

**GENERAL FINANCIAL CONDITION  
JEFFERSON COUNTY WISCONSIN  
January 1, 2020**

Available Cash on Hand		
December 1, 2019	\$	84,558.73
December Receipts	\$	<u>7,747,401.71</u>
 Total Cash	 \$	 7,831,960.44
Disbursements		
General - December 2019	\$	5,194,151.16
Payroll - December 2019	\$	<u>1,656,790.19</u>
 Total Disbursements	 \$	 <u>6,850,941.35</u>
 Total Available Cash	 \$	 <b>981,019.09</b>
 Cash on Hand (in bank) Jan.1, 2020		
Less Outstanding Checks	\$	3,030,253.27
	\$	<u>2,049,234.18</u>
 Total Available Cash	 \$	 <b>981,019.09</b>
 Local Government Investment Pool - General		
	\$	3,402,285.57
 Dana Investments		
	\$	29,771,158.50
 Local Government Investment Pool -Clerk of Courts		
	\$	27,430.79
 Local Government Investment Pool -Farmland Preservation		
	\$	179,154.08
 Local Government Investment Pool -Parks/Liddle		
	\$	86,127.93
 Local Government Investment Pool -Highway Bond		
	\$	<u>16,691.35</u>
	\$	33,482,848.22
 2019 Interest - Super N.O.W. Account		
	\$	1,348.18
2019 Interest - L.G.I.P. - General Funds		
	\$	337,757.19
2019 Interest - DANA Investments		
	\$	863,042.09
2019 Interest - L.G.I.P. - Parks /Carol Liddle Fund		
	\$	1,897.23
2019 Interest - L.G.I.P. - Farmland Preservation		
	\$	3,946.44
2019 Interest - L.G.I.P. - Clerk of Courts		
	\$	604.24
2019 Interest - L.G.I.P. - Highway Bond		
	\$	<u>38,133.18</u>
Total 2019 Interest	\$	1,246,728.55

JOHN E. JENSEN  
JEFFERSON COUNTY TREASURER



January 14, 2020

Pre-Sale Report for

Jefferson County, Wisconsin

\$7,600,000 General Obligation Corporate Purpose  
Bonds, Series 2020A

# JEFFERSON COUNTY WISCONSIN

**Prepared by:**

Dawn Gunderson-Schiel, CPFO, CIPMA  
Senior Municipal Advisor

Joe Murray, CIPMA  
Senior Municipal Advisor

## Executive Summary of Proposed Debt

Proposed Issue:	\$7,600,000 General Obligation Corporate Purpose Bonds, Series 2020A
Purposes:	The proposed issue includes paying the cost of capital projects, consisting of communications projects and County building projects. Debt service will be paid from ad valorem property taxes.
Authority:	<p>The Bonds are being issued pursuant to Wisconsin Statutes, Section 67.04.</p> <p>The Bonds will be general obligations of the County for which its full faith, credit and taxing powers are pledged.</p> <p>The Bonds count against the County's General Obligation Debt Capacity Limit of 5% of total County Equalized Valuation. Following issuance of the Bonds, the County's total General Obligation debt principal outstanding will be \$21.2 million, which is 5.5% of its limit. Remaining General Obligation Borrowing Capacity will be approximately \$365 million.</p>
Term/Call Feature:	<p>The Bonds are being issued for a term of 19 years. Principal on the Bonds will be due on April 1 in the years 2021 through 2039. Interest is payable every six months beginning October 1, 2020.</p> <p>The Bonds will be subject to prepayment at the discretion of the County on April 1, 2029 or any date thereafter.</p>
Bank Qualification:	Because the County is expecting to issue no more than \$10,000,000 in tax exempt debt during the calendar year, the County will be able to designate the Bonds as "bank qualified" obligations. Bank qualified status broadens the market for the Bonds, which can result in lower interest rates.
Rating:	<p>The County's most recent bond issues were rated by Moody's Investors Service. The current rating on those bonds is "Aa2". The County will request a new rating for the Bonds.</p> <p>If the winning bidder on the Bonds elects to purchase bond insurance, the rating for the issue may be higher than the County's bond rating in the event that the bond rating of the insurer is higher than that of the County.</p>

<p><b>Basis for Recommendation:</b></p>	<p>Based on our knowledge of your situation, your objectives communicated to us, our advisory relationship as well as characteristics of various municipal financing options, we are recommending the issuance of Bonds as a suitable option based on:</p> <ul style="list-style-type: none"> <li>• The expectation this form of financing will provide the overall lowest cost of funds while also meeting the County’s objectives for term, structure and optional redemption.</li> <li>• The County having adequate General Obligation debt capacity to undertake this financing and anticipating any potential rating impacts.</li> <li>• The nature of the projects being financed, which will not generate user or other fees that could be pledged to secure a revenue obligation.</li> <li>• The County’s practice is to issue this issue General Obligation Bonds to finance these types of projects.</li> </ul>
<p><b>Method of Sale/Placement:</b></p>	<p>We will solicit competitive bids for the purchase of the Bonds from underwriters and banks.</p> <p>We will include an allowance for discount bidding in the terms of the issue. The discount is treated as an interest item and provides the underwriter with all or a portion of their compensation in the transaction.</p> <p>If the Bonds are purchased at a price greater than the minimum bid amount (maximum discount), the unused allowance may be used to reduce your borrowing amount.</p>
<p><b>Premium Pricing:</b></p>	<p>In some cases, investors in municipal bonds prefer “premium” pricing structures. A premium is achieved when the coupon for any maturity (the interest rate paid by the issuer) exceeds the yield to the investor, resulting in a price paid that is greater than the face value of the bonds. The sum of the amounts paid in excess of face value is considered “reoffering premium.” The underwriter of the bonds will retain a portion of this reoffering premium as their compensation (or “discount”) but will pay the remainder of the premium to the County. For this issue of Bonds, any premium amount received that is in excess of the underwriting discount and any capitalized interest amounts must be placed in the debt service fund and used to pay a portion of the interest payments due on the Bonds.</p> <p>The amount of premium allowed can be restricted in the bid specifications. Restrictions on premium may result in fewer bids, but may also eliminate large adjustments on the day of sale and unintended results with respect to debt service payment impacts. Ehlers will identify appropriate premium restrictions for the Bonds intended to achieve the County’s objectives for this financing.</p>

