to protect confidentiality.

1. Establishment of procedures and responsibilities for the maintenance of personnel records.
  - a. The Human Resources Director is responsible for establishing and maintaining an official personnel file for each employee of the County.
  - b. Official personnel files will be maintained by the Human Resources Department, which will include all material of a confidential nature to include, but not limited to, both hard copy material and electronic media.
  - c. Department Heads are responsible for the forwarding of documents for inclusion in the personnel files of those employees assigned to their department.
  - d. Individual departments shall not maintain separate personnel files.
2. Establishment of procedures for the release and accessibility of information and audit of the personnel files.
  - a. Human Resources Department treats as confidential all employee information except when requested to verify information relating to job title, department, base salary, and dates of employment.
  - b. Information contained in the personnel file (other than items listed in Section 2a) will not be released without the express written permission of the employee unless required to be released under Wisconsin's Public Records Law, Wis. Stat. 19.31, et seq.
  - c. Access to information contained in the personnel file will be limited to the Administrative Coordinator/Director of Human Resources, Personnel Administrative Support Staff, respective Department Directors, immediate Supervisor, the committee of jurisdiction while convened in closed session and the individual employee. All requests for information will be handled in accordance with federal and state laws. Files pertaining to employees who are bonafide candidates of interdepartmental transfer will be accessible by the prospective Department Director for the purpose of determining qualifications.
  - d. Any county staff member, who is authorized as part of their job duties to view any portion of a personnel record, in any media, is bound by the rules of confidentiality.
3. All items included in the official personnel file may be used for either promotional or disciplinary proceedings.
4. These records are maintained during the tenure of the employee and for seven years after the employee leaves County employment.
5. Items related to medical conditions or background for related leaves of absences are retained in a separate medical file, and not part of the personnel file.
6. Per state statute 103.13, employees may request to view and/or copy their personnel file two (2) times per calendar year. Employees may be charged for the cost of copying per County copy policy.
  - a. An employee request will be put in writing and a time scheduled to review the file within seven (7) working days of the request, as outlined in stat. 103.13. The right to review and/or copy personnel records do not apply to the following records or information:
    - 1) Records relating to the investigation of possible criminal offenses committed by the employee.
    - 2) Letters of reference for that employee.
    - 3) Any portion of a test document, excluding cumulative test score for a section or entire test

- document.
- 4) Materials used by the employer for staff management planning, including evaluations, judgments or recommendations concerning future salary increases and other wage treatments, management bonus plans, promotions and job assignments or other comments or rating used for the employer's planning.
  - 5) Information of a personal nature about a person other than the employee if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy.
  - 6) Records relevant to any other pending claims between the employer and the employee which may be discovered in a judicial proceeding.
- b. Each employee is responsible for verification of information contained in their personnel file through annual review/audit to ensure accuracy and completeness of the file. A Personnel/Administration representative must be present when the file is audited. Only the Director of Human Resources may remove items from the respective files with notification to respective Department Head and Employee. If an employee disagrees with any information contained in their personnel file, the employee may submit a written statement explaining his/her position, which shall be attached to the disputed portion of the record.

## 2.8 SEPARATION OF EMPLOYMENT

### Definitions:

**Service Retirement** is a formal voluntary termination after having satisfied the age and length of employment requirements of the WRS.

**Employee-Initiated Resignation** is voluntary termination for any reason other than service retirement

**Supervisor-Initiated Resignation** is termination requested by the supervisor who permits the employee to resign in lieu of being discharged. A termination of this type occurs only after the supervisor consults with the Human Resources Director. An evaluation of the circumstances is conducted, including reasons for the request, supporting documentation, and alternatives. Guidelines are similar to those for discharge.

**Layoff** is termination of an employee by the County for lack of work, lack of funds, or other circumstances identified by the County and will typically be provided a two-week written notice (directors, supervisors and managers typically receive 30 days).

- Washburn 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 previous length of employment.
- The needs of the County shall be the prime consideration used in the Employer's determination of which employees shall be laid off. The rehiring of employees that have been laid off shall be determined by the Employer based on its need for the most qualified person to perform the available work.
- Under certain circumstances, work week reductions may be imposed in lieu of layoff.

### Purpose:

Employees covered by this policy who choose to voluntarily separate from County employment, shall be required to give at least a two-week (10 days) written notice (Directors, Supervisors and Managers thirty (30) days) in order to leave the County in good standing, unless otherwise agreed to. The required notice period shall exclude use of non-worked paid time or any other like time, unless approved otherwise by Human Resources Director. The written resignation notice should state the proposed effective date. "Notice" is understood to mean that the resigning employee will be available for work during this time so as to aid in the training of a replacement.

The Human Resource Department will schedule an exit interview with the employee prior to the last day of employment. Any statements made at the exit interview that would need to be clarified and discussed with the appropriate Department Head or immediate Supervisor will be accomplished.

**If an employee terminates County employment without the required notice**, the employee shall not be eligible for payment for any accrued fringe benefits. Under rare circumstances, an employee may be unable to give the required notice with such situations being evaluated on a case-by-case basis to determine whether or not the employee is eligible for payment for any accrued fringe benefits. This evaluation will be made by the Department Head and/or the Human Resources Director. Benefits continue through the time actually worked by the employee and the official date of termination will be the last full day the employee reports for work. If such time takes the employee through the first day of the month, health and dental insurance benefits will continue through the last day of the month. The payroll clerk will be notified of the employee's separation date via the payroll report from Human Resources.

**If an employee is terminating employment and gives proper notice**, per the plan book and if the date of hire is after 10/10/2012, coverage terminates for medical and dental coverage on either the last day of the month in which termination of employment with the County occurs, or if earlier, the last day of the month in which the employee is no longer actively at work, as defined in the insurance plan. Contact the HR Department for coverage termination if hire date is prior to 10/10/2012.

Employees who qualify may elect to continue medical, dental and vision insurance at their own cost via COBRA and will be contacted by the County's Insurance Carrier for more information on COBRA.

If the employee is at least 55 and has at least five years of service with the county, the employee may be eligible for Retiree Coverage for the employee and any of the employees' dependents. Retiree coverage for the retired employee will continue until the date the retired employee dies. Retiree Coverage for the retiree's dependent spouse will continue until the date such spouse dies. Retiree coverage for a covered dependent child may continue until the date such child no longer meets the Plan's definition of a dependent

All employees who resign, terminate (excludes termination for misconduct), retire or in case of death and have been employed by the County for at least five (5) years will be eligible for a conversion of half (50%) of their accumulated sick pay benefits to the PEHP Plan and if employed for at least ten (10) years will be eligible for a payout of all (100%) of their accumulated sick pay benefits to the PEHP Plan (dependent upon previous payouts). This policy will be subject to review.

### **3 HOURS OF WORK, OVERTIME, PAID TIME and LEAVES**

#### **3.1 HOURS OF WORK**

To provide employees with regular work hours and work schedules while ensuring staffing coverage necessary for effective operations. Hours of work may vary as deemed necessary for the effective and efficient operation of each department.

Time worked includes time that an employee is required and authorized to do work and should be recorded to the nearest tenth of an hour. The workweek covers seven consecutive days beginning Monday and ending Sunday. Positions covered under this policy observe 2080 or 1950 hours per year as their regular and normal annual work schedule, depending on position and/or department, resulting in a minimum of 40 or 37.5 hours per week; however, this shall not be construed as a guaranteed workweek. The exact starting and quitting times will be set by the Director, Department Head or Supervisor.

All non-exempt employees shall complete bi-weekly timesheets recording hours worked; per state requirements, employees must accurately record the following:

- Time of beginning and ending work each day;
- Time of beginning and ending of each meal period; AND
- Total number of hours per day and per week

It is the employee's responsibility to sign his/her timesheet to verify accuracy and provide to his/her Supervisor. The Supervisor will review and sign the timesheet and submit to payroll for processing. In the event of an error in reporting time, the employee should immediately report the problem to their Supervisor and payroll.

Timesheets must be submitted no later than 9:00 a.m. on the Monday following the end of the pay period (including Supervisory signature). Employees failing to submit timesheets timely will not be guaranteed receipt of their payroll check on the established payroll date as the County does not process separate payroll checks as a result of untimely timesheet submission. It is the responsibility of each employee to allow ample time for Supervisory review prior to the submission deadline and to make arrangements if scheduled to be off work and as a result will miss the Monday 9:00 a.m. deadline.

**3.1a Schedule:** The County reserves the right to schedule and/or change all hours and schedules of work as deemed necessary.

**3.1b Time not counted:** Except for holiday, all other Paid Time Off time taken is not counted as time worked. Uninterrupted lunch periods of thirty (30) minutes or more are also unpaid and not counted as time worked.

**3.1c Rest Periods:** All schedules should provide for a maximum of two paid fifteen (15) minute rest periods throughout the day. Rest periods shall be staggered to ensure continuous coverage and operation. It is the employee's responsibility to ensure they receive their rest periods; rest periods do not accumulate if not taken nor are they paid for if not taken. A rest period cannot be taken to extend an employee's lunch period or to allow an employee to report late or leave work early. Highway Employees working 10-hour days will receive one-fifteen minute and two 10-minute paid breaks.

**3.1d Call In Pay:** Employees called back into work outside of their regular work shift shall be paid a minimum of two hours and may be assigned additional tasks to be completed during the two-hour time slot. Jail staff will follow the reasonable call-in pay policy for court appearances after their regular scheduled hours.

**3.1e On Call Pay:** If approved, employees in the Health and Human Services Department and Information Technology Department, who are required by the County to be on call, shall receive \$3.00 per hour. On-call pay options available are at the discretion of the Department Heads.

**3.1f Shift Differential:**

- **in general**, part-time/full-time employees (excluding Jail Employees) scheduled to normally work before 6:30 a.m. or after 6:30 p.m. will receive \$.35 per hour shift differential for those hours worked.
- A night time differential for jailer/dispatchers of forty-five (45) cents per hour in addition to regular pay shall be provided by the Employer. The night shift differential shall run from 4:00 p.m. to 4:15 a.m. on any day. Shift differential shall only be paid on hours actually worked.
- Highway employees should consult their Management group for their departments' current shift differential policy.

### **Penalties:**

Altering, falsifying the time record, tampering with time records, recording time on another employee's time record or any other infraction of this policy may result in disciplinary action, up to and including termination of employment.

**Department Heads/Supervisors (Exempt).** It is mutually understood that Department Heads/Supervisors are

paid a salary for their overall responsibility and accountability. Department Heads/Supervisors shall have wide latitude in the use of their time while using discretion and prudent judgment.

### 3.2 OVERTIME

To provide a consistent system for distributing overtime in compliance with the overtime-pay provisions of the Fair Labor Standards Act.

Each position is designated as either “Non-exempt” or “Exempt” from the federal Fair Labor Standards Act and state wage and hour laws. Employees in “non-exempt” jobs are paid on an hourly basis and are entitled to overtime pay for hours worked in excess of 40 hours per week. Employees in “exempt” positions are generally paid on a salary basis and are excluded from specific provisions of federal and state wage and hour laws and are not eligible for overtime pay.

Overtime is defined as authorized hours worked by a non-exempt employee in excess of 40 hours in a workweek and should be recorded to the nearest tenth of an hour. Overtime must be approved in advance by the employee’s supervisor; if advance approval is not obtained, an employee is not authorized to work the overtime. While the County is required to pay the employee for all hours worked, the employee may receive disciplinary action, up to and including termination, for not following this policy. For non-exempt employees, advance approval of overtime is required for all work outside the normal workday, including work from home, via e-mail or cell phone, work before or after their regular shift, or working through the lunch period.

Due to the 24/7 hours scheduled nature of the Jail employees, available overtime hours are made available to all full-time, part-time and casual status employees and scheduled accordingly under the discretion of the Jail/Sheriff’s Department Management staff.

Special overtime provisions also apply to our Highway Department for reporting in and duty pay time before or after their normal scheduled shifts.

- *Any paid leave time, excluding regular holidays, shall not be counted as hours worked for overtime purposes and all overtime must be approved in advance by management.*
- *Health/Human Service staff who attend an approved emergency call will have any paid leave hours that occur in that pay week, count as hours worked.*

### 3.3 COMPENSATORY TIME

The Fair Labor Standards Act allows public sector employers to provide employees with an option of whether to receive pay for approved overtime or compensatory (“comp”) time earned at time and one-half.

**Non-Exempt Staff.** If approved by the Department Head, non-exempt employees may receive overtime in the form of compensatory time (earned at time and one half) or paid overtime at one and one-half times their rate of pay for hours worked in excess of 40 hours worked in a workweek. All overtime worked must be authorized in advance by the employee's immediate supervisor. The County reserves the right to determine if a non-exempt

employee receives pay or compensatory time for hours worked over 40 in a workweek.

If comp time is allowed, employees can earn a maximum of a normal one-week pay period of comp time per year. Jailers/Dispatchers may accrue compensatory time up to a maximum of one hundred two (102) hours per year. Compensatory time accrued in excess of the annual 102 hours will be paid on the next regular day after it is accrued as overtime. The Department head may approve to exceed these maximums earned, where appropriate.

No compensatory time shall be used in the last two payroll periods of the calendar year. If comp time is accrued in the last two payroll periods of the calendar year, it will be paid out as cash in the payroll period in which it was earned.

There shall be no carry-over of compensatory time from year to year.

Employees' comp time balance at the time of resignation, termination, or retirement, will be paid out on the employee's final paycheck.

All approved comp time to be taken must be scheduled in advance by the Department Head and/or Supervisor.

### 3.4 HOLIDAYS

To identify employee holidays and to establish a consistent procedure for scheduling and payment, Washburn County will observe the following holidays:

New Year's Day	President's Day	Friday before Easter	Memorial Day
Independence Day	Labor Day	Veterans Day	Thanksgiving Day
Day after Thanksgiving	Christmas Eve	Christmas Day	

#### Eligibility:

- A. Regular Full-time employees will be paid for normally scheduled hours and regular part-time employees, working at least 50% FTE, will be paid on a prorated basis – based on percentage of full-time equivalency.
- B. Temporary and casual status employees are not eligible to receive compensation for holidays.
- C. If any of the holidays named above fall on a Saturday, the preceding Friday shall be the observed holiday and if any of the holidays fall on a Sunday, the following Monday will be the observed holiday.
- D. In order to receive holiday pay, employees must work the day before and the day after each holiday with the exception of normal days off or excused paid absences.
- E. For employees on a flexible schedule and the holiday day falls on a day the employee is normally not scheduled to work, it is at the Department Head's discretion if the holiday becomes a floater or is assigned to another day in that pay period.
- F. No employee shall be compensated more than once for each holiday.
- G. Holiday pay rate shall be computed at the employee's regularly classified rate.
- H. If a department is not required to be open and it becomes necessary to work on any of the above listed holidays, employees shall be compensated at the rate of one and one-half (1½) times the regular rate of pay for all hours worked on the holiday. Employees shall also receive holiday pay for the day or, with Department Head approval, take another day off with pay.
- I. Departments required to be open or are considered 24/7 operations - Dispatchers/Jailers shall receive holiday payouts two (2) times per year (the last pay period in June for the beginning of the year holidays and the first pay period in December for the end of the year holidays), and employees in such departments who are required to work on these days shall be paid straight time for their regular hours worked.
- J. Employees in the highway department will forgo the day after Thanksgiving holiday and the Friday before Easter Holiday.

### 3.5 VACATION

Regular full-time employees and part-time employees who normally work at least 50% FTE, shall earn and receive paid vacation time at their respective classified rate of pay in accordance with one of the schedules listed below. Part-time employees will receive prorated vacation time based on percentage of full-time equivalency. One (1) day shall mean 7.5 hours for employees who are 37.5 hours per week, 8 hours for employees who are 40 hours per week, for accrual purposes. If a flexible schedule is put in place for the employee and they work more than 7.5 or 8 hours per day consistently, they will draw from their accrual, the hours needed to make them whole for their day. This excludes jailers and dispatchers.

#### **A. Regular employees, excluding jailers/dispatchers**

Regular full-time employees excluding jailers/dispatchers shall earn vacation time in accordance with the schedule listed below:

1. From the start of the employee's first year - seven (7) days of vacation with pay;
  2. From the start of two (2) years - twelve (12) days of vacation with pay;
  3. From the start of five (5) years - seventeen (17) days of vacation with pay;
  4. From the start of ten (10) years - twenty (20) days of vacation with pay;
  5. After the completion of twenty (20) years of service, employees shall receive an additional day of vacation with pay for each additional year of service thereafter.
- Vacation balances accrue each bi-weekly pay period, and current balances are reflected on the employee's bi-weekly pay check stub.
  - Newly hired employees in this group shall be allowed to use vacation time after the first three (3) months of employment.
  - Employees in this group are allowed to carry over up to 4 weeks of vacation. Any carryover that is over 2 weeks, must be used by June 30<sup>th</sup>. If the vacation time that is required to be used by June 30<sup>th</sup> is not used by June 30<sup>th</sup>, it will be paid out at the current rate of pay.—
  - Upon termination of employment, the current vacation balance will be paid on the employee's final paycheck. Such payments shall be made in a lump sum based upon the last day of active work.