<p><b>Other Considerations:</b></p>	<p>The Bonds will be offered with the option of the successful bidder utilizing a term bond structure. By offering underwriters the option to “term up” some of the maturities at the time of the sale, it gives them more flexibility in finding a market for your Bonds. This makes your issue more marketable, which can result in lower borrowing costs. In the event that the successful bidder utilizes a term bond structure, we recommend the County retain a paying agent to handle responsibility for processing mandatory redemption/call notices associated with term bonds.</p>
<p><b>Review of Existing Debt:</b></p>	<p>We have reviewed all outstanding indebtedness for the County and find that there are no refunding opportunities at this time.</p> <p>We will continue to monitor the market and the call dates for the County’s outstanding debt and will alert you to any future refunding opportunities.</p>
<p><b>Continuing Disclosure:</b></p>	<p>Because the County has more than \$10,000,000 in outstanding debt (including this issue) and this issue is over \$1,000,000, the County will be agreeing to provide certain updated Annual Financial Information and its Audited Financial Statement annually, as well as providing notices of the occurrence of certain reportable events to the Municipal Securities Rulemaking Board (the “MSRB”), as required by rules of the Securities and Exchange Commission (SEC). The County is already obligated to provide such reports for its existing bonds, and will file the reports on its own.</p>
<p><b>Arbitrage Monitoring:</b></p>	<p>Because the Bonds tax-exempt obligations, the County must ensure compliance with certain Internal Revenue Service (IRS) rules throughout the life of the issue. These rules apply to all gross proceeds of the issue, including initial bond proceeds and investment earnings in construction, escrow, debt service, and any reserve funds. How issuers spend bond proceeds and how they track interest earnings on funds (arbitrage/yield restriction compliance) are common subjects of IRS inquiries. Your specific responsibilities will be detailed in the Tax Exemption Certificate prepared by your Bond Attorney and provided at closing. We recommend that you regularly monitor compliance with these rules and/or retain the services of a qualified firm to assist you.</p>

<p>Investment of and Accounting for Proceeds:</p>	<p>In order to more efficiently segregate funds for this project and maximize interest earnings, we recommend using an investment advisor, to assist with the investment of bond proceeds until they are needed to pay project costs. Ehlers Investment Partners, a subsidiary of Ehlers and registered investment advisor, will discuss an appropriate investment strategy with the County.</p>
<p>Other Service Providers:</p>	<p>This debt issuance will require the engagement of other public finance service providers. This section identifies those other service providers, so Ehlers can coordinate their engagement on your behalf. Where you have previously used a particular firm to provide a service, we have assumed that you will continue that relationship. For services you have not previously required, we have identified a service provider. Fees charged by these service providers will be paid from proceeds of the obligation, unless you notify us that you wish to pay them from other sources. Our pre-sale bond sizing includes a good faith estimate of these fees, but the final fees may vary. If you have any questions pertaining to the identified service providers or their role, or if you would like to use a different service provider for any of the listed services please contact us.</p> <p><b>Bond Counsel:</b> Quarles &amp; Brady LLP</p> <p><b>Paying Agent:</b> Bond Trust Services Corporation</p> <p><b>Rating Agency:</b> Moody's Investors Service, Inc.</p>

## Proposed Debt Issuance Schedule

Pre-Sale Review by County Board:	January 14, 2020
Due Diligence Call to review Official Statement:	Week of January 27 or February 3
Conference with Rating Agency:	Week of January 27 or February 3
Distribute Official Statement:	On or about February 4, 2020
County Board Meeting to Award Sale of the Bonds:	February 11, 2020
Estimated Closing Date:	March 5, 2020

## Attachments

Estimated Sources and Uses of Funds  
Estimated Proposed Debt Service Schedule  
Bond Buyer Index

## Ehlers Contacts

Municipal Advisors:	Dawn Gunderson-Schiel	(262) 796-6166
	Joe Murray	(262) 796-6196
Disclosure Coordinator:	Peter Curtin	(262) 796-6187
Financial Analyst:	Kathy Myers	(262) 796-6177

The Preliminary Official Statement for this financing will be sent to the County Board at their home or email address for review prior to the sale date.

  
**Jefferson County, WI**  
 Sizing Worksheet

2020 Issue (BANK-QUALIFIED)
G.O. Bonds
3,000,000
4,500,000
<b>7,500,000</b>
<u>172,350</u>
37,000
14,000
8,400
850
95,000
600
16,500
<u><u>7,672,350</u></u>
(75,000)
2,650
<b>7,600,000</b>

**Projects**<sup>1</sup>

**Projects**

Improvements to Health & Human Services Campus  
 Communication System/Other Capital Projects

**Subtotal Project Costs**

**Estimated Issuance Expenses**<sup>2</sup>

Financial Advisor  
 Bond Counsel  
 Disclosure Counsel (if engaged)  
 Paying agent (if term bonds)  
 Underwriters Discount (Bid Item)<sup>3</sup>  
 Disclosure Review  
 Rating Fee (Moody's Investors Service)

**Capitalized Interest**<sup>4</sup>

**TOTAL TO BE FINANCED**

Estimated Interest Earnings<sup>4</sup>

Rounding

**NET BOND SIZE (20 Year Amortization)**

NOTES:

- <sup>1</sup> Estimates provided by staff
- <sup>2</sup> Discount allowance of \$12.50 per thousand for G.O. Bonds
- <sup>3</sup> Assumed AA- NON BQ County sale of 11/12/19 + .40
- <sup>4</sup> Assumes investment earnings of 2.00% annually on available proceeds for 6 months

# Jefferson County, WI



## Proposed Debt Structure

Existing Debt Only			
YEAR	Equalized Value TID Out Projection <sup>3</sup>	Actual/Projected Change in TID Out Value	Net Levy for Debt Svc
2018	6,575,416,500	4.38%	1,134,018
2019	6,923,882,000	5.30%	1,133,343
2020	7,363,259,200	6.35%	1,136,443
2021	7,495,922,210	1.80%	1,136,218
2022	7,628,585,220	1.77%	1,133,418
2023	7,761,248,230	1.74%	1,134,943
2024	7,893,911,240	1.71%	1,135,718
2025	8,026,574,250	1.68%	1,137,405
2026	8,159,237,260	1.65%	1,134,655
2027	8,291,900,270	1.63%	1,135,211
2028	8,424,563,280	1.60%	1,138,218
2029	8,557,226,290	1.57%	1,134,120
2030	8,689,889,300	1.55%	1,134,035
2031	8,822,552,310	1.53%	1,136,506
2032	8,955,215,320	1.50%	1,136,405
2033	9,087,878,330	1.48%	1,135,084
2034	9,220,541,340	1.46%	1,138,305
2035	9,353,204,350	1.44%	0
2036	9,485,867,360	1.42%	0
2037	9,618,530,370	1.40%	0
2038	9,751,193,380	1.38%	0
2039	9,883,856,390	1.36%	0
2040	10,016,519,400	1.34%	0
<b>TOTALS</b>			<b>12,489,586</b>