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#### **B. Jailers/Dispatchers**

Jailers/Dispatchers shall earn paid vacation time at their respective classified rate of pay in accordance with the schedule listed below.

1. From the start of the employees' first year of service, he/she shall earn 61.25 hours of vacation time.
  2. From the start of two (2) years – 98 hours of vacation with pay;
  3. From the start of five (5) years – 147 hours of vacation with pay;
  4. From the start of ten (10) years – 183.75 hours of vacation with pay;
  5. From the start of fifteen (15) years – 196.0 hours of vacation with pay;
  6. From the start of twenty (20) years – 208.25 hours of vacation with pay;
- Jailer/dispatcher's vacation time will accrue each bi-weekly pay period during the first year of employment, and will be reflected on the employee's bi-weekly paycheck stub. Thereafter, Jailer/dispatchers shall receive annual vacation time once each year on an anniversary year basis.
  - Jailers/dispatchers may use vacation time after the first three (3) months of employment.
  - Jailers/dispatchers will have a payout of their unused vacation balance at the end of their anniversary year.
  - Upon termination of employment, all vacation periods for the current year of service will be prorated to the day of termination for pay purposes. Any unearned vacation that has been used

shall be recovered by the County through payroll deduction and/or direct payment by the employee to the County.

**C. Highway employees** with hire dates after 10/10/2012 will follow the same vacation accrual schedule as the balance of the non-represented County employees. All hires prior to 10/10/2012 receive their vacation accrual on January 1<sup>st</sup>, of the year after it is accrued.

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Employees on a temporary project with increased or decreased daily/weekly schedule of hours worked will not see a change in their vacation accrual schedule.

As each employee is important for the proper functioning of the department and it is important for vacations to be taken, there may be times when a vacation may be wholly or partially denied. This may occur if the workload or services provided by that department would be negatively affected. The Department Head will work with the supervisors and/or employees to determine acceptable alternate schedule(s). Department Managers will determine an adequate amount of notice, and shall also resolve situations of desired use by multiple employees at one time. Department Heads will determine the priority order of Vacation pay and Comp time used.

No vacation pay goes to PEHP.

### **3.6. SICK LEAVE**

All employees shall be granted sick leave for their own illness or injury or their own doctors' appointments, or for the illness or injury of their spouse, or for the illness or injury of a dependent child that is living in the same household or that is reliant upon the employee for care and financial support, as follows:

1. Each employee, excluding jailers/dispatchers shall earn sick leave at the rate of one (1) day for each month of employment beginning with the starting date of employment. An amount equal to 1/26th of the annual accrual will be posted on each bi-weekly pay check. One (1) day shall mean 7.5 hours for employees who are 37.5 hours per week, 8 hours for employees who are 40 hours per week, for accrual purposes. If a flexible schedule is put in place for the employee and they work more than 7.5 or 8 hours per day consistently, they will draw from their accrual, the hours needed to make them whole for their day.
2. Jailers/dispatchers shall earn sick leave at the rate of 98 hours per year. An amount equal to 1/26th of the annual accrual will be posted on each bi-weekly pay check
3. Employees may accumulate up to 600 hours of sick time. For every day that an employee exceeds the sick leave accumulation cap, he/she will have four (4) hours deposited into his/her PEHP account. Any time over the 600 hours that is less than one day, will be lost.

Employees may use sick leave while on FMLA leave.

In the event that the Employer feels that any employee is abusing the sick leave privilege, a doctor's certificate as proof of illness may be requested; the employer may request a doctor's release to return to work from the employee. This sick leave privilege shall not be abused by the employees and any employee who does abuse their privilege shall be subject to disciplinary action.

Any employee absent because of sickness or injury shall notify his or her supervisor of that fact prior to the employee's normal starting time as soon as possible, and no later than a 2-hour notice unless the sickness or injury is an emergent situation. Continual calling in sick with little to no notice could result in disciplinary action. Supervisors must approve the utilization of sick pay. Texting or leaving messages without a response could result in disciplinary action.

New Hires. Newly hired employees shall be allowed to use sick leave after the first three (3) months of hire.

Termination. Upon termination of employment by voluntary resignation, retirement, disability or death, the employee who has been employed by the County for at least five (5) years, or their estate, shall be eligible to receive unused sick leave remaining in the employee's account as follows: Any employee who has been employed by the County for at least five (5) years will be eligible for a conversion of half (50%) of their accumulated sick pay benefits to the PEHP Plan and if employed for at least ten (10) years will be eligible for a payout of all (100%) of their accumulated sick pay benefits to the PEHP Plan.

Discharge. Any employee discharged for misconduct including, but not limited to, violation of County policies or procedures, will not be entitled to termination pay under this provision.

Advance Notification. In the event that an employee is aware in advance that sick leave benefits will be needed, it shall be the duty of the employee to notify the Employer as far in advance as possible in writing of the anticipated time and duration of such sick leave and the reason for requesting sick leave.

Employees will be required to begin using sick leave when they become physically unable to perform their normal duties, unless the absence also falls within state FMLA in which case the employee may choose to take unpaid leave while on state FMLA.

An employee on sick leave is required to notify the Employer at the earliest possible time of the anticipated date on which the employee will be able to resume their normal duties.

The Employer may require a doctor's certificate that the employee is medically unable to perform their normal duties. Sick leave benefits under this provision shall be paid only for the actual workdays missed due to medical inability to perform their normal duties.

In the event that an employee exhausts their accumulated sick leave and is not medically able to resume their normal duties, they may be eligible for any Income Continuation Insurance in place, or may be placed on an approved unpaid leave of absence.

### **3.7 MENTAL HEALTH DAY**

The County recognizes and acknowledges the importance of employees having the ability to utilize self-care. In order to accomplish this, Washburn County will give every part-time/full-time employee who has been employed up to 5 years in either a part-time or full-time capacity, one mental health day that will be given on January 2<sup>nd</sup> of each year, to be utilized by the employee for self-care. Employees who have completed 5 years or more of service by January 2<sup>nd</sup> of each year in either a part-time or full-time capacity, will be given 2 days.

These days can be utilized by the employee to engage in activities outside of being sick that will help improve their mental health. Mental Health Days not used by December, will be lost. Mental Health Days will not accumulate, be allowed to roll over, be paid out, or be placed into PEHP. These days are treated separately then sick leave days. Mental Health Days are to be utilized as an entire day and not broken up into hours or minutes. Hours given for a Mental Health Day will be the same allocation as the individual employee's Holiday hours. Employees hired after or whose employment status changes in FTE after January 2<sup>nd</sup>, will wait until the following January to receive this time.

### **3.8 BEREAVEMENT PAY**

Employees shall be entitled to Bereavement pay in the event of death in the employee's immediate family. Immediate family shall include: spouse/life partner, children – including current step-children, parents – including stepparents, siblings, in-laws to include mother/father/brother/sister grandparents, and grandchildren. Said leave shall be for a maximum period of one week per incident and shall be paid at the employee's regular scheduled hours worked. One additional paid week may be available on a case by case basis upon recommendation by the

Department Head and approved by HR. Accrued time (sick, vacation, comp time), is allowed to be used after the second week, if necessary and approved. Represented groups follow the bereavement provision in their contracts. The timecard must state the relation to the deceased so that proper leave time is approved and given.

### **3.9 JURY DUTY**

Washburn County encourages employees to fulfill their civic responsibilities by serving jury duty when required. However, to reduce interruptions caused by an absence, employees are required to promptly report to their Supervisor when they receive a summons for Jury Duty.

Any employee called for jury duty shall be paid their regular wages for a normal workday for up to two (2) weeks per year and shall turn over to Human Resources and/or Administration any moneys, excluding mileage allowance that they receive as a result of such jury service within three (3) days of receipt of moneys. If the employee is released from jury duty prior to the end of their work period, they shall be expected to return to work as soon as possible.

Time spent on jury duty shall not be considered hours worked for purposes of overtime, nor will the County pay for any jury duty beyond the employee's normal workday.

### **3.10 WITNESS DUTY**

Any employee called to serve as a witness shall follow the same procedures as for Jury Duty.

### **3.11 VOLUNTEER FIREFIGHTER/EMT/FIRST RESPONDER LEAVE**

This leave is permitted per Departmental approval and excludes Sheriff's Office Personnel.

When an employee is attending a fire or a medical emergency as a Volunteer Firefighter/EMT/First Responder, the employee will be off the clock, and expected to make up the hours during that same pay week, or take vacation pay or comp time.

If the fire call or medical emergency doesn't require the employee's attendance for the entire workday, the employee shall return to work as soon as practicable. Employees shall inform their immediate Supervisor of their status at the start of the workday and as soon thereafter as is possible. Washburn County reserves the right to deny the use of this leave based on the needs of the County.

### **3.12 MILITARY/GUARD LEAVE**

Employees who are members of the National Guard or military reserves or other military service organization shall be granted temporary unpaid leave for tours of duty. Any employee called out for active duty with the armed forces of the United States of America shall submit copies of their military order to the Human Resources Department as soon as received. Employees shall be granted an unpaid military leave of absence for the period outlined in the orders, in accordance with applicable laws. However, such employee must return to duty within ninety (90) days from the day of release from such active duty or as such time may be extended if the employee is hospitalized for, or convalescing from, an injury occurring in, or aggravated during, the performance of service, as set forth in the Regulations under the Uniformed Services Employment and Reemployment Rights Act of 1994, as may be amended, in order to be reemployed with such continued service status, or as otherwise may be required pursuant to current state or federal law.

The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) protects the job rights of individuals who leave employment (voluntarily or involuntarily) to undertake military service. USERRA provides retirement credit, based on what the employee would have earned from their employer had they not been

absent from work. USERRA also provides a right to continuation of existing employer-based health plan coverage for the employee and dependents up to 24 months while in the military. If continuation coverage is not elected, the employee shall have the right to be reinstated with no waiting period or exclusions except for service-connected illnesses or injuries.

### **3.13 ATTENDANCE AND PUNCTUALITY**

It is the expectation of Washburn County that employees will be punctual and in regular attendance. Poor attendance and excessive tardiness are disruptive to the work environment. Either may lead to disciplinary action, up to and including termination of employment.

Department Heads shall have latitude of flexible scheduling in hours of work, lunch and rest breaks. Department Heads are encouraged to establish flexible schedules, if appropriate, along with guidelines on attendance and punctuality for non-union personnel covered by this policy.

1. Guidelines should primarily consider the concern for meeting the needs of clients and general public during scheduled working hours. Guidelines should include, but are not limited to, the following:
2. Employees should inform their immediate supervisor, no later than their regular starting time, of any anticipated absence or delay in reporting for work.
3. Rest periods should be limited to two fifteen (15) minute periods throughout the day. It is the responsibility of the employee to take their rest period and to be able to schedule and manage their time to get the rest period.
4. Rest periods are not to be accumulated and/or carried over as time away from work. Rest periods cannot be used to extend a lunch break, report to work late, or leave early.
5. Lunch breaks should be thirty (30) uninterrupted and unpaid minutes or sixty (60) uninterrupted and unpaid minutes at the discretion of the Department Head. Some lunch breaks may be staggered to meet operation coverages.
6. Persons whose normal job duties do not allow them to leave the building in which they work should obtain clearance with their immediate Supervisor to leave the building during normal working hours, for reasons other than lunch and rest periods.
7. Failure to report to work without notification/approval shall normally be considered a voluntary termination. Employees may be subject to disciplinary action, up to and including discharge, for the following occurrences: excessive absences; patterned absences; failure to follow appropriate reporting procedures; and excessive tardiness.
8. Employees are required to provide documentation from a physician for absences from work due to injury/illness of three or more days or instances of a communicable disease. All medical disabilities including personal illness/injury must be covered by the proper doctor's authorization. Employees must have written release from the doctor upon return from a disability or absence resulting from work-related illness/injury, or non-work related injury/illness preceded by a leave of absence. Doctor verification is required for absences due to work-related illness/injury regardless of number of days absent.

### **3.14 EMERGENCY CONDITIONS**

The purpose of this policy is to promptly notify employees of any emergency conditions that may require the

closing of a work site, the reassignment of staff to alternative work sites or other emergency measures.

Inclement Weather. Weather conditions affecting only the ability to commute will generally not be considered a reason for closing a facility. Employees who do not report to work will generally be given a choice between the use of vacation pay or comp time, or flexible schedule to cover the absence.

Other Emergency Conditions. In conjunction with local health and/or public safety authorities, Washburn County may decide to close a work site or take other emergency measures in order to safeguard the health and welfare of employees and the public and/or because a situation exists affecting the ability of employees to perform their job. Examples of emergency conditions might include power outages, a natural disaster, or a quarantine imposed by health officials. The authorization to close any County facilities will rest with the County Board Chair or designee as per resolution and associated policies. Employees who are asked to stay home or are sent home under such circumstances will be compensated their normal scheduled hours for that day. Employees who are asked to stay home or are sent home because they are exhibiting potential symptoms of a quarantinable communicable disease will be compensated their normal scheduled hours for that day.

Procedures During Emergency Situations. **WASHBURN COUNTY EMPLOYEE MESSAGE NUMBER**  
In order to ensure the most effective, efficient and timely information is provided to all of our employees during an initial emergency, the Administration/Personnel Department has approved the following for providing and receiving information during an emergency for all County employees.

There will be **one** phone number for all County employees to phone into during an emergency. The number is 715-468-4777. This number will contain messages to all employees about what is happening with an emergency and what the employees should expect to do. The message will be updated periodically for employees to gain more information throughout the emergency.

Therefore, during an emergency an employee may call into the above number and it will contain pertinent information pertaining to the emergency and what their roles will be in order to help with the emergency.

### **3.15 FAMILY, MEDICAL, and MILITARY LEAVE**

The purpose of this policy is to establish and communicate the procedures for requesting leave under Federal and State Family and Medical Leave Act (FMLA) to all employees and establish consistent guidelines and standards for Supervisors to follow when managing employees' FMLA leave attendance.

The statements in this policy are meant to be guidelines and the actual implementation of these leave provisions are subject to the current laws/acts. If an unusual situation arises which is not covered by the following guidelines, or if special consideration is deemed appropriate, Human Resources/Personnel shall be consulted.

This summary is not a comprehensive review of the state and federal Family and Medical Leave Acts or of the employees' or employer's rights and responsibilities, but is intended only to provide basic information to employees. Notices summarizing the provisions of the state and federal family and medical leave laws are posted in all County Buildings.

There are differences between the two laws. In most cases, approved leave will consist of the combination of state and federal provisions that is most favorable to the employee. Requests for the required forms and questions regarding the state and federal Family and Medical Leave Acts should be referred to the Human Resources Director.

Eligible employees may qualify for unpaid leave under Wisconsin's Family and Medical Leave 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 in the workplace for reference by all employees.

## Wisconsin FMLA

Any employee who has worked for at least 52 consecutive weeks and for at least 1000 hours in the preceding 52 week period, 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

- 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 16 weeks before estimated birth or placement and no later than 16 weeks after birth date or placement of the child.
- 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 number of weeks that may be taken under A is eight (8) weeks per twelve (12) month period.

### B. Medical Leave

- A maximum of two (2) weeks per twelve (12) month period for the employee's serious health condition.

[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.]

### C. Bone Marrow or Organ Donation

Up to 6 weeks leave in a 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 serve 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.

## Federal FMLA:

Any employee who has worked for at least 12 months and for at least 1250 hours over the past 12 month period is eligible for unpaid leave under the Federal Family and Medical Leave Act of 1993.

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

- a. The birth and first year care of a child or a child who has been placed with the employee for adoption or foster care.
- b. To care for a child, spouse or parent who is suffering from a serious health condition.
- c. For a serious health condition of the employee that makes the employee unable to perform his or her job duties.
- d. 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.

The federal law also provides for 26 weeks of unpaid leave during a single 12-month period in the case of covered service member caregiver leave because the employee is the spouse, child, parent or next of kin of a covered service member with a serious injury or illness. This 12-month period begins on the first day the eligible employee takes leave for this purpose.

[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 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.]

### **Intermittent Leave:**

Under some circumstances, employees may take FMLA leave on an intermittent basis. Intermittent leave may be taken in the smallest increment allowed by the employer for any other type of leave.

- A. Federal leave based on a birth or child placement may only be taken intermittently on a reduced leave schedule if the employer agrees.
- B. State family leave for birth/placement or care of a child, spouse, parent or parent-in-law with a serious health condition may be taken as partial absences from employment if scheduled so as not to unduly disrupt the employer’s 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 employer 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 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 employer with reasonable advance notice.

### **Benefits:**

An employer 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. If applicable, in addition to paying their portion of health insurance premiums, employees shall be required to pay the full cost of continuing their [life insurance, disability insurance, etc.] during leave. If an employee fails to return to work for a reason other than 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 employer for the employee’s cost of these benefits while the employee was on unpaid leave.

### **Notice:**

Both state and federal law provide that the employee requesting family and medical leave has an obligation to provide reasonable advance notice to management, when practical, 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 employer’s operations. The employer requests that 30 days’ advance notice be provided whenever possible.

To receive FMLA leave, an employee must complete an FMLA leave request form. 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 Human Resources/Personnel. Human Resources/Personnel 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)” and a “Designation Notice (Family and Medical Leave Act)” within five (5) business days, absent extenuating circumstances, of the employee’s request. If Human Resources/Personnel needs additional information to determine whether a leave is being taken for an FMLA-qualifying reason, Human Resources/Personnel 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 employer 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 employer's expense) and periodic recertification, and periodic reports during FMLA leave regarding the employee's status and intent to return to work. A medical certification form must be presented by the employee within fifteen (15) days of being asked to do so by the employer. 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 employer may require an employee seeking FMLA leave due to a qualifying exigency to submit a certification. The employer 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.

#### **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.

#### **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 with the law.

### **3.16 UNPAID PERSONAL LEAVE OF ABSENCE**

#### **Leave Without Pay:**

Department Heads/Supervisor along with the Human Resources Director may approve unpaid leave of absences of up to ten (10) workdays.

Unpaid leave of absences for more than ten (10) workdays on up to thirty (30) workdays for employees other than Department Heads may be approved by the Human Resource Director.

Leaves for more than ten (10) workdays and for Department Heads shall be approved by the Personnel Committee. Leaves for all other employees for more than thirty (30) workdays shall be approved by the Personnel Committee.

- An unpaid leave of absence will not be granted before all accumulated non-worked paid time has been used, except in the event of a leave due to medical reasons.
- In the event of an unpaid leave of absence due to medical reasons, the employee shall be required to

utilize all accumulated non-worked paid time banks prior to being placed on a leave of absence, except as otherwise provided by state and federal law (FMLA).

A leave of absence without pay may be granted by the mutual agreement of the Personnel Committee and the Employee for a period of up to six (6) months. The Personnel Committee is to receive a copy of the written request for leave of absence and the employee may be present at the Personnel Committee meeting when request is being discussed and/or acted upon. Additional time may be granted with approval of the Personnel Committee. No leave of absence will be allowed for employees to be employed or seek employment elsewhere.

Should the unpaid leave be granted for reasons of personal illness or disability, a physician's certification may be periodically required to substantiate the need for continuing the leave and to certify the employee's ability to return to work. Family leave shall be granted in compliance with State of Wisconsin or Federal requirements.

**Return to Work:** Upon expiration of a leave of absence, an employee shall be entitled to return to the position they occupied prior to the commencement of the leave as long as the position is still available. Failure to return to work at the expiration of the leave shall be deemed to be a resignation by the employee absent extenuating circumstances.

- An employee shall be required to give a five (5) calendar days' notice of anticipated return to employment.

The County may provide for unpaid leave to employees subject to this policy for reasons including, but not limited to, the list below. The main criteria in granting requested leaves will be the effect on the department and its continued ability to perform its mission along with any legal obligation to grant such leave.

- Extended illness;
- Continuing education;
- Military duty; (in compliance with USERRA)
- Jury duty;
- Emergencies - death of relative or friend, etc.

Any unpaid leave of absence over ten (10) consecutive working days may affect the accumulation of benefits. An employee will not accrue non-worked paid time during an unpaid leave of absence, unless the employee uses an equivalent of one work day of accumulated paid time off per pay period, which may include sick, vacation, and/or comp time.

The employee may be responsible for paying a prorated share or the full cost of health insurance premiums (employee and employer portions), unless otherwise approved by the Personnel Committee or excepted by state or federal law.

## **4 COMPENSATION AND JOB INFORMATION**

### **4.1 PAYROLL AND DEDUCTIONS FROM PAYROLL**

Paychecks are normally deposited, by direct deposit, every other Friday. Federal and state taxes and withholdings shall be deducted as required by law.

Please notify Human Resources/Personnel if any changes occur in your name, home address, telephone number(s), marital status, name or number of dependents, number of tax exemptions, insurance classification, beneficiary changes, or individuals to be contacted in case of emergency. This information is necessary as it may affect your compensation, dependents' eligibility for medical insurance, and other important matters.

It is the employer's policy to comply with applicable wage and hour laws and regulations. If you have any questions or concerns about your status or you believe that any deduction has been made from your pay that is inconsistent with your status, you should immediately raise the matter with your Supervisor or the Human Resources Director who can assist you in understanding the information that is required in order to investigate the matter.

The employer is committed to investigating and resolving all complaints as promptly, but also as accurately, as possible. Consistent with the U.S. Department of Labor's policy, any complaint will be resolved within a reasonable time given all the facts and circumstances. If an investigation reveals that you were subjected to an improper deduction from pay, you will be reimbursed and the employer will take whatever action it deems necessary to ensure compliance in the future.

## **4.2 DIRECT DEPOSIT**

All employees shall participate in direct deposit for salary/wages, mileage, expenses and per diems. The Human Resources/Personnel Office will administer and coordinate the implementation of direct deposit for all staff affected by this policy.

Limited Term Employees, whose employment is intended to be three (3) pay periods or less, are exempt from this policy.

## **4.3 SALARY/WAGES ADMINISTRATION**

The Personnel Committee annually prepares a recommendation to the Finance Committee and the County Board for a wage/salary adjustment for all employees for the subsequent calendar year. All salary changes are processed on the start of the pay period closest to the effective date of the salary change.

Employees are paid in accordance with the County's Pay for Performance Program, and as applicable, schedules, job grades, steps and longevity schedules currently in place.

Employers are prohibited from engaging in collective bargaining with general municipal employees who elect to be represented by a union on any form of compensation except for total base wages. Premium pay, merit pay, automatic pay progressions and any other form of supplemental compensation may be considered, but not bargained, by the employer.

The salaries for elected officials shall be set in accordance with state statute 59.22, which requires annual compensation to be determined prior to papers being taken out.

## **4.4 PERFORMANCE REVIEW**

It shall be the policy of Washburn County that a written performance evaluation be conducted on any new-hire (excluding elected officials) after six (6) months of employment, followed by an annual performance evaluation. The evaluation is to be performed by the employee's immediate supervisor or as a combined evaluation, performed by the Committee of Jurisdiction and the Administrative Coordinator/HR Director if the new-hire is a Department Head. Performance Evaluations will be conducted annually in preparation for the Pay for Performance Salary increases. Performance evaluation reports may be considered in decisions affecting transfers, promotions, salary changes, demotions, layoffs, dismissal and training. A copy of the performance evaluation shall be placed in the employee's personnel file located in the Human Resources/Personnel Department.

Employees whose performance evaluation warrants further, and immediate improvement shall be subject to the successful completion of a Performance Improvement Plan.

#### **4.5 JOB TRANSFERS AND PROMOTIONS**

Based on operational needs and on the employee's relative ability, experience and other qualifications, as determined by Washburn County, the County may authorize temporary and permanent job transfers and promotions.

Temporary assignments will normally not exceed one month and employees will normally receive their regular rate of pay for the time spent in temporary assignment. If the employee is filling in for a department head for an extended amount of time (2 weeks or more) the employee will receive an 8% increase in their regular base pay (same pay scale their regular job is paid on). They will not be moved to the scale of the department head. This pay will be taken away when the department head position is filled.

#### **4.6 JOB VACANCIES AND POSTING**

To provide an open, competitive system of filling positions, Washburn County will fill vacancies with the best-qualified persons based on job-related factors.

When Washburn County determines that a vacancy or new position shall be filled, it may post a notice of such vacancy or new position internally and/or externally. If posted, the posting will generally be posted internally for a minimum of ten (10) working days. The posting shall include the date the position is to be filled, title of position, requirements or qualifications, rate of pay and benefits. It will also state if there are any testing requirements, qualifying periods and/or certifications that will be necessary for the position.

Washburn County retains the right to determine whether and when to recruit outside applicants.

#### **4.7 LAYOFF, FURLOUGH AND REHIRE**

Washburn 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 previous length of employment.

The needs of Washburn County shall be the prime consideration used in determining which employees will be laid off. The rehiring of employees that have been laid off shall be determined by Washburn County based on its need for the most qualified person to perform the available work.

Furloughs – Departments may offer a short-term furlough from work when the work load warrants. The Department Head will set the allowable period of time the employee may be scheduled away from work. The employee must work or be paid for enough non-work paid leave hours each pay period to cover the current deductions. The employee must be available by phone and must return to work when notified to return.

### **5 EMPLOYEE BENEFITS**

#### **5.1 HEALTH, DENTAL and VISION INSURANCE**

Group health, dental and vision insurance is available to those employees who qualify for coverage. Employee qualification is governed by the contract of insurance currently in place between the County and the chosen health/dental/vision care provider. Employees who work less than 30 hours per week do not qualify for coverage.

The premiums are prorated based on the employees expected weekly schedule. Employees are responsible for paying the outlined portion of the premium as determined by County policy and applicable state and federal regulations.

- Benefits associated with the health, dental and vision insurance can be found in the plan documents, which are electronically provided on the Shared drive.

Health/dental/vision insurance becomes effective the first of the month following date of hire. To obtain initial coverage, employees must return the health/dental/vision insurance application(s) within 30 days of employment to the Human Resources Department.

**Employees may change their health/dental/vision coverage once each year during open enrollment or after a qualifying event.**

Employees who are on an approved leave of absence without pay may elect to continue insurance coverage during the period of leave. If this is selected, the employee may be responsible for paying a prorated share or the full cost of health insurance premiums (employee and employer portions), unless otherwise approved by the Personnel Committee or excepted by state or federal law.

Employees who separate from County employment will have their health insurance coverage cease as set forth in Section 2.8 of the Employee Handbook. The Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) was created to allow for continuation of health insurance coverage at the employee's expense for a specified period of time. COBRA continuation coverage may be available to employees and other family members covered under the plan as a result of loss of group health coverage. COBRA continuation coverage is a continuation of coverage when coverage would otherwise end because of a life event known as a "qualifying event." For more information contact the Human Resources Director.

Employees who are retiring, are 55 years old or older, and have been employed by the County for at five (5) years may elect to continue on the County's Health Insurance Plan, at their own cost, until Medicare eligible. After Medicare eligible, this insurance may be carried as a supplemental plan. Employees will also be able to continue on the Dental and Vision plans under COBRA for 18 months. This will be handled completely through the County Insurance Carrier.

When both spouses are employed by Washburn County and enrolled in the County's group health insurance program at the time of retirement of the first spouse, the family benefit shall be available to the employed spouse to be used toward one family or two singles, whichever is utilized. Under no circumstances shall an employee be permitted to be covered by more than one health insurance plan which is in any part paid by the County.

## **5.2 HEALTH REIMBURSEMENT ARRANGEMENT**

A Health Reimbursement Arrangement (HRA) is an individual reimbursement account, funded solely by the County, to subsidize your health insurance deductible. Please see the Human Resource Department for details.

## **5.3 FLEXIBLE SPENDING ACCOUNTS**

A flexible spending account allows you to set aside a portion of earnings which are deducted biweekly from your paycheck on a pre-tax basis, to pay for qualified expenses as established in the cafeteria plan for medical expenses and/or dependent care expenses.

## **5.4 CASH IN LIEU OF INSURANCE**

Effective April 1, 2013, eligible full-time employees, as defined by the ACA, electing not to be covered by the

County's health insurance plan for family coverage, who provide proof that they, their spouse, and dependents have health insurance coverage provided by another employer or by the spouse's employer, will be compensated by the County in the amount of \$5,000 per year. Eligible full-time employees, as defined by the ACA, electing not to be covered by the County's health insurance plan for single coverage, who provide proof that they have health insurance coverage provided by another employer or by the spouse's employer, will be compensated by the County in the amount of \$2,000 per year.

This benefit does not apply to:

- Employees enrolled in only single coverage with the County, who carry eligible dependents on another health insurance plan;
- Employees who are covered dependents, as defined in our medical plan document, under another family member's County health insurance plan;
- Employees who are covered dependents, as defined in our medical plan document, under a parent's health insurance plan.

Payments shall be distributed through the County's IRS Section 125 plan and paid in equal payments per paycheck. All cash payments received under this option shall be subject to state and federal withholdings and the required FICA contributions, as long as such withholding and FICA contributions are required by law.

To qualify, an employee must be a new hire or currently enrolled in the County's health insurance program on 4/1/2013, must elect to discontinue health coverage, and must provide proof of coverage provided by another employer or by the spouse's employer, for the payouts to begin. Payments shall commence only upon receipt of the documentation and proof requested of the employee, by the Personnel department. Payments shall cease if health insurance through the County is reinstated. Revised 8/13/2013

## 5.5 RETIREMENT PLAN

All benefits of the Wisconsin Retirement System (WRS) shall be available to eligible employees as outlined in the WRS manual. Such contribution amounts are based on rates defined by the WRS program administrator. The County reserves the right to determine and/or change the amount contributed as allowable under state law. Once eligible for coverage under WRS, coverage is mandatory and an employee may not "opt out" of WRS. Employee contributions to WRS are pre-tax. The County may rehire qualified retired employees (rehired annuitants) on a case-by-case basis and in adherence with the law.

**Full-time employees:** shall be considered immediately eligible for participation in the WRS.

**Part-time employees:** Employees first hired by a WRS employer on or after July 1, 2011 are expected to work at least two-thirds of full time per year, or 1200 hours, and expected to be employed at least one year, to qualify for WRS. Eligibility criteria is not modified for an employee initially employed by a WRS participating employer prior to July 1, 2011. Employees who were employed by a WRS participating employer prior to July 1, 2011 are eligible if they are expected to work, or actually do work, 600 hours or more for at least one year.

## 5.6 LIFE INSURANCE

Wisconsin group life insurance plan shall be available to employees qualifying for coverage based on WRS enrollment. The effective date for life insurance for a new employee will be the first day of the month following 30 days from the date of hire. Available coverage includes Basic, Supplemental, Additional and Spouse/Dependent.

The County will contribute monthly amounts as determined by the County Board and the group life insurance plan for several employee groups. For details review the Wisconsin Group Life Insurance plan book, the electronic file on the "S" drive, or contact the Human Resources Department.

## **5.7 INCOME CONTINUATION INSURANCE**

Wisconsin Income Continuation Insurance plan shall be available to employees qualifying for coverage based on WRS enrollment. New employees are eligible for coverage on the first of the month following their date of hire. . Available coverage includes a 180, 120, 90, 60 or 30 day waiting period. Washburn County pays the premium for the 180-day waiting period. However, employees have the option to pay the premium for a lower waiting period at their own expense. For details, review the Wisconsin Income Continuation Insurance plan book or contact the Human Resources Department.

## **5.8 POST EMPLOYEE HEALTH PLAN (PEHP)**

A Post-Employment Health Plan (PEHP) is a health reimbursement arrangement which allows employers and employees to set aside money for the payment of out-of-pocket medical expenses and/or medical premiums that an employee will incur after they sever employment. Funded by bi-weekly employer/employee contributions and/or accrued sick leave balances at the time of resignation; subject to termination policy guidelines

## **5.9 DEFERRED COMPENSATION PROGRAM**

Washburn County offers two different voluntary Deferred Compensation Programs which allow employees to defer a portion of income and taxes on that income to supplement retirement benefits. More information is available from Human Resources.

## **5.10 EMPLOYEE ASSISTANCE PROGRAM**

The health insurance plan(s) and the Employee Assistance Program provided by Washburn County may provide assistance relating to mental health, alcohol and drug abuse, legal and financial issues, and other personal issues. Employees are directed to contact Human Resources for specific coverage, allowable treatment and any additional information regarding other available treatment for mental health and/or alcohol and drug abuse resources.

## **5.11 OTHER EMPLOYEE BENEFITS**

Washburn County offers voluntary whole life, accident, disability, cancer, ambulance and other supplemental insurance benefits at the employee's expense: Employees may inquire about these benefits in the Human Resources Department.

## **5.12 WORKER'S COMPENSATION**

All employees shall be covered by worker's compensation insurance. In the event an employee suffers a compensable injury or illness in the course of performing their duties which causes them to miss workdays of more than three days, they will be compensated by the Worker's Compensation Insurance according to all applicable state laws and regulations.

Any on-the-job employee injury must be reported immediately via the Care Line number 1-833-564-0894 and to your supervisor. The "Employer's First Report of Injury" form may be completed via the Care Line and/or in conjunction with your supervisor and then forwarded to the Administration Department. A copy will be forwarded to the insurance provider if not already completed via the Care Line. Employees should review the Safety Policy and

Procedures manual for more information pertaining to Worker's Compensation and work-related injuries and illnesses.