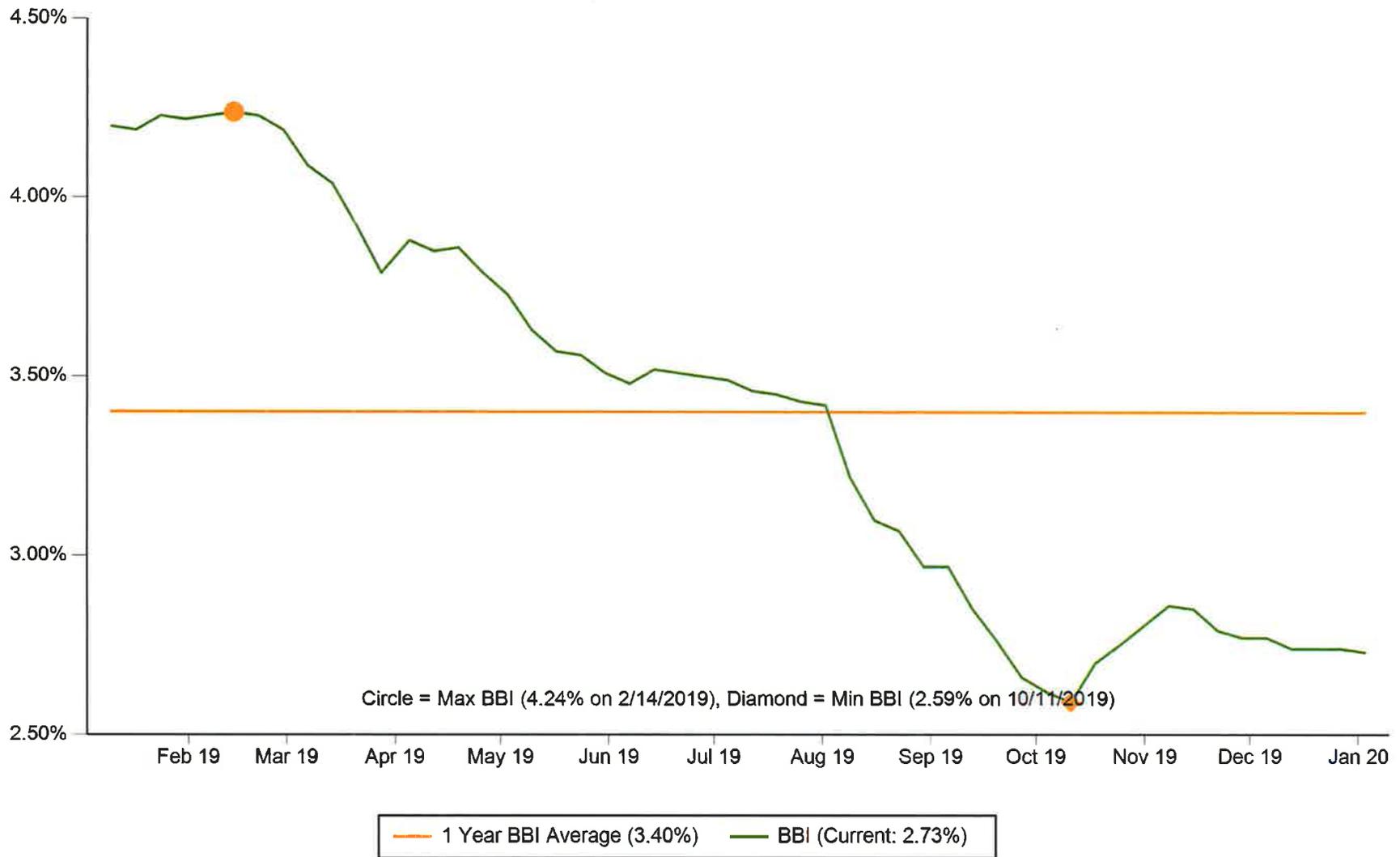
G.O. Bonds, Series 2020 \$7,600,000 Dated 3/5/2020				Total Net Levy for Debt Svc	Net Rate for Total Debt Svc	YEAR
Prin (4/1)	Est. Rate <sup>2</sup>	Interest	Total			
				1,134,018	0.17	2018
				1,133,343	0.16	2019
		120,869	120,869	1,257,312	0.17	2020
215,000	1.750%	209,347	424,347	1,560,564	0.21	2021
225,000	1.750%	205,497	430,497	1,563,914	0.21	2022
225,000	1.800%	201,503	426,503	1,561,446	0.20	2023
225,000	1.850%	197,397	422,397	1,558,114	0.20	2024
230,000	1.900%	193,131	423,131	1,560,536	0.19	2025
235,000	1.950%	188,654	423,654	1,558,309	0.19	2026
235,000	2.050%	183,954	418,954	1,554,166	0.19	2027
235,000	2.150%	179,019	414,019	1,552,237	0.18	2028
245,000	2.290%	173,688	418,688	1,552,808	0.18	2029
250,000	2.400%	167,883	417,883	1,551,918	0.18	2030
255,000	2.450%	161,759	416,759	1,553,265	0.18	2031
260,000	2.520%	155,359	415,359	1,551,764	0.17	2032
270,000	2.640%	148,519	418,519	1,553,603	0.17	2033
275,000	3.000%	140,830	415,830	1,554,135	0.17	2034
790,000	3.050%	124,658	914,658	914,658	0.10	2035
815,000	3.150%	99,774	914,774	914,774	0.10	2036
845,000	3.250%	73,206	918,206	918,206	0.10	2037
870,000	3.350%	44,903	914,903	914,903	0.09	2038
900,000	3.370%	15,165	915,165	915,165	0.09	2039
				0	0.00	2040
<b>7,600,000</b>		<b>2,985,113</b>	<b>10,585,113</b>			<b>TOTALS</b>

NOTES

<sup>2</sup> Estimated Rates from actual AA--rated Non BANK-QUALIFIED 11/12/19 sale + 40 BP.