### 5.13 SAFETY PROTECTION

Washburn County believes that safety is very important and provides employees with the personal protective equipment necessary for employees to safely perform their job. In addition, the County shall provide the following benefits for safety shoes/boots and safety glasses:

- **Safety Shoes/Boots**

All employees whose positions (for example: highway, forestry, zoning, surveyor, maintenance, and jail\*) require foot protection will be reimbursed up to \$250.00 per year. Employees may purchase safety shoes/boots from approved vendors; or if purchased elsewhere, and sales tax was incurred on the purchase, up to \$250.00 will be reimbursed, excluding the sales tax, which is not subject to reimbursement.

- **Safety Glasses**

The County shall provide non-prescription safety glasses for those employees who are required to wear safety glasses as PPE. Employees who wear prescription glasses and whose positions require safety glasses will be reimbursed up to \$300.00 per 12-month period for prescription safety glasses if they are non-reimbursable from another source (i.e. vision insurance). If sales tax was incurred on the purchase of prescription safety glasses, up to \$300.00 will be reimbursed, excluding the sales tax, which is not subject to reimbursement.

The actual purchase receipt must be submitted in order to receive reimbursement under this policy. All employees reimbursed for safety shoes and/or prescription safety glasses will be required to wear them at all times when such personal protective equipment is warranted. Each department manager will be responsible for monitoring safety apparel specific to the duties of their department and use thereof.

### 5.14 UNIFORMS

**5.14a Sheriff's Office – Jailers/Dispatchers** – The Sheriff will provide and purchase the necessary list of equipment and uniforms for jail staff employees and replace them as needed due to normal wear or if damaged, ripped or torn in the line of duty. The replacement of eyeglasses shall be allowed if broken in the line of duty and reported by inclusion in the official report of the incident. The Sheriff's Office will also coordinate the cleaning of the uniforms and its related County-paid costs associated with that cleaning.

### 5.15 LICENSE REIMBURSEMENT

Certain employees whose positions require licensure may be reimbursed for the total cost of licensure required upon submission of proof of payment and copy of the valid license, subject to Department Head approval.

## 6 TRAINING AND DEVELOPMENT

It is anticipated that persons covered by this policy will bring to the County a high degree of experience, education and skill. It shall be County policy to encourage (within budgetary limitations) the continuous training and work-related development of employees related to organizational, motivational, technical, managerial and other skills

necessary to improve service to Washburn County.

Provision for the cost of training and development shall be made in the requests for funds as set forth in the annual budget. Funds requested for training and development should be directly related to the position duties and/or the enhancement of specific related skills. Attendance and appropriate reimbursement for training sessions require advanced approval by the Department Head based on budget designation. All conferences, seminars, or training sessions as required by each specific Department Head, or designated by Federal or State Statutes or regulations, will be reimbursed. Follow specific guidelines for reimbursement as outlined below.

If the departmental workload allows and prior approval is obtained, an employee may be allowed to attend professional or career development that includes credited courses or programs. Such programs that provide advancement opportunities either within the County or in the open market, and are not required to keep the person at an acceptable performance level, shall be accomplished at no cost to the County and any time off the job must be made up or be taken as leave without pay by the employee upon approval by the Department Head and Human Resources Director.

When an employee's attendance at training, conferences or educational sessions is required or approved by the employer or department head, the following expenses shall be compensable:

- Fees for registration and materials as pre-approved by the department head
- Pay for the employee's actual time worked, including travel time and time at the training
- Mileage, meals and lodging costs per travel reimbursement policy.

The County also may sponsor an employee for costs involved in obtaining such skills that will meet employment requirements within the employee's department, such as Law Enforcement Academy or CDL training for Highway. The employee will be expected to remain employed at the county for at least two years beyond successful completion of the training. If the employee leaves prior to that time, reimbursement of costs will be required. Contact HR for additional details.

## **6.1 WORK RELATED EDUCATION**

Washburn County believes in continuing education to improve an employee's knowledge and skills. Therefore it has established the following guidelines for all employees for work-related education:

In the event employees would like to attend school to acquire or improve job skills or training within their position classification and such schooling is approved by the Employer, the Employer agrees to reimburse the employee for his or her out-of-pocket expenses for books and tuition provided that the employee successfully completes the course of instruction with a passing grade and the employee remains with the Employer for a least two (2) years following the completion of the course. The employee shall sign a promissory note for the sums received and shall be required to reimburse the County if the employee is terminated, retires, or resigns within two (2) years of completion of the course. The employer shall cancel the note when the employee has remained with the Employer for two (2) years, dies, or becomes permanently disabled. Such reimbursement shall not exceed Three thousand dollars (\$3000.00) per calendar year.

In order to receive the above reimbursements for education, an employee may attend an undergraduate school, graduate school, technical school, or other institutions of higher or technical education for the purpose of acquiring or improving job related skills or training.

## **6.2 TRAVEL REIMBURSEMENT**

All employees and elected officials shall be compensated for travel expenses under these guidelines. Travel reimbursement requests shall be made on the appropriate county form. Itemized, dated receipts must be shown

for all expenses, excluding alcoholic beverages which are not subject to reimbursement. All requests for reimbursement, with supporting documentation, must be submitted within sixty (60) days after the expense is incurred.

**Meal Expenses:**

When employees and elected officials are authorized and required by the employer to travel, the County shall reimburse, providing appropriate receipts are furnished, up to the allowed maximums as provided by the Finance Department. Current maximums are indicated on the reimbursement request form.

If a meal is provided, no additional reimbursement will be made for meals purchased in lieu of the provided meal. No company credit card shall be used to purchase meals. The maximum tip to be eligible for reimbursement consideration shall be 15%; the tip is included in the current maximum meal allowance.

Expenses may be paid in aggregate under the following guidelines:

- To be eligible for the breakfast meal, the County requires the employee to leave home prior to 6:30 a.m.
- To be eligible for the noon meal, the County requires the employee to leave their place of work prior to 10:30 a.m. and return home after 2:30 p.m.
- To be eligible for the dinner meal, the County requires the employee to return home after 7:00 p.m.
- If training requires an overnight stay the night before, then the employee would be eligible for an evening meal.

Department Heads are allowed some flexibility from the Meal Reimbursement guidelines on the hour of the day rules.

**Lodging:**

Lodging will be paid up to the state rate currently in effect or an amount preapproved. When making lodging reservations, consideration should be given to safety, security and proximity to the event. Employees will note on lodging invoices the purpose of the lodging. If the lodging is for training, indicate the title of the training.

**Ground Transportation:**

The purpose of the ground transportation policy is to provide a clear policy and procedure that is compliant with state and federal regulations, promote safe travel, and allow for reasonable and manageable travel expenses while maintaining the necessary controls and accountability.

Washburn County reimburses employees for ground transportation while travelling on Washburn County business. The most economical mode of ground transportation should be used to and from air, bus, and rail terminals. Travelers may rent a car or take an uber/lyft or taxi at their destination, but public transportation and shuttle services should be considered. Ground transportation expenses shall be reimbursed if approved by the department head, and if appropriate receipts are furnished. The maximum tip eligible for reimbursement shall be 15%.

**Mileage:**

Employees are eligible for mileage reimbursement for any position related duties and conference or training that they are required and/or allowed to attend. All employees will be required to try to first use a County vehicle for traveling before using personally owned vehicles. If there is not a County vehicle available for use and an employee must use their personally owned vehicle, an employee will be reimbursed for mileage at rates established periodically by the Finance Committee with current proof of insurance at the level recommended by the County's insurance carrier. (Currently \$100K per person/\$300K per Accident/\$50K Property Damage or \$300K combined single limit.) Mileage shall be reimbursed for the shortest distance travelled, whether from home or office.

**Other:**

Miscellaneous expenses will be paid on a case-by-case basis with itemized, dated receipts.

## 6.3 COUNTY OWNED VEHICLES

Use of County owned/leased vehicles is the preferred conveyance when traveling on official business. Unless assigned to a specific position, function or prohibited by grant condition, all general-purpose vehicles are “County” vehicles and available for use by all staff for official travel. This does not include special or heavy equipment or law enforcement vehicles. In the event more than one eligible person is traveling to the same destination, such persons shall, whenever reasonably possible, share a vehicle, or vehicles to reduce travel expense. All operators and passengers will follow all state and federal motor vehicle laws while traveling, and no reimbursements will be made for traffic citations or parking tickets/fines.

If a County vehicle is not available or its use is not feasible, then staff are eligible for reimbursement of use of personal vehicles per above policy as applicable. In such case, mileage shall be paid to the eligible person actually providing the vehicle transportation. All employees otherwise eligible for reimbursement of mileage shall not be entitled to payment for travel between their home and their place of employment for normal, daily work, overtime work, attendance at County Board meetings, committee, board and commission meetings.

**6.3 a Limitation of Use:** Generally, employees shall not use County owned vehicles for personal business. The following guidelines apply to all County vehicles:

- While using a County vehicle, the use of alcohol or illegal drugs is strictly prohibited.
- Employees using a County vehicle for overnight travel may use the vehicle for limited personal use incidental to travel away from home such as going to and from a restaurant or to purchase personal care items.
- Only County employees (including volunteers) may operate County vehicles.
- Only individuals associated with County business (including other municipal, state or similar staff) may be transported in a County vehicle except in emergency situations. Spouses and immediate family members may travel as passengers in a County vehicle to and from meetings. A liability release must be on file for the rider. County liability insurance does not cover non-County business related passengers.

**6.3b Marking Vehicles:** All County vehicles shall be marked and numbered as County vehicles. Generally, marking shall be standard three-inch lettering on the vehicle somewhere it can be seen. On SUVs and vans, rear side window marking is allowable as long as it does not interfere with visibility. Human Service vehicles shall be marked in two-inch letters on the rear of the vehicles. If a logo is used, the official County logo shall be used.

**6.3c Documentation:** Each vehicle shall have a vehicle maintenance/use log. As a minimum, the log shall track: start and return mileage for each trip, trip miles, vehicle operator and daily maintenance. Use logs shall be maintained for 2 years. All documentation on maintenance shall be retained as long as the County owns/leases the vehicle.

**6.3d Ride-Along Form:** Any passenger that would like to ride along in a County owned vehicle that does not fit in one of the above categories will need to fill out the Ride Along Liability Form and approval must be obtained by the driver’s Department Head before the ride along occurs.

## 7 PERSONAL CONDUCT AND WORK STANDARDS

The following standards for work at Washburn County provide a basic outline for expected employee conduct while employed with the County. It shall be the duty of employees to maintain high standards of cooperation, efficiency and integrity in their work with the County. Violation of these express standards will be considered intentional employee misconduct and will subject the employee to disciplinary action, up to and including discharge from employment. This list of County standards is not meant to be all inclusive nor exhaustive and

does not supersede department specific standards of conduct, but is in addition to those standards and is an indication of what the County expects from its employees.

The following types of employee conduct will not be tolerated by the County for which an employee may be disciplined up to and including termination:

### **7.1 WORK PERFORMANCE**

1. Lying to supervisors in connection with your job.
2. Failure to follow the orders of one's supervisor(s) – (insubordination).
3. Failure or refusal to carry out assignments or instructions necessary for the conduct of daily business activities provided such assignments are not illegal, unlawful or unethical.
4. Failure to provide accurate and complete information when required by an authorized person.
5. Carelessness in performance of assigned duties.
6. Failure to exercise good judgment or being discourteous when dealing with fellow employees, clients, or the general public.
7. Divulging or misusing confidential information or the unauthorized disclosure of confidential information or records, including removal from County premises, without proper authorization, any employee lists, records, designs, drawings, or confidential information of any kind.
8. Dishonesty, including intentionally falsifying records or giving false information or making false statements when applying for employment or when working and providing it to outside agencies or employees responsible for record keeping.
9. Loafing, loitering, sleeping, or engaging in unauthorized personal business such as excessive personal telephone calls and/or email; frequent absences from work areas due to talking, visitors, or breaks.
10. Falsifying time reports, working and reporting overtime when not required or without prior approval.
11. Inability or unwillingness to work amicably and cooperatively with County personnel.
12. Failure to follow the policies and procedures as outlined in this Handbook.

### **7.2 ATTENDANCE**

1. Failure to report promptly at the assigned starting time or leaving before the scheduled quitting time without authorization as may be required.
2. Unexcused or excessive absenteeism or tardiness.
3. Failure to observe the time limits and scheduling of lunch and/or other rest breaks.
4. Abuse of non-worked paid time off policies.

### **7.3 USE OF PROPERTY**

1. Unauthorized or improper use of County property or equipment including supplies, telephone, or mail service.
2. Unauthorized possession or removal of the County's or another person's private property including money, merchandise, or property.
3. Unauthorized use, lending, borrowing, or duplicating of County keys.
4. Unauthorized access to personnel records, file cabinets, or desks.
5. Failure to observe property security procedures.

### **7.4 PERSONAL ACTION AND GENERAL APPEARANCE**

1. Reporting to work under the influence of or otherwise impaired by intoxicants or illegal drugs, or using such substances while on County property.
2. Being wasteful of material, property or working time.
3. Accepting fees, gifts, or other valuable items in the performance of the employee's official duties for the County.
4. Threatening, attempting or doing bodily harm to another person.

5. The use of profanity, threatening or using abusive language towards fellow employees or a member of the general public while performing official duties as a County employee.
6. Unauthorized possession of weapons.
7. Engaging in work stoppages or work slowdowns.
8. Making false or malicious statements concerning other employees.
9. Misuse or abuse of County-provided benefits.
10. Harassing co-workers or clients.
11. Inappropriate dress, grooming and/or appearance inconsistent with health and safety standards and/or department policies.
12. Negligence in observing and violating fire prevention or safety regulations, or failure to report injuries or unsafe conditions.
13. Violation of applicable departmental or County policies, procedures and/or applicable ordinances.

## **7.5 ACCEPTABLE USE OF COUNTY EQUIPMENT**

County technology applications, both internal and external, which include (but are not limited to) Internet access, e-mail, fax machines, copiers and telephones, are provided to employees for carrying out the official business of the County. However, in accordance with the County's policy of allowing limited personal copies, occasional fax machine use for a fee, and limited & incidental personal use, as defined by the department head, of telephones, email and the internet if it does not adversely affect the system, the employee's work duties, or the department's business purpose, and is of reasonable duration and frequency, will be tolerated. The use of any County property for personal gain is strictly prohibited. If any violation of County or Departmental guidelines or of state, federal, local or international laws occurs, violators will be subject to disciplinary actions, which could include termination of employment. The County owns all computer files stored in State and County-owned computers. Employees should not have any expectation of privacy in computer files (including, but not limited to Internet access, histories and e-mail communications) stored on State and County-owned computers. It is the policy of the County that only State-licensed and County-licensed software programs shall be installed on State and County-owned computers. Further, employees are prohibited from installing any software programs on State and County-owned computers without prior consent of the IT Department. All State and County-owned computers and computer files stored in them are subject, without notice, to inspection by the County and possible removal. Exceptions to this policy can be approved by the IT Director. (See IT POLICIES.)

County employees may request and receive reimbursement for continuing education. Those employees with a signed promissory note on file with the County will be allowed to access these education-related sites during personal time.

In recognition that social media websites have become mainstream forms of communication, access to Social media sites will be allowed for incidental use or for those departments with a business need for research or investigation purposes or as a means of providing information to the public and maintaining their department's Facebook page. Non-incidental access will require prior permission from the department head and Information Technology Director.

## **7.6 BULLETIN BOARDS**

The Employer may provide bulletin board space for use to display appropriate materials; however, the County shall retain ownership of the bulletin board and its contents. All information posted must be reviewed for content by the Administrative Coordinator/HR Director or the County Clerk prior to posting. Employees with an authorized bulletin board posting are encouraged to remove the posting once it is no longer needed; County

officials may remove posted information at their discretion.

## **7.7 PERSONAL TELEPHONE CALLS**

Personal telephone calls on County telephones and during normal working hours should be limited to emergencies only and those calls that absolutely cannot wait to be made outside of work hours. Personal long distance calls are prohibited unless charged on a personal credit card or phone card.

## **7.8 OTHER EMPLOYMENT**

Employees may hold outside jobs as approved by their Department Head and as long as they continue to meet performance standards of their County position. All employees shall be held to the same performance standards and work schedules, regardless of existing outside employment demands. Outside employment that creates a conflict of interest is prohibited, and the determination of whether a conflict of interest exists is left to the sole discretion of the employer.

## **7.9 CODE OF ETHICS**

It is the goal of Washburn County to secure and maintain the respect and confidence of Washburn County citizens. State statute 19.41 sets forth various forms of unlawful conduct. The list below is not exhaustive. The items prohibited by this policy do not require a specific intention to do wrong; rather they are mere acts, which in doing, cast substantial doubt upon the integrity of the County and the person involved. (See County Ethics Policy – Ordinance No. 6-92.)

The following conduct on the part of an employee shall be deemed unethical and any violation of this section may result in disciplinary action being taken against the employee(s) involved, up to and including termination of employment.

1. No County official or employee shall use their position to obtain preferential treatment or obtain financial gain for their immediate family or for any business with which they are associated.
2. No County official or employee shall use or disclose inside information concerning Washburn County gained in the course of, or by reason of, their official position or activities in any way that could result in receipt of anything of value for themselves or their immediate family as defined by Section 19.42, Wisconsin Statutes, or for any other person or organization, if the information has not been communicated to the public or is not public information.
3. No County official or employee shall receive, or offer to receive, either directly or indirectly, any gift, gratuity or thing of value without full payment thereof if it could reasonably be expected that such person making the offer:
  - a. Has or is seeking to obtain contractual or other business or financial relationships with the County or subunits of the County; or
  - b. Conducts operations or activities which are regulated by the County or its subunits; or
  - c. Has interest which may be substantially affected by the County.
4. No public official or employee may use or attempt to use their public position to influence or gain unlawful benefits, advantages or privileges for themselves or others.
5. No official or employee shall use or knowingly permit the use of County services or County-owned vehicles, equipment or materials for unauthorized non-governmental purposes or for unauthorized personal convenience or for profit, unless such service or use are available to the public generally.
6. No County official or employee shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen. This section does not affect the duty of County supervisors to diligently represent their constituency.
7. No County official or employee shall engage in or accept any private employment or render any services for a private interest when such employment or service is incompatible with the proper discharge of their official duties or which may impair their independence of judgment or action in the performance of their

official duties unless otherwise permitted by law or unless disclosure is made as hereinafter provided.

## **7.10 POLITICAL AND OUTSIDE BUSINESS ACTIVITY OF EMPLOYEES**

Employees are free to engage in political activity outside of work hours and to the extent that it does not adversely affect the performance of job duties, working relationships or Washburn County operations. When engaging in political activity or engaging in discussion of issues of public importance, employees are expected to ensure that their actions and positions are not attributed to the Employer. Employer resources may not be used for promoting a particular candidate or political party or for advocating a particular position on an issue that has become identified as the viewpoint of particular candidate or party.

No County employee shall use his or her office, position or County-owned property or employer resources for personal financial gain or political activities. No employee shall engage in business activity, accept private employment or render services for private interests when such employment, business activity or service is incompatible with the proper discharge of his or her official duties or would impair his or her independence or judgment or action in the performance of his or her official duties. County employment shall not be offered subject to any agreement or requirement to provide support to any political party or candidate for a public office or to any political cause.

No employee is prohibited from engaging in political activity provided that such activity does not interfere with normal work performance and is not conducted during working hours and does not involve the use of County equipment or property. Employees who run for partisan elective office are encouraged to take a leave of absence during the thirty (30) days prior to the general election.

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 funds cannot become political candidates in partisan elections and are subject to other prohibitions of the Federal Hatch Act.

**Definition of “Employer Resources”:** Employees may not use employer resources for political activities. Employer resources include but are not limited to office supplies, electronic equipment including e-mail, facsimile and photocopying machines, cell phone, social media sites, bulletin boards and other public spaces.

**Definition of “Political” Activities:** Partisan and non-partisan “political” activities include elections and referendums and must be conducted independently of your role as an employee. The following guidelines are not exhaustive, but are intended to help in differentiating between those activities that may be viewed as harmful to workplace functioning and those activities that generally fall outside the “political” activities subject to employer restrictions and intervention. Employees are expected to avoid the following political activities:

- Using working hours or employer resources to solicit money or signatures or to make political contributions;
- Using non-work hours to solicit contributions, signatures or services from other employees who are on work time;
- Posting political materials in areas open to the public (generally, individual work stations that are not available to the public are exempted from this restriction);
- Using the employer’s mailing address as the return address for political solicitations;
- Providing employer mailing lists to any individual or organization for political solicitations if this information is not generally available to the public. (Note: the use and distribution of employer mailing lists to outside parties always requires prior authorization including an assessment of whether fees should be charged to cover production costs);
- Providing a forum for an individual candidate to promote his or her campaign without giving an equal opportunity to other candidates, for the same office, to participate in the forum;
- Political advocacy in the form of clothing items, armbands and buttons that cause a disruption in operations and/or violate the rights of others including the right to be free from discrimination, harassment

and intimidation in the workplace.

## **7.11 CELL PHONE USAGE**

The following outlines the use of personal cell phones, other related personal devices at work, the use of County provided cell phones for personal use and the safe use of cell phones while operating vehicles and/or equipment.

### **1. Personal Cell Phones**

While at work, personal wireless devices must be on vibrate and employees are to exercise the same discretion in using personal cellular phones as they do for County phones. Excessive personal calls during the workday, regardless of the phone used, can interfere with employee productivity and can be distracting to others. Employees are asked to make personal calls on non-work time where possible and to ensure that friends and family members are aware of the County's policy. Employees will not be permitted to use personal cell phones and/or other related personal electronic devices while operating County vehicles, machinery and/or equipment or while on paid work time to conduct non-work related business. Flexibility may be provided in circumstances demanding immediate attention in emergency situations. Washburn County will not be liable for the loss of, or damage to, personal cellular phones brought into the workplace.

### **2. Personal Use of County-Provided Cellular Phones**

Where job or business needs demand immediate access to an employee, or the employee to have access to a phone, the County may issue a County cell phone to an employee for work-related communications. County cellular devices are provided to improve services and enhance business efficiency. These devices are not a personal benefit and should not be used for personal communication other than emergencies. The use of County cellular phones is generally limited to County business. If in the course of work it becomes necessary to make a personal call due to expected events, such calls should be limited to the shortest duration possible. An example of a legitimate need to make such a call would be returning later than expected from a meeting and needing to arrange childcare or a ride. Cell phone personal calls outside the regular plan area are prohibited.

The IRS has closely scrutinized the treatment of personal use of employer-provided equipment and services, such as cell phones. Those detailed reviews have led the IRS to require that in instances when an employee receives an employer-provided cell phone, the County will need to either require that personal calls are reimbursed to the County and "audit" the bills or tax the staff. If the device is used exclusively for business, it is excludable from income. However, if there are excessive personal calls other than emergency, the employee will have a cell phone benefit allocated to wages as required by the Internal Revenue Service.

An employee may not operate a private business from a County-owned wireless phone.

Employees in possession of County equipment such as cellular phones are expected to protect the equipment from loss, damage or theft. Upon resignation or termination of employment or at any time upon request, the employee may be asked to produce the phone for return or inspection. Employees unable to present the phone in good working condition within 24 hours may be expected to bear the cost of replacement.

Cell phone voice mail greetings and messages should meet the same professional standards as other County voice mail. All cellular phones shall be placed in silent or vibrate mode during County meetings.

### **3. Safety Issues for Use**

Employees whose job responsibilities include regular or occasional driving and/or operation of equipment and who are issued a cell phone and/or another personal electronic device for County use are expected to refrain from using their phone while driving or operating equipment. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees are expected to pull off to the side of the road and safely stop before placing or accepting a call. If acceptance of a call is

unavoidable and pulling over is not an option, employees are expected to keep the call short, use hands-free options if available, refrain from discussion of complicated or emotional issues and keep their eyes on the road. Special care should be taken in situations where there is traffic, inclement weather or the employee is driving in unfamiliar areas.

Employees who are charged with traffic violations resulting from the use of a cell phone while driving will be solely responsible for all liabilities that result from such actions.

#### **4. Procedures and Restrictions**

For all County owned and County reimbursed cell phones:

- a. Each department will be responsible for monitoring their employee usage; similar to internet usage.
- b. Cell phone voice mail greetings and messages should meet the same professional standards as other County messages.
- c. All cellular phones shall be placed on silent or vibrate mode during working hours, County meetings, staff meetings, trainings, public speaking events and County Board meetings.
- d. Wireless phones are not as secure as traditional phones. Therefore, employees should use discretion in relaying confidential information via wireless telephones. Furthermore, wireless telephones may not be used to defame, harass, intimidate, or threaten any person.
- e. Employees are prohibited from using their wireless phones in any illegal, illicit or offensive manner.
- f. The use of these devices to conduct County business while operating a motorized vehicle is strongly discouraged. Employees should plan to allow placement of calls prior to driving or while on rest breaks. If an employee must use the device while driving, they should keep conversations brief, avoid unnecessary calls, and no calls should be made if driving is hazardous. If it is necessary for the employee to read or write while taking the call, the employee should be parked.
- g. Internet capable devices shall comply with County Internet Policy.

#### **7.12 CAMERA DEVICES**

Use of camera phones/PDAs in the workplace may violate the privacy rights of co-workers, vendors, customers and may also be used to convey confidential information. Therefore, it is the policy of Washburn County that the use of camera phones or any other camera or device that may capture visual images without the prior permission of the subject is prohibited. Any employee found in violation of the policy will be subject to disciplinary action up to and including termination of employment and may otherwise be subject to prosecution to the fullest extent permitted under the law.

#### **Requesting Portable Electronic Devices**

A Department Head must submit a written request to Administration to receive a portable electronic device for an employee of their department. An employee whose position warrants the assignment of a cellular telephone by the County may request, subject to departmental and administrative approval, an additional amount per pay period compensation set by the Finance and/or Personnel Committee for using their personal cell phone for County business in lieu of the County assigning a phone and service.

1. Approval may be withdrawn at the discretion of the County. This could occur if circumstances change; i.e., the employee discontinues personal cell phone service or the employee moves to a new position which would not warrant assignment of a personal cell phone or the employee
  - a. Changes carriers to one which does not have sufficient coverage or the County chooses not to fund the program.
2. Some of the issues to be taken into consideration when determining if a request for compensation should be approved or denied include but are not limited to the following:
  - a. The coverage area of the personal cell phone should equal or exceed that of the County's service area and features.

- b. The employee seeking approval of the option would have been eligible for having a cell phone assigned to them using the test that the assignment would have been an appropriate business practice for the County to approve. (Just because an employee has a personal cell phone doesn't mean they should automatically be approved.)
  - c. Proof of service may be required. Employees have an affirmative duty to inform the Administrative Coordinator/Human Resource Director if they terminate plans or if their coverage area changes.
  - d. Employees receiving the stipend will not be eligible for reimbursement of itemized cell phone expenses incurred as a result of County business.
  - e. The amount of the stipend may change based on the county's current contract. If the County's cost goes down, the stipend goes down.
3. Other issues:
- a. This will be taxable compensation.
  - b. The stipend is subject to change due to plan costs or design.
  - c. Personal greetings for voicemail, etc., will need to reflect a professional image.
  - d. Any information stored, received, or sent from a portable electronic device may be subject to a public records request.

## **8 DISCIPLINE AND GRIEVANCE PROCEDURE**

### **8.1 CORRECTIVE ACTION**

It shall be the policy of the County to administer discipline fairly, reasonably, impartially, and in a clear, uniform, and consistent manner. When appropriate, discipline will be corrective in nature. The best disciplinary measure is the one that does not have to be implemented and comes from good leadership and supervision, and good work performance and self-discipline.

The goal of any corrective action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

Action against employees may be taken by Washburn County for violations of any personnel or departmental policies, procedures set forth herein, for unsatisfactory work performance or violation of County ordinance.

The following is a list of examples of behavior which would normally justify disciplinary action and/or termination or employment:

1. Fraud in securing employment
2. Unauthorized absences, repeated absences, tardiness or improper use or abuse of leave;
3. Willful falsification of a time card;
4. Leaving job without permission;
5. Sleeping while on duty;
6. Negligence, incompetence or inefficiency in the performance of duties;
7. Dishonesty in performance of duties or failure to provide complete, accurate and truthful information when requested or required;
8. Insubordination or failure to perform duties as instructed or willful misconduct;
9. Failure to maintain effective working relationships with other employees or the public, or discourteous treatment of the public or fellow employees — insulting, abusive or inflammatory conduct toward the public, employer or fellow employees;
10. Engaging in illegal discrimination of the public, employer or fellow employee;
11. Failure to obtain and maintain a current license or certification as required by law/employer;
12. Conviction of a felony or misdemeanor, the circumstances of which are substantially related to the duties performed;

13. Assuming duties while under the influence of controlled substances or intoxicants; or possession of, distribution/dispensing of use of intoxicants or controlled substances during working hours;
14. Sexual or other unlawful harassment;
15. Workplace violence;
16. Violation of any lawful order, directive, policy, or work rule;
17. Violations of County or Departmental policies or work rules;
18. Misuse, carelessness, negligence or theft in the handling or control of, the willful damage to County property or the unauthorized appropriation of property for their own use;
19. Misuse or abuse of the authority of their position within Washburn County;
20. Soliciting, accepting or offering bribes;
21. Unauthorized release of information required to be kept confidential by Federal Law, State Law, administrative rules or regulations or by County policy.

This list is not intended to be all inclusive, as it is impractical to list all the forms of behavior that are unacceptable in the workplace.

### **Procedure for Corrective Action**

Outlined below are the steps of Washburn County's progressive discipline policy and procedure. The County reserves the right to combine or skip steps depending on the facts of each situation and the nature of the offense. The level of disciplinary intervention may also vary. Some of the factors that will be considered are whether the offense is repeated despite coaching, counseling, or training, the employee's work record, and the impact the conduct and performance issues have on the organizations. Disciplinary action of all employees, with the exception of Department Heads, must be pre-approved by the Administrative Coordinator/HR Director.

#### **Level I:**

Level I is an informal meeting between the employee and his/her supervisor. The supervisor clearly specifies the nature of the concern for the employee's performance/conduct and why the supervisor feels expectations have not been met and/or why corrective action by the employee is necessary. The supervisor also clearly states the specific expectation(s)/corrective action(s) must occur. The supervisor documents the meeting in writing, identifying the specific employee conduct/performance issues and the specific required expectation and/or corrective action plan.

#### **Level II:**

Level II is an oral warning. In consult with the Administrative Coordinator/Human Resources Director, the supervisor clearly informs the employee that he/she is being orally warned. Verbally the supervisor informs the employee of specifically what has been done wrong and the corrective action or expectation(s) required. The employee is also verbally informed that if corrective action is suspension and/or termination may occur. The oral warning is documented by the supervisor in writing which the employee must sign, acknowledging receipt of the written oral warning. A copy of the written oral warning must be provided to the employee with a copy placed in the employee's personnel file.

#### **Level III:**

Level III is a written warning. In conjunction with the Administrative Coordinator/HR Director, a written warning can be provided to an employee for whom there is a performance deficiency or conduct issue that needs to be corrected. The written warning must state specifically the conduct or performance deficiency that must be corrected. If applicable, a specific corrective action plan shall be outlined and a time frame at the end of which the corrective action plan must be completed. The employee is informed that if the corrective action plan is not completed or adhered to, expectations are not met, or additional violations occur, further corrective and/or disciplinary steps may be taken up to and including suspension and/or termination. The employee must sign the written warning, acknowledging receipt.

#### **Level IV:**

Level IV is a suspension with or without pay. A suspension is a serious step, since the next step may be dismissal

if corrective action does not occur, expectations are not met, or additional violations occur. The supervisor, in conjunction with the Administrative Coordinator/Human Resources Director will issue the notice of suspension. The suspension notice will specifically identify the date the suspension begins and ends and the conduct or performance deficiency for which the suspension is being given. If applicable, the notice will also specifically describe the corrective action that is required of the employee to perform and the time frames for doing so. The employee must also be informed that if corrective action does not occur, or expectations are not met, further corrective and/or disciplinary action may be taken up to and including suspension and/or termination. The employee will sign the notice of suspension acknowledging receipt of the notice. The Administrative Coordinator/HR Director will notify the Personnel Committee of the suspension.

#### Level V:

Recommendations for discipline or termination for non-elected department heads will be referred to the Personnel Committee through the Administrative Coordinator/Human Resources Director to determine the appropriate avenue for disposition. Disciplinary or termination decisions for staff below the Department Head level will be made by the Department Head in conjunction with the Human Resources Director. The Administrative Coordinator/HR Director will notify the Personnel Committee of all terminations that result due to conduct.

Whether disciplinary actions against employees are taken or not taken by County management, it shall in no way abrogate the right of Washburn County to discharge an employee from employment at any time, for any reason or no reason, with or without prior notice. It is impossible to categorically state when or if disciplinary measures or termination of the employment relationship will be appropriate action. The degree of discipline administered will depend on the nature and severity of the infraction, employee's prior record and shall be in accordance with County policies and procedures as well as local, state or federal laws and regulations.