# 1 YEAR TREND IN MUNICIPAL BOND INDICES

Weekly Rates January, 2019 - January, 2020



The Bond Buyer "20 Bond Index" (BBI) shows average yields on a group of municipal bonds that mature in 20 years and have an average rating equivalent to Moody's Aa2 and S&P's AA.

**2019 Annual Reports  
Presented during 2020**

<b>Meeting Date</b>		<b>50 copies due to Administration on:</b>
<b>January 14<sup>th</sup></b>	<b>January</b> <ul style="list-style-type: none"> <li>• None</li> </ul>	_____
<b>February 11<sup>th</sup></b>	<b>February</b> <ul style="list-style-type: none"> <li>• Literacy Council</li> <li>• UW Extension</li> <li>• County Board Meeting Fees</li> </ul>	_____
<b>March 10<sup>th</sup></b>	<b>March</b> <ul style="list-style-type: none"> <li>• Treasurer</li> <li>• Register of Deeds</li> <li>• County Clerk</li> <li>• Clerk of Courts</li> </ul>	<b>February 11<sup>th</sup></b>
(3 <sup>rd</sup> Tuesday) <b>April 21<sup>st</sup></b> 5:00 p.m.	<b>April</b> <ul style="list-style-type: none"> <li>• None</li> </ul>	<b>March 10<sup>th</sup></b>
<b>May 12<sup>th</sup></b>	<b>May</b> <ul style="list-style-type: none"> <li>• Human Resources</li> <li>• County Administrator</li> <li>• Economic Development Consortium</li> <li>• Medical Examiner</li> </ul>	<b>April 21<sup>st</sup></b>
<b>June 9<sup>th</sup></b>	<b>June</b> <ul style="list-style-type: none"> <li>• Finance</li> <li>• Health Department</li> <li>• Human Services</li> <li>• District Attorney</li> </ul>	<b>May 12<sup>th</sup></b>
<b>July 14<sup>th</sup></b>	<b>July</b> <ul style="list-style-type: none"> <li>• Sheriff</li> <li>• Emergency Management</li> <li>• Child Support</li> <li>• Presiding Judge (Judge _____) ?</li> </ul>	<b>June 9<sup>th</sup></b>
<b>August 10<sup>th</sup></b>	<b>August</b> <ul style="list-style-type: none"> <li>• Highway</li> <li>• Parks</li> <li>• Fair Park</li> <li>• Corporation Counsel</li> </ul>	<b>July 14<sup>th</sup></b>
<b>September 8<sup>th</sup></b>	<b>September</b> <ul style="list-style-type: none"> <li>• Land Information</li> <li>• Planning &amp; Zoning</li> <li>• Land &amp; Water Conservation</li> <li>• Library Board</li> </ul>	<b>August 10<sup>th</sup></b>
<b>October 13<sup>th</sup> &amp; 27<sup>th</sup></b>	<b>October</b> <ul style="list-style-type: none"> <li>• None</li> </ul>	<b>September 8<sup>th</sup></b>
<b>November 10<sup>th</sup></b>	<b>November</b> <ul style="list-style-type: none"> <li>• Veterans Service</li> </ul>	<b>October 27<sup>th</sup></b>
<b>December 8<sup>th</sup></b>	<b>December</b> <ul style="list-style-type: none"> <li>• None</li> </ul>	<b>November 10<sup>th</sup></b>



## JEFFERSON COUNTY HUMAN RESOURCES

Courthouse  
311 South Central Ave - Room 111  
JEFFERSON, WISCONSIN 53549  
Telephone (920) 674-7102  
Fax (920) 675-0068

**TERRI PALM KOSTROSKI**  
Human Resources Director

**KAREN MUNDT**  
Benefits Administrator

**CASEY RADTKE**  
Human Resources Specialist

**VACANT**  
Safety Coordinator

### **MEMORANDUM**

**TO: JEFFERSON COUNTY BOARD OF SUPERVISORS**  
**FROM: Terri Palm-Kostroski, Human Resources Director**  
**SUBJECT: Jefferson County Personnel Policies**  
**DATE: January 14, 2020**

Jefferson County management team and several employee workgroups have been working over the last year to update the county's personnel policies. At the January 14, 2020, County Board meeting, Board members received a copy of the draft policies. Below is information that you may find helpful as you review these draft policies:

#### **Draft Policies:**

1. Items highlighted **in blue are topics** that are still in review. These should be noted on the summary sheet.
2. Items in **red print** are designated to be hyperlinked to other sections when the manual is complete.
3. Questions you have or receive: It would be helpful as you have questions (or receive questions) to contact the Human Resources Director (920-674-7103 or [terrip@jeffersoncountywi.gov](mailto:terrip@jeffersoncountywi.gov) or Room 111) or the County Administrator (920-674-7101 or [benjaminw@jeffersoncountywi.gov](mailto:benjaminw@jeffersoncountywi.gov) or Room 111) prior to the February County Board meeting. Just as Human Resources plans to hold a question/answer session for employees, we can hold one for the County Board as well. A presentation on this may answer many of the same questions Board members will have and be more efficient with your time at the meeting.

#### **History:**

Early in 2019 our management team consisting of the County Administrator, Corporation Counsel, Finance Director and Human Resources Director began discussions of completion of an Administrative Manual, of which a section would be devoted to Employment Policies. In March, 2019, the Human Resources Committee was informed that we were looking for consultants to assist us with this project and the County hired two recently retired Human Resources Directors: James Richter from Waukesha County and Joseph Rains from Dodge County. In April, 2019, the consultants began reviewing Jefferson County's current policies, contacting other counties for comparable policies and practices, and identifying policies that are considered best-practices in the public sector.

From May through October, 2019, our Team met several times a month to review recommendations from the consultants. Several drafts went back and forth until the Team felt the policies were in a draft ready for review by employee work groups. The Team has regularly updated the Human Resources Committee and department heads with progress and next steps.