At the sole discretion of the County, various types of employee discipline may be imposed which include but are not limited to the following: verbal warning, written warning and/or suspension. None of these disciplinary measures are required to be used before discharge from employment occurs nor are the listed disciplinary actions required to be used in any specific order. Employees who violate policies and procedures, whether expressed or implied, or who have unsatisfactory work performance are subject to disciplinary action, up to and including discharge from employment. It is the responsibility of each Supervisor and/or Department Head with the assistance of the Human Resources Director to evaluate thoroughly the circumstances and facts as objectively as possible and then apply the most suitable form of discipline. The employer may repeat disciplinary action.

Non-disciplinary action, including letters of expectations and job deficiencies as well as performance improvement plans may also be utilized at the discretion of the County based on the potential infraction. Any performance improvement plans, for staff, other than department heads, must be pre-approved by the Administrative Coordinator/HR Director.

**Documentation:** All steps taken under this procedure, including informal meetings, shall be documented with a copy provided to the employee and a copy placed in the employee's personnel file. The employee must sign written warnings and notices of suspension acknowledging receipt of the notice.

## **8.2 GRIEVANCE PROCEDURE**

**Purpose and Applicability:** This procedure provides an employee with the individual opportunity to address concerns regarding discipline, termination, or workplace safety matters, to have those matters reviewed by an Impartial Hearing Officer, and to appeal to the Washburn County Board, where appropriate. The Washburn County Board expects employees and management to exercise reasonable efforts to resolve any questions, problems, or misunderstandings prior to utilizing the grievance procedure.

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. Any grievance, or part of a grievance, that is subject to the jurisdiction of a different governmental body or Wisconsin statute, or subject to a different dispute resolution process, is excluded from this grievance procedure. This grievance procedure does not create a legally binding contract or a contract of employment and does not alter an employee's at-will status.

#### Definitions:

**“Employee”:** For purposes of discipline and termination under this grievance procedure, an employee shall be defined to include regular full-time and part-time employees. All other individuals employed by the County, such as casual employees, temporary employees, and limited term employees, as well as independent contractors and those within their first six months of employment, are specifically excluded from the definition of employee and, therefore, this grievance procedure is not available to them. For purposes of workplace safety under this grievance procedure, an employee shall be defined to include regular full-time, part-time, limited term, casual, and temporary employees. All other individuals employed by the County are specifically excluded from the definition of employee and, therefore, this grievance procedure is not available to them.

**“Discipline”:** For purposes of this procedure, “discipline” means an employment action which results in a disciplinary suspension or disciplinary demotion. “Discipline” for purposes of access to this grievance procedure does not include any written or verbal notices, warnings, reprimands, or reminders; verbal disciplines will be documented, but not subject to the grievance procedure. The purpose of written and verbal notices, warnings, reprimands, or reminders is to alert the employee that failure to correct the behavior may result in disciplinary suspension, without pay, disciplinary termination, or disciplinary demotion.

**“Termination”:** For purposes of this procedure, “termination” means a separation from employment by the employer for disciplinary or quality of performance reasons. “Termination” does not include layoff, reduction in workday, furlough, reduction in workforce, job transfer or reassignment, or the end or completion of temporary employment, which are not subject to the grievance procedure.

**“Workplace Safety”:** For purposes of this procedure, “workplace safety” 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, assignments and work schedules.

#### General Provisions:

**Role and Appointment of “Impartial Hearing Officer”:** For purposes of this procedure, the role of the “Impartial Hearing Officer” will be to define the issues, identifying areas of agreement between the parties and identifying the issues in dispute, and to hear the parties’ respective arguments. The Impartial Hearing Officer shall be appointed by Corporation Counsel based upon the nature of the matter in dispute.

**Time Limits:** Failure to submit or process a grievance by the employee within the time limits specified below, or agreed upon extensions, shall constitute waiver of the grievance and it will be considered resolved on the basis of the employer's last answer. Failure of an employer representative to meet the time limits specified below shall cause the grievance to move automatically to the next step in the procedure within seven (7) days of such failure. A grievance or decision or appeal is considered timely if received by the employer during normal business hours or if postmarked by 12:00 midnight on the due date. The time limits contained in this procedure are to be strictly observed and can only be extended upon the express written consent of the parties.

**Days:** The term “days” as used in this provision means calendar days, excluding holidays as defined in the Handbook. If the last day on which a grievance is to be filed or a decision is to be appealed is a Saturday, Sunday, or holiday as defined in the Handbook, the time limit is the next day which is not a Saturday, Sunday, or holiday.

**Scheduling:** Grievance meetings and hearings will typically be held during the employee’s off-duty hours. Time spent in grievance meetings and hearings shall not be considered as compensable work time.

**Representation:** The employee and County may be represented by an attorney of their choice during the grievance procedure. Neither party shall be responsible for the attorneys’ fees, witness fees or costs of the other.

**Cost of Impartial Hearing Officer:** The County shall pay for the cost of the Impartial Hearing Officer.

**Recording; Closed Hearing:** The hearing before the Impartial Hearing Officer will be digitally recorded and a copy of the recording shall be provided at no cost to the employee, the County and the Impartial Hearing Officer. The hearing shall be closed to the public unless both parties mutually agree that it will be open.

### **Procedure for Grievances Concerning Employee Terminations and Employee Discipline:**

The employer and employee may mutually agree, in writing, to waive any step to facilitate or expedite resolution of the grievance.

**Step 1:** An earnest effort shall be made to settle the matter informally between the aggrieved employee and the employee’s immediate supervisor. If the grievance is not resolved informally, then it shall be reduced to writing by the employee who shall submit it to the employee’s immediate supervisor within fourteen (14) days after the facts upon which the grievance is based first became known, or should have become known, to the employee.

The written grievance shall give a detailed statement concerning the subject of the grievance, the facts upon which the grievance is based, and indicate the specific relief being sought.

The supervisor will reply in writing to the employee within fourteen (14) days after receipt of the written grievance.

**Step 2:** If the grievance is not settled in Step 1, and the employee wishes to appeal the decision of the supervisor, the employee shall submit the written grievance to the Administrative Coordinator/HR Director or designee within seven (7) days after receipt of the supervisor’s written answer to request a hearing before an Impartial Hearing Officer. The Impartial Hearing Officer will be appointed by the Corporation Counsel or designee.

If timely requested, the hearing will normally be scheduled within thirty (30) days of receipt of the request for hearing. The Impartial Hearing Officer may require the parties to submit documents and witness lists in advance of the hearing in order to expedite the hearing. The Impartial Hearing Officer will have the authority to administer oaths, issue subpoenas at the request of either party, and decide if a transcript is necessary. The Impartial Hearing Officer may apply relaxed standards for the admission of evidence and may request oral or written arguments and replies.

**Burden of Proof; Standard of Review.** Unless specifically required by another statute or code, the employee bears the burden of proof to persuade the Impartial Hearing Officer by clear and convincing and

satisfactory evidence that the County's decision to Discipline/Terminate the employee did not have a rational basis. If the employee does not meet their burden of proof, the Impartial Hearing Officer shall deny the grievance. In determining whether an employee has proved by clear, convincing and satisfactory evidence that the County's decision to Discipline/Terminate did not have a rational basis, the Impartial Hearing Officer may only consider the evidence introduced at the hearing and the weight of that evidence. The Impartial Hearing Officer may not overturn the County's decision to Discipline/Terminate based upon their own personal judgment or opinion regarding the matter. Moreover, the Impartial Hearing Officer may not determine a decision to Discipline/Terminate did not have a rational basis based on the County's failure to implement or follow concepts of progressive discipline or just cause, in whole or in part, in making the decision to Discipline/Terminate the employee. Finally, the Impartial Hearing Officer must recognize all County policies, rules, procedures and regulations and may not modify or disregard the same in determining whether the County's decision to Discipline/Terminate has a rational basis.

**Decision.** The Impartial Hearing Officer shall issue a written decision within thirty (30) calendar days of the close of evidence. The decision of the Impartial Hearing Officer shall, at a minimum, contain a statement of issues, standard of review, findings and a remedy for the employee if appropriate. If the Impartial Hearing Officer sustains the grievance, in whole or in part, the Impartial Hearing Officer's decision must include a detailed explanation as to why the Impartial Hearing Officer found the County's decision to Discipline/Terminate has no rational basis as well as a detailed description of the Impartial Hearing Officer's reasons for reducing or modifying the Discipline/Termination imposed by the County.

**Remedies.** If the grievance is sustained, the Impartial Hearing Officer may only award the employee one or more of the following remedies: (a) reinstatement; (b) a lesser adverse employment action consisting of a suspension or reduction in the length of a suspension, or documentation of employee acts and/or omissions in an employment file; (c) back pay; and (d) in the event of reinstatement following termination, reimbursement of payments made by the employee for continuation of health insurance.

**Step 3:** The employer or employee may appeal the decision of the Impartial Hearing Officer to the Washburn County Board in writing within seven (7) days of receipt of the written decision of the Impartial Hearing Officer. The decision of the governing body shall be final and binding upon the parties.

**Level of Review:** The role of the Washburn County Board, in reviewing the decision of the Impartial Hearing Officer, is to solely address the following questions:

- Did the Impartial Hearing Officer follow a fair and impartial process?
- Did the Impartial Hearing Officer make an error of fact or law which makes his/her award invalid?
- Did, in the opinion of the Board, the Impartial Hearing Officer err in making his/her award?

After answering the above questions, the Washburn County Board will decide to uphold, modify, or reverse the decision of the Impartial Hearing Officer. The Washburn County Board shall make its decision based on a review of the Impartial Hearing Officer's written decision, the written appeal filed, and any written response filed by the non-appealing party. The Washburn County Board will issue its written decision within sixty (60) days from receipt of the appeal.

**Procedure for Grievances Concerning Employee Workplace Safety:**

The employer and employee may mutually agree, in writing, to waive any step to facilitate or expedite resolution of the grievance.

**Step 1:** Any employee who personally identifies, or is given information about, a workplace safety issue or incident must notify his/her immediate supervisor of the issue or incident as soon as reasonably practicable. All workplace safety issues and incidents, no matter how insignificant the situation may appear to be, must be

reported by an employee to their immediate supervisor within 24 hours after the incident or issue was raised 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 submitted to the Administrative Coordinator/HR Director for review and consideration within seven (7) days of the incident or issue.

**Step 2:** After receipt of the written report, the Administrative Coordinator/HR Director or designee will conduct additional investigation, as required, and normally issue a final report on findings and conclusions within thirty (30) days of receipt of the written report. Copies of the report will be given to the persons who signed the written report as well as to the immediate Supervisor or designee.

**Step 3:** The employee may appeal the findings and conclusions of the Administrative Coordinator/HR Director and request the appointment of an Impartial Hearing Officer within seven (7) days after receipt of the Administrative Coordinator/HR Director report. The Impartial Hearing Officer will be appointed by the Corporation Counsel or designee.

If timely requested, the hearing will normally be scheduled within thirty (30) days of receipt of the request for hearing. The Impartial Hearing Officer may require the parties to submit documents and witness lists in advance of the hearing in order to expedite the hearing. The Impartial Hearing Officer will have the authority to administer oaths, issue subpoenas at the request of either party, and decide if a transcript is necessary. The Impartial Hearing Officer may apply relaxed standards for the admission of evidence and may request oral or written arguments and replies.

**Burden of Proof; Standard of Review.** The employee bears the burden of proving by a preponderance of the evidence that the condition identified by the employee constitutes a Workplace Safety violation and that corrective action is required. If the employee does not meet their burden of proof, the Impartial Hearing Officer shall deny the grievance.

**Decision.** The Impartial Hearing Officer shall issue a written decision within seven (7) calendar days of the close of evidence. The decision of the Impartial Hearing Officer shall, at a minimum, contain a statement of: (a) the standard of review; (b) findings; and, (c) if the grievance is sustained, an order of corrective action.

**Remedies.** If the grievance is sustained, the Impartial Hearing Officer may order the County take corrective action in accordance with 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.

**Step 4:** The employer or employee may appeal the decision of the Impartial Hearing Officer to the Board in writing within seven (7) days of receipt of the written decision of the Impartial Hearing Officer. The decision of the governing body shall be final and binding upon the parties.

**Level of Review:** The role of the Washburn County Board, in reviewing the decision of the Impartial Hearing Officer, is to address the following questions:

- Did the Impartial Hearing Officer follow a fair and impartial process?
- Did the Impartial Hearing Officer make an error of fact or law which makes his/her award invalid?
- Did, in the opinion of the Board, the Impartial Hearing Officer err in making his/her award?

After answering the above questions, the Washburn County Board will decide to uphold, modify, or reverse the decision of the Impartial Hearing Officer. The Washburn County Board shall make its decision based on a review of the Impartial Hearing Officer's written decision, the written appeal filed, and any written response filed by the

non-appealing party. The Washburn County Board will issue its written decision within sixty (60) days from receipt of the appeal.

## **9 EMPLOYEE HEALTH AND SAFETY**

Washburn County promotes a safe and healthy work environment for employees. It is expected that each employee comply with all safety and health requirements whether established by County, State and/or Federal laws and regulations. Any failure to do so may result in disciplinary action, up to and including termination. Washburn County encourages participation in programs that promote optimal health and protect employees from communicable disease, chronic disease and potential health hazards in the environment. If injury or illness occurs while at work, treatment of the person is the first concern.

In order to promote a healthy work environment all Washburn County facilities are smoke and drug free. All accidents, no matter how small, must be reported to your Supervisor immediately. This includes accidents in which you are a *witness* to a safety incident.

Washburn County supports an Early Return to Work Program (ERTW). This program allows employees to return to work with temporary restrictions during the healing process for work related injuries or illnesses. Employees may be utilized in other departments and may complete work outside of their normal duties while involved in the ERTW program. Decisions regarding the ability of the employer to meet an employee's restriction will be made by the Human Resources Director in conjunction with the applicable Department Head/Supervisor.

**Definition of Workplace Safety:** *Any* unsafe practice or condition, affecting persons, property or equipment, must be reported immediately to your Department Head, Supervisor and/or Human Resources Director. Should a hazardous situation exist, safety concerns always take precedence over continuing operations. Any employee, who identifies new ways to increase workplace safety, should make these recommendations known to their supervisor or HR Director. Retaliatory acts taken against employees for reporting workplace safety issues will not be tolerated and will subject the offender to disciplinary action or discharge from employment.

*Please see Washburn County Safety Policy*

### **9.1 WORKPLACE VIOLENCE**

The safety and security of all employees is of primary importance at Washburn County. Threats, threatening or abusive behavior, or acts of violence against employees, visitors, customers or other individuals by anyone which may relate to the work environment, whether it occurs on or off the job, will not be tolerated. Violations of this policy will lead to corrective action up to, and including, termination and/or referral to appropriate law enforcement agencies. Washburn County reserves the right to take any necessary legal action to protect its employees. Any person who makes threats, exhibits threatening behavior, or engages in violent acts on County premises shall be removed from the premises as quickly as safety permits and shall remain off County premises pending the outcome of an investigation. Following investigation, the County will initiate an immediate and appropriate response. This response may include, but is not limited to, suspension and/or termination of any business relationship, reassignment of job duties, suspension or termination of employment, and/or criminal prosecution of the person(s) involved.

All employees are responsible for notifying management of any threats they witness or receive or that they are told another person witnessed or received. Even without a specific threat, all employees should report any behavior they witness and regard potentially threatening or violent or which could endanger the health or safety of an employee in the workplace. Employees are responsible for making this report regardless of the relationship between the individual who initiated the threatening behavior and the person or persons being threatened. [Note: This includes one spouse or family member threatening and/or harming another when both are employed by the County.]

Workplace violence is any act or threat (either verbal or implied) of physical violence, including intimidation, harassment, and/or coercion which involve or affect Washburn County employees or which occur on Washburn County property. Acts or threats of violence include, but are not limited to, the following:

- All threats or acts of violence occurring on County property regardless of the relationship between the County and the parties involved in the incident.
- All threats or acts of violence occurring off County premises involving someone who is acting in the capacity of a representative of the County.
- All threats or acts of violence occurring off County premises involving an employee of the County if the threats or acts affect the legitimate interests of the County.
- Any acts or threats resulting in the conviction of an employee or agent of the County, or an individual performing services on a contract or temporary basis, under any criminal code provision relating to violence or threats of violence which adversely affect the interest and goals of the County.

Specific examples of conduct which may be considered threats or acts of violence include, but are not limited to, the following:

- Hitting or shoving an individual.
- Threatening an individual or his/her family, friends, associates, or property with harm.
- The intentional destruction or threat of destruction of County property.
- Harassing or threatening phone calls.
- Harassing surveillance or stalking.
- The suggestions or intimation that violence is appropriate.

It is the responsibility of all Managers and Supervisors to make safety their highest concern. When made aware of a real or perceived threat of violence, Management shall immediately inform the Human Resource Director. It is the policy of Washburn County to investigate thoroughly all reports of workplace violence for all acts occurring on County property or against an employee acting in their capacity as an employee. Washburn County understands the sensitivity of the information requested and has developed confidentiality procedures that recognize and respect the privacy of the reporting employee to the degree permitted under the circumstances of the complaint.

Nothing in this policy alters any other reporting obligation established by County policies, or in state, federal, or other applicable law.

## **9.2 PROHIBITION OF DISCRIMINATION AND SEXUAL HARASSMENT**

Washburn County believes that all employees should be able to work in an environment free from all forms of illegal discrimination and harassment, including but not limited to sexual harassment. Harassment in any form is unacceptable conduct and will not be condoned or tolerated by Washburn County. Acts of harassment, discrimination, and retaliation at the workplace by employees towards other employees, clients, or other members of the public will not be tolerated and are strictly prohibited.

Washburn County prohibits discrimination and harassment. Under State and Federal Laws, members of legally protected classes are shielded from unlawful discrimination and harassment in employment. The definition of legally protected class includes, but is not limited to, the following: sex, race, age, color, creed, national origin, sexual orientation, ancestry, genetic testing, religion, disability, marital status, arrest record, conviction record, political affiliation, veteran status, and military participation.

Every employee has a personal responsibility to help maintain a workplace environment free from harassment, discrimination, and retaliation.

Workplace harassment and discrimination, whether engaged in by employees, Supervisors or members of the public, will not be tolerated and will subject offenders to disciplinary action or discharge from employment. Retaliatory acts taken against employees for reporting workplace safety issues, harassment or discrimination will also not be tolerated and will subject the offender to disciplinary action or discharge from employment.

Accordingly, in compliance with federal and state laws and/or regulations, the County adopts and establishes the following standard:

## **DEFINITIONS**

Discrimination may be in the form of harassment, such as:

- Unsolicited and repeated derogatory epithets, derogatory statements or gestures made to a person because of their protected status.
- Any attempt to penalize or punish a person because of their protected class status.
- Creating an offensive and hostile working environment for a person because of their protected status, including sexual harassment.

Discrimination in employment generally involves the treatment of certain people less favorably because of their protected class status in matters including, but not limited to:

- recruitment and hiring
- promotion
- discipline or discharge
- demotion or layoff
- other employment related actions
- pay
- job assignments
- leave or benefits
- licensing or union membership

Sexual harassment is defined by the federal Equal Employment Opportunity Commission (EEOC) as unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

## **Examples of Behavior Which May Be Considered Harassment**

- Verbal abuse, intimidation, bullying, epithets, slurs or negative stereotyping.
- Making comments or innuendoes or telling jokes that degrade or show hostility or aversion toward an individual or group.
- Degrading and inappropriate gestures with hands or body movement.
- Unnecessary and unwanted touching, grabbing, caressing, pinching or brushing up against a person.
- Staring at a person or looking a person up and down in a degrading manner.
- Whistles, cat calls, and sexual references such as babe, honey, sweetheart, fox, hunk or stud, etc.
- Repeated pressure on an employee to socialize with or date another individual.
- Asking personal questions about a person's social or sexual life.
- Making comments, innuendoes, telling jokes or stories of a demeaning, offensive, sexual or insulting nature.
- Deliberate, repeated display of offensive, sexually graphic materials that is not necessary for business purposes.
- Posters, calendars, cartoons, photographs or artwork of a hostile, sexual or degrading nature.

## **Responsibilities**

It is the responsibility of each and every employee to immediately report to management any and all discriminatory, harassing or retaliatory conduct which may relate to the work environment whether it occurs on or off the job. Employees of Washburn County have the responsibility of assisting in maintaining a workplace free of harassment. This can be facilitated in the following manner:

- Employees at all times should treat other employees, customers, and members of the public with respect and dignity;
- Clearly advising the offending individual that the conduct in question is unwelcome and offensive and requesting that it be discontinued immediately;
- If the offensive conduct continues or reoccurs, advising any of the following so that the matter can be investigated and handled in an appropriate manner: the supervisor, manager, department head or a member of the Administration/Personnel Department;
- When providing information regarding an act of alleged harassment, providing sufficient detail to allow appropriate follow-up. Information should include when, where, the identity of any witnesses and any other substantiating information.

Supervisors and Managerial Employees of Washburn County have a responsibility to maintain a workplace free of harassment. These responsibilities include:

- When approached by an employee, be supportive and be sure the employee knows you are taking the matter seriously;
- Obtain all pertinent information and facts; cooperate fully and do not interfere in investigations;
- Advise employees you will be informing the appropriate County officials so the matter can be investigated fully and completely;
- Immediately contact someone listed in the complaint and investigation process section of this policy so the issues may be reviewed.

## **Complaint and Investigation Process**

It is the policy of Washburn County to conduct a prompt and thorough investigation of all reports of discrimination in employment or harassment. All reports of harassment or discrimination will be promptly and immediately investigated by the Human Resources Director or his/her designee. Washburn County will make every effort to keep the complaint and its investigation confidential, except as may be reasonably necessary to successfully complete the investigation. Following a thorough and complete investigation, a report will be generated and an appropriate course of action will be recommended. Activities that constitute violations of criminal laws or ordinances will also be referred to the appropriate law enforcement agency.

An employee who has a harassment, discrimination or retaliation complaint should immediately report it to their Department Head, Supervisor and/or Human Resources Director. The report may be made verbally or in writing. The allegations should provide sufficient information and detail so that Washburn County can thoroughly investigate the complaint.

Upon receiving an employee report of harassment, discrimination or retaliation, the County will take appropriate steps to investigate. Such reports shall be kept confidential to the maximum extent possible. An investigation may include interviewing other employees, speaking with the complainant, interviewing members of the public and reviewing documents such as e-mails, letters or memos. Based upon the investigation's outcome, management will take appropriate action to resolve the complaint. A resolution may or may not result in disciplinary action being taken.

## **Retaliation**

It is a violation of state and federal law to retaliate against an employee who files a complaint or to retaliate against anyone assisting in an investigation of a complaint. Anyone who engages in or assists in such retaliatory actions will be subject to disciplinary action up to and including the termination of employment.

### **9.3 DRUG FREE WORK PLACE**

#### **Drug/Alcohol Policy**

Washburn County is dedicated to providing safe and efficient public service. Our employees are our most valuable resource in ensuring the quality of this service. It is the goal of the County to provide our employees with a workplace environment that promotes health and safety. Washburn County employees have a right to work in an environment free of non-medicinal drugs and controlled substances as defined in Chapter 961, Wisconsin Statutes. In compliance with the Federal Drug Free Work Place Act of 1988, any location at which the County conducts its business is declared to be free of non-medicinal drugs and controlled substances.

It is a violation of this policy for: (a) Any employee to manufacture, distribute, dispense, possess, ingest, or use any illegal substance in the course and scope of employment; (b) Any employee to report to work or be under the influence of illegal drugs or alcohol during working hours. "Working hours" include any paid or unpaid lunch periods and break periods, and also include the working hours of any training session, meeting or conference.

Employees must notify their Department Head, Supervisor or the Human Resources Director of any criminal drug or alcohol related convictions, for violations occurring on County premises or off County premises while conducting County business, within five (5) days of the conviction. Employees should also notify their Department Head, Supervisor or the Human Resources Director of any drug or alcohol-related legal violations that have occurred if it affects their job and/or ability to perform their job; notification should be made as soon as practicable. The County will investigate the matter that was reported and decide whether or not to take personnel action which may include, but is not limited to, referral of the employee to a treatment center or program for drug and/or alcohol abuse, disciplinary action, or termination of employment.

Procedures:

1. Pre-employment. All offers by the County to hire an applicant for any position are conditioned upon: (i) taking and passing a drug and/or alcohol test as directed by the County; (ii) for some positions, passing a DOT-required or non-DOT physical exam; (iii) complying with any other County conditions or requirements at time of offer.

Any applicant who refuses or fails to complete the testing will not be considered eligible to work for the County.

2. Reasonable Suspicion Drug and Alcohol Testing. Any employee will be required to submit to a drug and/or alcohol test whenever the County has reasonable suspicion to believe that the employee has used drugs and/or alcohol in violation of any state, federal or DOT regulations and/or this policy. Reasonable suspicion will be based upon behaviors observed by supervisory staff or designee where it is suspected that the employee is under the influence of alcohol or a controlled substance while at work or while conducting County business. "Reasonable suspicion" includes: (a) Identifiable behaviors which may cause a person to question whether the employee is physically or mentally able to perform his/her job; (b) Involvement in an on-the-job accident or other work-related incident where a controlled substance and/or alcohol use is suspected to be a contributing factor; (c) Arrest or conviction for drug or alcohol-related offenses; (d) Pattern of abnormal conduct or erratic behavior.

Employees who are required to submit to a reasonable suspicion test will be escorted by a County official to the collection site for a drug and alcohol test. If the employee refuses the County's efforts and insists on driving his or her own vehicle, or a County vehicle, the County reserves the right to take appropriate

action to prevent this, including contacting law enforcement officials. Failure to abide by County policy may result in disciplinary action including suspension or discharge from employment.

The Department Head/Supervisor will take the following steps when they suspect an employee under their supervision is under the influence of alcohol or drugs at work, performing County business, or using County property:

- a) Contact the Administrative Coordinator/HR Director immediately.
- b) The Human Resources Director and/or Department Head will meet with the employee in a private location, advise them of the observed behaviors and ask for an explanation. Advise the employee that they may be required to take a drug and/or alcohol test.
- c) If the employee refuses to consent to the test(s), the employee will be suspended with pay pending an investigation and offered a ride home. Refusing the alcohol and/or drug test may be considered misconduct which could lead to termination of employment.
- d) Make arrangements for a drug and/or alcohol test. Transportation will be provided for the employee to the test location.
- e) Document observations and actions.
- f) Once test(s) are conducted, suspend the employee with pay for the remainder of the work shift pending an investigation and ensure the employee is provided safe transportation home.

3. Random Testing. The County is required to perform unannounced, random drug and alcohol testing of all CDL covered employees as prescribed by law.

Whenever a driver is randomly selected to be tested, he/she will be notified of this in writing and instructed to report to the collection site immediately.

Any driver who tests positive for controlled substances or alcohol will be considered to be medically unqualified to drive and/or perform any other safety-sensitive function and will be subject to disciplinary action, up to and including discharge.

4. Post-Accident Testing. An employee who has an accident during working hours, or while conducting County business, may be required to submit to a post-accident drug and alcohol test. Any employee involved in an accident must notify their Department Head, Supervisor or the Human Resources Director at the first available opportunity after the accident, at which time the employee may be required to report to an appropriate collection site for testing.

Following an accident, the County may require an employee to be tested as soon as possible, but no later than eight (8) hours after the accident for alcohol testing and thirty-two (32) hours for drug testing. Employees involved in accidents must refrain from alcohol use for eight hours following the accident or until a drug/alcohol test has been administered. Any other employee whose performance may have contributed to the reported accident under this section may also be tested.

In the event the employee is seriously injured in an accident and unable to report to a collection site, the employee shall authorize the health care provider to release to the County any information related to the presence/non-presence of alcohol or drugs in the employee's system.

5. Compliance With Testing. Any employee who refuses to comply with a request for testing, who provides false information in connection with a test, or who attempts to falsify test results through tampering, contamination, adulteration, or substitution shall be removed from duty immediately. Refusal can include an inability to provide an adequate urine specimen or breath/saliva sample without valid medical reason, delaying arrival at the collection site, or engaging in any conduct which clearly obstructs the testing process. Such refusals may be treated as insubordination, with the employee subject to disciplinary action, up to and including discharge.

## **Test and Collection Procedures and Confidentiality**

To ensure the integrity and accuracy of each test, all specimen collection, analysis, and laboratory procedures will be performed in accordance with DOT protocols and safeguards as set forth in Part 40 of Title 49 of the Federal Code of Regulations and will be done at a certified lab within a clinic.

This policy is not intended to prohibit the use of medication legally prescribed by a licensed physician who has advised the employee that the prescribed medication will not adversely affect the employee's ability to operate a motor vehicle or to perform the essential functions of their job.

## **Referral, Evaluation and Treatment**

An employee who tests positive for the alcohol and/or drug test will typically be suspended without pay for no less than 24 hours, and will typically be required to undergo a return to duty alcohol/drug test, and obtain a negative test result. The County may refer the employee to substance abuse professional treatment and/or take disciplinary action against the employee, up to and including discharge.

## **Drug and Alcohol Information**

The Human Resources Department will provide any employee with the names, address and telephone numbers of substance abuse professionals, counseling and treatment programs available in the area upon request. The Department may also provide this information to an employee during the course of any investigation or at other times as deemed appropriate.

## **9.4 TOBACCO USE & VAPING RESTRICTIONS**

Washburn County maintains a tobacco and vaping-free environment. The use of tobacco products, including but not limited to cigarettes, cigars, pipes and smokeless tobacco, including vapor products and devices, is prohibited inside all County owned buildings and vehicles. Smoking is only allowed in areas that are a reasonable distance from the entrances of any building. Vaping is additionally prohibited in all County-leased buildings, on County property, and in all County programs.

# **10 WORKPLACE RULES**

## **10.1 MUTUAL RESPECT AND PROTECTION**

It is Washburn County policy that all individuals be treated fairly and with respect. This is articulated by the doctrine of *Mutual Respect* that has two key elements:

- The Washburn County employee has responsibility to those we serve, reflected in our desire to be honest, courteous and helpful, to recognize why an individual is seeking service and the individual's perspective.
- The Washburn County citizen has responsibility to appropriately communicate the citizen's service needs, be prepared to assist County personnel, and not be verbally or physically abusive.
- Verbally or physically abusive may include words or behavior that is disrespectful or threatening, condescending, indecent, profane, and includes any act of intimidation through a violation of personal space.

All Washburn County service providers shall treat all individuals with respect at all times. Examples of respect include:

- Using respectful language in all verbal, written and electronic communication;
- Being open and attentive to the point of view of others;

- Using input and feedback in a respectful manner;
- Expressing disagreements tactfully and respectfully;
- Respecting the ideas, values and traditions of others.

## **10.2 STANDARD OPERATING PROCEDURES FOR THE WORKPLACE**

The following are standard operating procedures to be followed by all employees of Washburn County:

### **10.2a Closing County Offices During Business Hours.**

A department representative shall be available during the hours of normal operation for each department and/or building of the County. Department heads shall make every effort to keep offices continuously open during normal business hours. However, it is understood that, at times, there may be extenuating circumstances which require that an office be closed for a brief period of time during normal business hours. During these situations, a clearly visible notice shall be posted stating when the office will be closed and when it will be reopened. Administration will be provided with advance notice of any such closure.

### **10.2b Official Time SOP.**

We are inundated with timepieces in the County. We have the wall clock, possibly a clock on the desk, the time on the computer, the time on the phone, and the time on your wristwatch! Therefore, we have no "official" timepiece. Hence, until otherwise stated, for the purposes of judging timeliness, the official time is the time on the phone system.

### **10.2c Visitor Parking SOP.**

If you're at the Courthouse or LEC, you will notice that the five parking spaces on the east side of the building (next to the handicapped accessible spaces) have been designated as "Visitor" parking spaces. Employees may park in these spaces if they are only in the area for a short time (such as picking up or dropping off items). If you're going to be in the area for any length of time, please refrain from parking in these spaces.

### **10.2d Scheduling Meeting Rooms SOP.**

In order to ensure the most effective, efficient and timely scheduling of a meeting room, there will be only one calendar used for scheduling all meeting rooms for any and all committee meetings, employee meetings, office meetings or any type of meeting that is necessary to be scheduled in any of the County meeting rooms. Therefore, when putting a meeting on the calendar, you will need to: state what the meeting is, where it is located, the time of the meeting and your name and extension number.

### **10.2e Committee Meeting Minutes SOP**

In order to ensure timely distribution of information, the following SOP has been approved for Agendas & Minutes processing:

#### **Washburn County Agendas & Minutes**

The Agendas & Minutes program shall be utilized to process all agendas and minutes involving a meeting of a governmental body in order to efficiently and effectively provide this information to all parties (committee members, County Clerk, department heads, media) and to meet the Open Meetings laws.

#### Agendas

Agendas should be available within a week prior to the meeting; however, the agenda shall be posted no later than 24 hours prior to the meeting unless deemed an emergency, in which case it shall be no later than 2 hours prior to the meeting,

#### Unapproved and Approved Committee Minutes

Unapproved and approved committee minutes shall be processed within five working days of such committee meetings. The County Clerk will keep a record of the committee meeting minutes in a format chosen by the clerk for the required retention period.

The County Clerk per Wis. Stats. 59.23 (2)(a) is to act as a clerk of the board for all of the board's meetings as defined and, under the chairperson, create the agenda for board meetings, either personally or through the clerk's appointee. If delegated to an appointee, it will be determined if initial or ongoing training is necessary to provide consistency throughout the county for record keeping purposes.