### **Employee Workgroups:**

The policies were broken down into four main categories:

- Recruitment, Selection, and Employment
- Retention and Separation
- Work Rules
- Benefits and Leaves of Absences (Pending)

Work groups were developed for each category that included everyone who expressed interest in participating, representation from all but two departments, representation from different demographics (age, sex, etc.), representation based on employee's length of service, and representation from different job classifications including constitutional officers and Human Resources Committee members.

Each work group met for two half-days in December and again early January for a final review of what would be presented to the County Board and all employees. Before each group met, it was discussed that all comments/feedback should always try to go back and demonstrate how it supports the strategic plan and mission of the County. These groups were very helpful; additional recommendations were given (i.e. needing a cell-phone policy), and suggestions were provided on where clarifications were needed, and honest and constructive feedback was given on topics that were troublesome (both on an individual and a group level). I want to thank everyone on each of the teams for the time they devoted to this task and the seriousness of their approach to the task set before them.

Within the next month, the goal is to start the last workgroup to address Benefits and Leaves of Absence.

### **Next Steps:**

The County Board has received a copy of the 148-page draft of policies to start review. A brief summary is also available that will help highlight sections that may be a priority for consideration. These areas include: new policies or sections of policies; current practices that were never formally put into policy; and substantial modifications.

During the week of January 14, 2020, this same draft copy will be made available to all employees, along with a two-three week "Public Comment" time, where employees can provide their written feedback, questions and concerns. Employees will be encouraged to also look back at the County's strategic plan and mission and suggest alternatives that support the vision of the County. Human Resources will hold "public forums" to answer questions that were gathered, preferably prior to the February County Board meeting.

Ideally, this item will be on the County Board's February meeting agenda for discussion. Although a vote may be possible at that time, it is understandable that many questions may still need to be answered before Board members are comfortable voting. It is the vision of the management team that the County Board will vote on the policies at the March County Board meeting.

Thank you.

**DRAFT**

# HR-100 Introduction

## **SUMMARY/POLICY STATEMENT:**

It is the intent of the County Board and Administration to establish a comprehensive Administrative Policy and Procedure Manual. This manual is a resource to inform and educate employees and to provide guidance and support to County management with an overall goal of creating a consistent summary of the policies established by the County Board and the administrative processes established by the County management.

## **PURPOSE:**

As the County is responsible to every tax-payer in Jefferson County, employees must factor the public's wellbeing into every decision made as a County employee. Therefore, the Administrative Policy and Procedure Manual is intended to provide employees with guidelines and policies to help the County achieve its mission of providing exceptional public services and facilities that are responsive to the needs of the community in an honest, efficient and fiscally responsible manner.

## **PROCEDURE:**

### **A. APPLICABILITY:**

This manual applies to all County employees. Employees represented by labor unions shall be covered only to the extent that the policies and procedures in the manual do not conflict with the labor contract.

This manual is not intended to create nor should it be construed to constitute a contract. Should any provision of this Manual be found to be in violation of federal or state law, regulation, administrative code, or interpretation of a court of competent jurisdiction, the law, regulation, code, or interpretation of the court shall have precedence, except as it pertains to the designation of an individual as an employee.

### **B. MANUAL ADMINISTRATION:**

The Administrative Policy and Procedure Manual is developed and maintained under the direction of the County Administrator. In an effort to be transparent, informative and to educate employees, the Administrative Policy and Procedure Manual shall be available to all employees, County Board members, and the general public.

Changes and updates to the Manual will be made on a regular basis. Modifications to the manual will be communicated to employees in order to educate and inform so managers, supervisors, and employees are able to comply with applicable policies and procedures. The Manual may be updated based on either policy or procedural changes.

#### **1. Policy Changes:**

When the County Board establishes a new policy or amends an existing policy, the Administrative Policy and Procedure Manual will be updated to reflect the decisions of the Board. Typically policy changes are those which are approved by the Board through an ordinance or resolution. Examples could include but are not limited to the following:

- Creation or modification of the County pay plan
- Creation or modification to an employee benefit plan

# DRAFT

- Salary and overtime policies
- Creation of new job classifications or reclassifications of existing job classifications

## 2. Procedural Changes:

From time to time the County Administrator may authorize procedural changes in the Administrative manual in order to comply with a federal or state law, or create or change an existing process to enable County operations to be more effective and efficient. Manual changes of this type are intended to be procedural in nature, recognizing that overall policy changes are the purview of the County Board. A report of the changes will be provided to the Human Resources Committee and forwarded to the County Board as appropriate.

Examples of procedural changes may include but are not limited to the following:

- Forms, work flow, and approval processes
- Compliance with a new or modified state or federal statute or regulation such as overtime laws and family and medical leave

## C. COUNTY MANAGEMENT:

In accordance with Wisconsin Statutes, Jefferson County is managed by a combination of a County Administrator and appointed department heads. Many department heads are assisted in their managerial role by subordinate supervisory and managerial staff. Together this entire group constitutes management.

The County Board is the legislative body that establishes broad oversight and policy guidance and performs its legislative role through committees and boards. The County Administrator is appointed by the County Board and is a full time employee who has overall responsibilities for the day-to-day administration and management of County operations as outlined in State statutes.

Management's primary and exclusive responsibility is to manage County operations and functions. This responsibility includes but is not limited to:

- Directing the work force
- Hiring, assigning, suspending, transferring, promoting, demoting, disciplining, and terminating employees
- Determining the size/composition of the work force
- Determining the size, location and amenities of work sites and area, and the equipment and tools to be used
- Managing and being accountable for the physical and intellectual property of the County, such as copyrights or patents developed through use of the employee's time and resources
- Establishing and modifying work methods, systems and processes as needed
- Assigning staff, mandating overtime as necessary, reducing work hours and laying off employees, if necessary
- Subcontracting work when deemed to be in the County's best interest

**Department Policies and Procedures:** Departments may develop workplace policies, procedures, and rules specific to their operations and/or department in a manner consistent with this Manual, state and federal regulations, and any County resolutions or ordinances. All such policies, procedures, and work rules that pertain to matters of wages, benefits, hours of work, or conditions of employment, shall be reviewed with and approved by the County Administrator or Human Resources Director prior to

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implementation to determine if the changes need to be presented to the County Board for approval.

## **D. EMPLOYEE RESPONSIBILITY:**

The Administrative Policy and Procedure Manual is available either in paper format or in electronic format on the County's server. Employees with access to the server will not be supplied with paper copies, but will be granted electronic access to the policies via both the Employee and County websites.

Employees are responsible for being aware and complying with the terms and conditions outlined in the manual. The County reserves the right to modify, supersede or eliminate existing policies and administrative procedures.

This manual is not a contract of employment. Employees are responsible for reading, reviewing, and complying with the policies contained in this manual and any revisions made to it and signing the **signature page acknowledging** they have been informed about the policies herein and provided instruction on how to access the policies.

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# HR-200 Employment

**SUMMARY/POLICY STATEMENT:**

Jefferson County is committed to the principles of equal employment opportunity, non-discrimination, and diversity. Employment policies ensures that a transparent and unbiased recruitment and selection process is followed; one that results in the hiring of the best candidate based on merit and support of the County’s organizational values, philosophy, and goals.

**PURPOSE:**

The purpose of this policy is to provide a framework for Jefferson County to use in the development of recruitment, selection, and hiring processes that produce a talented, effective workforce and that support and reflect the County’s mission.

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# HR-200.1 Employment Categories

## **SUMMARY/POLICY STATEMENT:**

An employee's *employment* status generally affects consideration for work scheduling, compensation matters, benefit eligibility, and various other employment-related matters. The Labor Standards Act (FLSA) of 1938, which establishes exempt and non-exempt status. The FLSA status generally affects: payments of minimum wage, overtime pay, recordkeeping, and youth employment standards affecting full-time and part-time workers in the private sector and in federal, state, and local governments.

This policy applies to all employees with the exception of Elected Constitutional officers and County Board of Supervisors.

## **PURPOSE:**

It is the intent of Jefferson County to clarify the definitions of employment classifications so that employees understand their employment status and benefits eligibility.

## **A. COUNTY EMPLOYMENT STATUS:**

At Jefferson County, an employee has one of the following employment status categories:

1. Regular Full-time
2. Regular Part-time
3. Part-time, Non-benefited
4. Occasional Part-time: OPT, Pool
5. Limited Term: Emergency Help, Paid Intern, Project employee, Seasonal employee

Volunteers, unpaid interns, temporary agency personnel and persons performing contracted services on behalf of the County are not considered employees but may be eligible for certain considerations, such as reimbursement for expenses, etc.

In the event a county employee has a change in their employment status, their benefit eligibility will be in accordance with [Section 1300 – Benefits](#).

## **DEFINITIONS:**

**Regular Full-time Employee:** An employee who is hired on an ongoing basis and whose normal assigned schedule of hours consists of a forty-hour work week, 52 weeks per year, but may vary based on position, i.e., Sheriff's Deputies who work a total of 72 - 80 hours in a 15-day period.

**Regular Part-time Employee:** An employee who is hired on an ongoing basis and whose normal assigned schedule of hours consists of at least 20 hours per week but less than a full-time schedule.

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**Part-time, Non-benefited Employee:** An employee who is hired on an ongoing basis and whose normal assigned schedule of hours is less than 20 hours per week.

**Occasional Part-time Employee (OPT):** An employee who is hired on an ongoing basis to work on an irregular, as-needed basis. Also includes **Pool Employees**.

*Pool Employee:* An employee who is one of several employees hired to perform the same function and of which one or more of the group may be required to work at any given time based on the workload or other unforeseen circumstances.

**Limited-term Employee (LTE):** An employee who is scheduled to perform full-time or part-time work for a finite period of time, generally not to exceed 12 months, but may be extended with the approval of the County Administrator. This includes: **Emergency Help employees, Paid Interns, Project employees, Seasonal employees and Interim employees.**

1. *Emergency Help Employee:* An employee whose employment is temporary in nature and is necessitated due to circumstances which are typically unforeseen, such as sickness, leave of absence, operational needs, etc. within a department.
2. *Paid Interns:* An employee whose position is approved by the County Board, is assigned actual work that offers a benefit to the intern by providing the opportunity to apply skills or knowledge, and provides a direct, immediate benefit to the County. A paid intern often will perform work regularly assigned to other employees and receive the same level of supervision as the regular workforce.
3. *Project Employee:* An employee whose employment is supported by a grant, and whose length of employment is based on the terms of the grant.
4. *Seasonal Employee:* An employee who works for a specific period of time for a specific season. Typically a seasonal employee will work 120 days a year or less in a six-month period.
5. *Interim Employee:* An employee who is hired to a position temporarily, while at the same time on-going recruitment or restructuring may be occurring. An interim position usually exceeds 30 calendar days but is less than one year. This may be a current employee or a new hire. The County Administrator has the authority to make such an assignment and does not require confirmation by the County Board.  
[See Section 1000 – Compensation \(under Promotion\).](#)

**Independent Contractors, Volunteers, and Unpaid Interns:** There are occasions where the County may utilize an individual(s) to provide services, but who are not classified as employees. Therefore, they are not eligible for County benefits and are not subject to the classification plan. This includes:

1. *Independent Contractor:* A person, persons, or business who performs services for the County under an express or implied agreement and who is not subject to the County's control, or right to control, the manner and means of performing the services.
2. *Volunteer:* A person who provides services of his or her own free will to the County and neither receives nor expects to receive any kind of pay or compensation for those services. [See Section HR1000 – Compensation \(Under Interns, Job Shadowing, and Volunteers\)](#)
3. *Unpaid Intern:* A person who is assigned actual work for the purpose of gaining practical experience, often for educational credit. [See Section HR1000 – Compensation \(Under Interns, Job Shadowing, and Volunteers\)](#)

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## **B. FAIR LABOR STANDARDS ACT JOB STATUS:**

The determination of whether a position will be classified as exempt or non-exempt will be made in accordance with federal and state wage and hour laws ([See section 1000 – Compensation](#)).

The classification listing for all positions which designates the FLSA status as either “exempt” or “non-exempt” can be found in [Appendix A](#).

### **DEFINITIONS:**

**Exempt Status:** An employee who holds a position that is excluded from specific provisions of the FLSA, such as overtime eligibility, by virtue of being classified as executive, administrative, professional, or certain computer employees. Exempt employees of the County are generally paid on a salaried basis and may also be referred to as “*salary employees*”.

**Non-exempt Status:** An employee who holds a position that is covered by the provisions of the FLSA. Non-exempt employees are paid on an hourly basis, are entitled to receive overtime compensation, and may also be referred to as “*hourly employees*”.