### **10.3 SOLICITATION POLICY**

Vendors of any kind are not allowed to solicit members of the public or county employees to purchase goods and services for their personal use on county property without authorization from a lease or contract with the Washburn County, or without prior approval from a committee of Washburn County or the Washburn County Board of Supervisors.

There are notices at each building entrance. If vendors without authorization or prior approval to solicit attempt to solicit members of the public or county employees they should be directed to the Administration/Personnel office with any questions.

As to the sale of candy bars, cookies or other items by employees to employees for fundraising or solicitation activities, this should be done only during break or lunch periods. During office hours, employees shall not go from office-to-office or employee-to-employee unless on break. Further, employees are not to use the Washburn County email system to solicit for fundraisers or any other charity activities.

### **10.4 DRESS CODE**

Presenting yourself in a professional manner is expected at all times. Employees at all levels and job positions are representative of the organization and, therefore, dress, grooming and personal hygiene affects the public's impression of the County. In establishing professional appearance guidelines, the County's standards are: 1) Present a professional appearance at all times; 2) Promote a positive working environment and limit distractions caused by inappropriate dress; and 3) Ensure safety while working.

Departments may provide additional dress rules more stringent than those listed in this policy. Department Heads/Supervisors are responsible for communicating and enforcing the policy of their department. Disciplinary action is appropriate for attire that is offensive, distracting or in conflict with the policy.

#### **10.4a Dress and Grooming**

All employees are expected to be neat and clean in appearance and to dress in a manner appropriate to the nature of their position and job duties in accordance with department requirements and health and safety standards. Employees' clothes or uniforms shall be neatly pressed and clean. Employees should avoid clothing, hairstyles, jewelry or fragrances that may detract or interfere with the performance of their work, the work of co-workers, or which might detract from the public service mission or image of our County. Employees are expected to maintain clean and appropriate oral and body hygiene.

Employees working in an office setting are expected to dress in a business casual, which does not include items

from the below list which are deemed unacceptable (list is not all inclusive):

1. Torn or excessively faded and/or worn jeans
2. Bib overalls and beach attire
3. Shorts, dresses or skirts which are shorter than two (2) inches above the top of the knee cap
4. Halter or midriff tops or dresses
5. Tight fitting clothing or clothing that is otherwise revealing, distracting or provocative
6. Clothing with offensive pictures or language (e.g., images/words/political messages)
7. Soiled, torn or ripped clothing
8. T-shirts, unless it displays County logo

Employees assigned to field inspection, maintenance and/or outside work may wear casual clothing on days involving field inspections and outside work; however, due to safety hazards, shorts and open-toed shoes will not be allowed. Dress should be appropriate for conditions and health/safety standards. Due to the close proximity of working environments, it is important that all employees take the necessary steps to actively practice good personal hygiene. Employees shall limit the use of wearing heavily-scented perfumes, aftershaves or colognes, etc. to work due to allergies and sensitivities to smell by others. If employees have questions about whether something is appropriate, they should ask their supervisor prior to wearing it to work. Supervisors have the authority and expectation to send employees home without pay to change their appearance if employees are not dressed or groomed appropriately per the above.

Special occasion dress days may be allowed by approval of the Department head and/or Supervisor (for example, Halloween) where the dress code rules from above may be relaxed for the day.

#### **10.4b Tattoos and Body Piercing**

Body piercings are discouraged in the workplace. However, if an employee has piercings, they should not pose any safety threats. Employees may be asked to remove body piercing(s) during work hours if it does not reflect a professional image or if it limits communications. Extreme or offensive tattoos should be covered while working.

#### **10.5 LACTATION PROCEDURE**

Washburn County, to ensure a workplace environment that is breast feeding-friendly, will provide a place, other than the bathroom, that will be shielded and secluded from view and free from intrusion from co-workers and the public for expressing milk. Washburn County will also provide a “reasonable” break time for an employee to express milk for their nursing child for one (1) year after the child’s birth each time the employee has need to express milk.

#### **10.6 ELECTRONIC MEDIA & SOCIAL MEDIA POLICY**

It is the policy of Washburn County that information, in all its forms, written, spoken, recorded electronically, or printed, will be protected from accidental or intentional unauthorized modification, destruction, or disclosure. All electronic media must be protected from misuse, unauthorized manipulation, and destruction. It is further the policy of the employer that employees may not use social media technology to engage in or post communications or material that would violate any Handbook policy, including, but not limited to, using technology to post communications or materials that are derogatory or offensive with respect to race, religion, gender, sexual orientation, national origin, disability, age, or any other legally protected class status.

#### **General Guidelines - Electronic Media**

1. All employer-provided electronic media systems, such as cell phones, internet access, e-mail, fax, and copy machines, are the employer’s property. Additionally, all messages and files composed, sent or received on these systems are and remain the property of the employer. They are not the private property of any employee.

2. Electronic media may be subject to open records requests under Wis. Stats. sec. 19.31 et seq. Employees are discouraged from utilizing personal equipment in the course of conducting County business as all records on the equipment may be subject to such request.
3. The use of our electronic media systems is reserved solely for the conduct of business.
4. The electronic media systems may not be used to solicit for commercial ventures, religious or political causes, outside organizations or other non-job-related solicitations.
5. The electronic media systems are not to be used to create any offensive or disruptive messages or documents.
6. The electronic media systems may not be used to send (upload) or receive (download) copyrighted materials, trade secrets, proprietary financial information or similar materials without prior authorization.
7. The employer reserves and intends to exercise the right to review, audit, intercept, access and disclose all internet activity and any messages or documents created, received or sent over the employer's electronic media systems for any purpose.
8. The confidentiality of any message cannot be assumed. Even when a message is erased, it is still possible to retrieve and read that message. The use of passwords for security does not guarantee confidentiality.
9. If you are away from your workstation for an extended period of time, you must secure your desktop.
10. Employees may not modify, delete, or destroy any Employer document created by any electronic media unless specifically authorized to do so.
11. All employees, who are allowed and are provided access remotely, must follow the above guidelines at all times.

### **General Guidelines - Social Media**

1. **Only on Your Own Time.** Unless such activity is directly related to the performance of your job, you may not engage in social media activity on work time.
2. **Post as Yourself.** Make clear that you are expressing your personal views alone, not those of your employer.
3. **Be Respectful and Nice.** Do not post communications or material that is disparaging, obscene, profane, vulgar, bullying, threatening, or inappropriately inflammatory.
4. **Use Good Judgment.** Because what you say online is accessible to the public, use good judgment in your communications.
5. **Obey the Law.** Do not post any material that violates the law, such as material that is obscene, profane, defamatory, threatening, harassing, or that violates the privacy rights of someone else. The posting of such material may subject you to criminal and civil liability.
6. **Don't Expect Privacy.** Because your social media communications are publicly available, you should not expect that your communications are private in any way. Once you post something online, it is completely out of your control and generally available to anyone in the world.
7. **Ask for Guidance.** If you have any questions about what is appropriate to include in social media communications, ask your manager.
8. **Comply with Harassment and Other Policies.** Employees may not use social media technology to engage in or post communications or material that would violate any other Handbook policy, including, but not limited to, the Workplace Safety, Discrimination, and Harassment and Retaliation policy.
9. **Maintain Confidentiality.** You must not disclose confidential information.

**Duty to Report:** All employees have a duty to report any discovered or suspected unauthorized or improper usage of electronic media or social media with impact on the workplace.

**Policy Violations:** Employees who violate this policy may be subject to discipline, up to and including immediate termination of employment.

## **10.7 COMMERCIAL DRIVERS LICENSE (CDL) POLICY (Highway Department)**

To provide uniform application of State and Federal regulations which apply to County employees who must possess a Commercial Driver's License (CDL) as an essential function of their job/assignment, employees must meet the following requirements:

- All highway department regular employees must maintain a CDL and carry A, B, C, D, N endorsements. Endorsement H is only required by four (4) employees of the Highway Department, which will be determined by the Highway Commissioner.
- All other employees required to operate a commercial motor vehicle must maintain a CDL.

The County shall provide training time, as determined by the Employer, to prepare for CDL testing and to take the CDL test and required endorsements. All employees who must possess a CDL as an essential function of their job/assignment must successfully obtain the license within six (6) months of hire. The County will pay the test fee.

- Washburn County will register all employees required to hold a valid CDL subject to driving eligibility as a condition of employment with the Division of Motor Vehicles, Wisconsin Employer Notification Program, and will periodically check driving records of those employees.
- All employees required to possess a valid driver's license as a condition of employment will have their driving records evaluated biannually by the Personnel Department.

The following actions, whether on duty or off of duty, shall result in disciplinary action up to and including termination of an employee's employment (this is not intended to be all inclusive):

12. Disqualification, suspension and/or revocation of the Commercial Driver's License while working for Washburn County may result in loss of employment dependent upon the length of time the CDL is disqualified, suspended or revoked and if there is any work available without the use of a CDL.
  - a. Permanent disqualification from holding a CDL will result in termination of employment.
13. Possession or consumption of any alcohol or illegal drugs while on duty.
  - a. Conviction of Operating While Intoxicated (OWI) or operating with a .04 or higher blood alcohol concentration whether on or off duty in a commercial motor vehicle will result in termination of employment.
  - b. Conviction of Operating While Intoxicated (OWI) or operating with a .04 or higher blood alcohol concentration while off duty in a non-commercial motor vehicle shall result in disciplinary action up to and including termination of employment.
14. Deliberate action to conceal a change in status of driving privileges.
  - a. Employees are required to report to their supervisor **any and all** work or non-work violations that may result in the loss of their Commercial Driver's License. Failure to report violations on the next scheduled workday following occurrence of the violation may result in disciplinary action up to and including termination of employment.
  - b. Failure to notify the County immediately of the use of a prescription drug, which is known to impair driving ability may result in disciplinary action up to and including termination of employment.

## **11 FLEXIBLE AND ALTERNATIVE WORK SCHEDULES**

### **11.1 FLEXIBLE AND ALTERNATIVE WORK SCHEDULES**

The purpose of flexible schedules is to enhance the ability of the County to fulfill its responsibilities, to render

services to the public, and to enhance employee morale. The Department Head is required to submit the Alternative Schedule Form to Human Resources.

A flexible schedule may be worked out with the prior approval of the Department Head, and with the approval of the Human Resource Director. Frequent changes to an existing flexible/alternate work schedule to manipulate current benefits in place will not be allowed.

The Department head and/or the Human Resource Director may discontinue the flexible schedule, with two weeks advance notice to the employee.

## DEFINITIONS

**Anniversary Date:** The date on which an individual employee completes one (1) year of continuous employment from the effective date of employment. The employee reaches this anniversary date each year.

**Anything of Value:** means any money or property, favor, service, payment, advance, forbearance, loan or promise of future employment, but does not include compensation and expenses paid by the County, fees, honorariums and expenses which are permitted and reported under Section 19.56, Wis. Stats., political contributions which are reported under Chapter 11 of the Wisconsin Statutes, or hospitality extended for a purpose unrelated to County business by a person other than an organization.

**Classification:** A system used to describe different kinds of work within an organization in grouping similar positions under common job classes, titles or establishing a relationship between these classes.

**Compensation:** Includes salary, wage and benefits earned by or paid to any employee for reason of service in a position with the County.

**Department Head:** An elected or appointed County official authorized and responsible to supervise the activities of a department under their jurisdiction.

**Elected Official:** County official selected by vote of the constituency. Includes Clerk of Courts, County Clerk, Register of Deeds, Sheriff, and Treasurer. These individuals are not covered under Fair Labor Standards Act.

**Employee:** All persons filling an allocated position of County employment and all members of boards, committees and commissions except those individuals included as an "official."

**Employee, Casual:** An employee who does not work a fixed schedule or fixed number of hours per year; and is expected to be employed for at least one year.

- An employee in this category is not entitled to benefits upon hire, but may become eligible for benefits upon meeting eligibility requirements

**Employee, Exempt:** Exempt employees are not eligible for overtime pay or compensatory time. These classifications are determined to be exempt pursuant to the Fair Labor Standards Act (FLSA) which establishes a combination of required criteria, including knowledge, skills and level of supervision exercised. Exempt employees must also meet a salary requirement.

**Employee, Full-time:** Any employee normally working 37.5 - 40 hours per week or 1950 to 2,080 hours per year.

**Employee, Nonexempt:** Subject to the FLSA overtime and minimum wage provisions.

**Employee, Part-time:** An employee whose regularly scheduled work hours average less than full-time hours per week.

- Regular employees normally working 50% FTE or more per week, but less than full-time hours per week receive benefits on a prorated basis.
- Employees working less than 20 hours per week are not entitled to benefits.

**Employee, Regular:** Any employee, other than a casual status or temporary employee, occupying an

authorized budgeted position.

**Employee, Temporary (LTE):** An employee working full-time or part-time for a specific period of time.

**Excessive Absence (unavailability):** Frequent absences to the degree that the employee's attendance is creating a financial, operational, and/or staffing hardship on the department. The employee is not consistently available for work (unavailability), excluding approved medical leaves or other approved leave of absences.

**FTE – Full-Time Equivalent** – the ratio of total paid hours during a period to the total of working hours in that period

**Financial Interest:** Any interest which yields directly or indirectly, a monetary benefit to the County officer or employee or to any person employing or retaining services of the County official or employee.

**Harassment:** Any action that creates fear, intimidates, ostracizes, physically or psychologically threatens, embarrasses, ridicules, or in some other way unreasonably overburdens or precludes an employee from reasonably performing their work.

**Layoff:** The involuntary separation of an employee from employment because of lack of work, elimination of a position, or lack of funds to continue the work.

**Leave:** Authorized absence from regularly scheduled work hours which was pre-approved by proper authority.

**Non-worked Paid Time Off:** Includes Vacation, Sick, Comp Time and Floating Holiday. Does not include regular Holiday Hours.

**Official:** County department heads or directors, County supervisors and all other County elected officials, except Judges and District Attorneys.

**Overtime:** Any time worked in excess of forty (40) hours per week by a non-exempt employee.

**Patterned Absences:** Unexcused absences which recur in a "pattern" and may involve consistent Monday or Friday absences; absences of days immediately before or after holidays or vacations; or frequent absences which fall on similar days or times of the month. Tardiness patterns will also be evaluated.

**Position:** A combination of duties and responsibilities assigned to be performed by an employee. The position may be full-time, part-time, temporary, regular, occupied or vacant.

**Privileged Information:** Any written or oral material related to County government which has not become part of the body of public information and which is designated by Statute, Court decisions, lawful Orders, Ordinances, Resolutions or custom as privileged or confidential.

**Promotion:** A change in status whereby an employee is advanced from one position to a position of a higher class and for which a higher rate of pay is prescribed.

**Sexual Harassment:** Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature which affect an individual's work performance or work environment and which infringe on an individual's personal rights.

**Suspension:** An involuntary absence with or without pay imposed on an employee for discipline or investigation.

**Termination:** Voluntary or involuntary separation of an employee from employment with the County due to retirement, dismissal, death or resignation.

**Unexceptional Value:** Any item which has no resale potential and is promotional in nature.

**Unsolicited Item of Insignificant Value:** Item not requested by the official employee having no resale potential and promotional or educational in nature.

**Workweek:** Period of time in which employees are compensated for the amount of hours worked. The County uses the workweek beginning Monday through Sunday.

## ***EMPLOYEE ACKNOWLEDGMENT***

I, \_\_\_\_\_, acknowledge receipt of this Employee Handbook.

I understand that while Washburn County believes wholeheartedly in its policies and procedures, many of which are set out in the Handbook, they are not conditions of employment. Rather, the Employee Handbook is simply a means to acquaint me with Washburn County and its operations, and provide guidelines in regard to its policies and my employment.

I understand that by accepting or maintaining employment with Washburn County, I am not being asked or required to provide anything in return beyond my services. I further understand that the Employee Handbook does not constitute a contract of employment, express or implied, between Washburn County and myself and that no oral statements by supervisors or management can alter this disclaimer or create a contract. Only Washburn County has the authority to create an employment contract, and such contract must be in writing and signed by Washburn County to be valid. I understand that my employment with Washburn County is "at-will," not for any definite period of time, and may be terminated by myself or Washburn County at any time and for any reason not prohibited by law.

I understand that Washburn County reserves the right to modify, amend, or delete any provisions of the Employee Handbook at any time. I will receive copies of any such modifications, amendments, or deletions.

I understand that this Employee Handbook supersedes all previous manuals, handbooks, and personnel policies that I have received or have been advised of by Washburn County. I also understand that any subsequent revisions to the provisions of this Handbook after I commence my employment will supersede those contained herein.

\_\_\_\_\_  
(Signature)

Date: \_\_\_\_\_