Date Created: 12/31/2019

Last Updated: 12/31/2019

# **HR-200.2 Employment Dates and Length of Service**

## **SUMMARY/POLICY STATEMENT:**

Jefferson County employees may have different dates associated with their employment that are used to calculate length of service, benefit eligibility and other employment-related conditions.

## **PURPOSE:**

Eligibility for certain benefits and consideration under certain policies and procedures are based on the length of service of an employee. Regular full-time and regular part-time employees will accrue credit for length of service based on actual paid time earned and received by that employee while working in regular full-time or regular part-time employment. Whenever an employee transfers to another position, they shall carry with them to the new position any accumulated paid time off, extended leave, or sick leave and vacation benefits (as applicable), as well as any length of service as a County employee for the purposes of earning paid time off.

Time worked in a non-benefited position is considered when calculating an employee's length of service but generally does not affect the non-benefited employee's eligibility for benefits.

While an employee's length of service may qualify them for a specific level of benefit, periods of unpaid absence (i.e. greater than 173 hours in a year for a full-time employee) may result in a pro-rated calculation of the level of benefit that the employee will be credited with for the year.

## **A. DEFINITIONS:**

**Anniversary Date:** An employee's anniversary date is associated with an employee's annual evaluation and merit increase, if applicable. An employee's calendar anniversary date may be affected by a job change or by the corresponding days in excess of an unpaid leave of absence greater than 30 calendar days or 173.33 hours in a year or by part-time status.

**Hire Date:** An employee's hire date is the most recent date of hire with the County and used to calculate an employee's length of service with the County. Length of service for regular employees shall be broken by permanent layoff, retirement, resignation or discharge.

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**Original Hire Date:** An employee's original hire date is the date an employee is first hired with the County. The original hire date may be different than the hire date if continued service is broken by permanent layoff, resignation, retirement or discharge.

**Position Date:** An employee's position date is the date an employee starts his or her most recent position with the County.

**Benefit Eligible Date:** An employee's benefit eligible date is the date an employee becomes eligible for accrued benefits. The benefit eligible date may be affected by a status change or by the corresponding days in excess of an unpaid leave of absence greater than 30 calendar days or 173.33 hours a year.

Date Created: 12/31/2019

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# **HR-200.3 Conditions of Ongoing Employment Eligibility**

## **SUMMARY/POLICY STATEMENT:**

Jefferson County expects employees to use good judgment in performance of their duties and to maintain a satisfactory employee/employer relationship. We expect you to do your best work in your positions, with integrity and a commitment to excellent service to the community.

## **PURPOSE:**

This policy outlines the general terms, conditions and expectations of employment for Jefferson County staff. In addition to other conditions of employment identified in other sections of the Administrative Manual, i.e., Section 300 – Affirmative Action and Non-Discrimination in Employment, Section 1600 – Work Rules and Conditions of Employment, Section 2000 - Harassment and all other sections, the following policies regarding ongoing employment eligibility shall be in effect.

This policy is not intended to cover all situations and does not override or limit more stringent policies or protocols which may be applicable to employees:

1. who are subject to special licensure or certification;
2. who occupy positions that are subject to higher standards of disclosure, such as in the Sheriff's Department; or
3. who have access to sensitive County data.

## **A. DISCLOSURE OF PENDING CHARGES; OPEN CHARGES; AND CONVICTIONS, AND ONGOING CRIMINAL BACKGROUND CHECKS:**

The County has an obligation to provide services and conduct its business in a manner that ensures the safety of all persons and to properly protect the County's resources and reputation. Therefore, the County requires all employees to self-disclose of pending charges, open charges and convictions as of the effective date of this policy. Furthermore, certain employees will be required to have ongoing criminal background checks completed.

All County employees and volunteers must self-disclose post-hire any pending charges, open charges and criminal conviction(s) within one business day or at the first opportunity if the employee is incarcerated. The employee should report this information to Human Resources, or at the employee's discretion, to his or her supervisor who shall make the report to Human Resources.

A post-hire pending or open charge, or a criminal conviction, will not automatically impact an employee's continued employment. The fact that an arrest or charge has been made

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does not establish that criminal conduct has occurred, or that there has been a violation of any County work rule or policy. Human Resources shall review information contained in the record and determine what action, if any, shall be taken (re-assignment to a different position, suspension without pay, termination, etc.) based solely on whether the circumstances of the offense for which the pending charges or conviction was substantially related to the circumstances of the employee's position as per [Wisconsin Statute §111.335](#) and taking into account both the rights of the employee and the safety, health and welfare of the public. The County shall also determine if the conduct serves as a basis of a violation of County work rules, policies and/or collective bargaining agreements.

Ongoing criminal background checks at prescribed intervals are a statutory requirement for certain positions (employees covered under the Caregiver Background Check; employees bonded). In the event employees are to be considered for a transfer or a promotion to any supervisory/management position, an updated criminal background check will be required. Employee compliance with ongoing criminal background checks is a condition of continuing employment.

For this purpose, "criminal conviction" means all criminal convictions and pleas that are acknowledgements of criminal responsibility that occur on or after the effective date of this policy, registration as a convicted sex offender with any governmental authority as a result of any prior conviction for a sex offense, and/or any convictions or pleas that are acknowledgments of criminal responsibility subject to the jurisdiction of a military court.

"Pending Charges" means if an employee or volunteer is arrested or indicted but nothing officially has been filed the case is still in review.

"Open Charges" means an employee or volunteer has been charged of a criminal offense, but the final disposition is still pending.

## **B. DISCLOSURE OF TRAFFIC VIOLATIONS**

All County employees and volunteers who drive during the course of their work, whether their own vehicle or a county vehicle, shall self-disclose any moving violations and/or driver's license suspensions or revocations within one business day. The employee should report this information to Human Resources, or at the employee's discretion, to his or her supervisor who shall make the report to Human Resources. Failure to comply with this policy may result in discipline up to and including termination of employment.

## **C. ONGOING CREDIT BACKGROUND CHECKS**

Jefferson County seeks to employ qualified, fiscally responsible individuals in sensitive positions within the company. Therefore, all candidates and temporary staff who are selected for employment for a position that regularly engages in handling credit cards, cash or other county funds, including all management positions, or that has access to sensitive information such as social security numbers, dates of birth or employee/client login information, must undergo ongoing credit background checks every two years. A credit check is one that authorizes the credit reporting agency to disclose only limited information including tax liens, bankruptcies, items placed for collections, late payments, and charge offs. In addition to management positions, other occupations that regularly require a credit check include accounting, finance, human resources, and IT (MIS) staff. Department heads

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are responsible of notifying the Finance Director of positions that handle cash, etc, who will determine if specific positions are subject to this section.

The Human Resources department is responsible for obtaining and reviewing all credit checks for qualifying internal positions. The Human Resources Director reviews the information obtained when a credit check is required for a hiring decision and provides the results to management personnel involved in the hiring process. Access to this information is strictly limited to employees of the HR department and others on a need-to-know basis to ensure that the privacy of the candidate is respected.

## **Disqualification for continued employment in a sensitive position**

If the credit check reveals that an employee has a history of bad debt, the individual may be disqualified from the position that involves the handling of credit cards, cash or other county funds or have access to sensitive data.

"Bad debt" is defined as debt that has been referred for collection, has a balance past due more than 120 days or has been written or charged off by the creditor. Bad debt *is* considered a risk if it exceeds 20 percent of the gross monthly income for the position being filled, regardless of the time period in which the debt was incurred; however, extenuating circumstances such as debt more than five years old, disputed claims, identity theft, the result of the candidate's student loan obligations, or incurred through extensive medical care for the candidate or his or her immediate family members or dependents will be taken into consideration.

Jefferson County complies with all applicable federal and state laws regarding the collection, storage, use and disposal of information obtained as part of a credit check. This includes the consent and disclosure provisions of the [Fair Credit Reporting Act](#) and the [Fair and Accurate Credit Transactions Act](#). If a credit check on a current employee provides adverse information, the employee will be referred to the HR department for review and resolution.

## **D. ONGOING FINGERPRINTING BACKGROUND CHECKS**

Certain positions, including various Sheriff's office, District Attorney, Clerk of Courts, Corporation Counsel, Administration, Human Resources, MIS and Central Services staff, who have access to use the TIME/NCIC System information or data contained within, are required to undergo ongoing fingerprint based background check, completed security awareness training and appear on the agency's list of authorized personnel as a condition of hire. This is in accordance with the Criminal Justice Information Services Policy Section 5.12, a division of the Federal Bureau of Investigation and monitored by the Wisconsin Department of Justice.

Date Created: 12/31/2019  
Last Updated: 12/31/2019

# **HR-200.4 Recruitment and Selection**

## **SUMMARY/POLICY STATEMENT:**

Jefferson County is committed to attract highly qualified individuals while engaging in recruitment and selection practices that comply with all applicable employment laws and provides equal employment opportunity to all applicants and employees.

## **PURPOSE:**

Our recruitment and selection policy aims to ensure that we attract and appoint applicants with the right skills, knowledge, behaviors and experience to meet the needs of all our vacancies. In light of this we ensure that we appoint on the basis of merit and without discrimination. Authorization from the Human Resources Director is required to initiate any action for an open position, including recruitment expenditures, advertising, interviewing and offers of employment.

## **PROCEDURE:**

No unconditional offers of employment shall be made to either internal or external candidates until the completion of all applicable background checks and verifications, required medical evaluations and drug testing are completed. Approval by the County Administrator or Human Resources Director is needed prior to an offer of employment or job change. The following procedure shall be followed in making appointments to County positions:

### **A. FILLING A VACANCY:**

1. Department heads wishing to fill budget-authorized positions shall request approval from the County Administrator or Human Resources Director. Department heads wishing to fill positions that are not authorized in the budget shall request approval from the County Administrator, subject to review by the Human Resources Committee and final approval of the County Board.
2. At times it may be necessary or advantageous to allow more than one employee to hold a single position for a defined period of time for purposes of training and succession planning or to address a significant temporary increase in workload. The Department Head shall present any requests to the County Administrator, who shall make the final determination on a case-by-case basis, and based on the following criteria:
  - a. a written notice of retirement/resignation has been received and accepted, or an acceptable justification is identified and presented in writing
  - b. funding has been identified or a budget amendment identifying the source of funds accompanies the request, if needed
  - c. the request is for a specific period of time, not to exceed 45 days
3. If the filling of the position is approved, the Human Resources Department shall prepare and publicize an announcement of the job opening which shall include the

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job description, salary, and required qualifications for the position. For positions that require recruitments with a lengthy testing process, recruitment and acceptance of applications will be on an on-going basis, creating a list valid for a rolling 12-months (i.e., during the recruitment period applicants will remain on the active list for 12 months). In addition to other methods of publicizing the job opening, the Human Resources Department shall post any job vacancies on the County internet website and/or the employee intranet site. Unless unusual circumstances warrant different consideration, the minimum period of time that the job announcement will be posted will be 14 calendar days.

4. A department head may request the Human Resources Director to waive job posting and recruitment and that a vacancy be filled with a specific person for one of the following reasons:
  - a. filling an emergency help position
  - b. reinstating a laid-off employee qualified to perform the duties of the vacant position
  - c. filling a position from an established eligibility list as allowed in (C) above,
  - d. securing an alternative job assignment for an employee unable to perform the essential duties of their current job
  - e. in the case of a reorganization, to fill a position with a specific current employee as approved by the County Administrator or Human Resources Director
5. County employees who meet the qualifications for the position may notify the Human Resources Department of their desire to be included as an applicant for the position.
6. The Human Resources Director, in concurrence with the department head, may, if desired, restrict initial recruitment to internal applicants and may give preference to employees currently within the department who meet the qualifications.

If not filled from within, the county will conduct an external open recruitment. The county may also recruit internally and externally at the same time.

7. The Human Resources Department will review all applications, and select all applicants meeting minimum qualifications. The applications will be forwarded to the department head to select approximately five candidates to interview based on additional skills and/or knowledge applicable to the position. The department head, or designee, will interview and select an employee. A member of the Human Resources staff will randomly participate in interviews, or as requested.
8. The recruitment process relies on objectivity and validity through a practical assessment of applicant qualifications and suitability for employment. Depending on the position, this may include but need not necessarily be limited to the following:
  - a. Review of education, training and experience as certified by applicant.
  - b. Practical job related written, oral, work sample or performance tests.
  - c. Background checks appropriate to the position which may include:
    - i. Reference inquiries regarding previous employment work history
    - ii. Criminal background check
    - iii. Credit check
  - d. Verification of job qualifications which may include:
    - i. Verification of educational requirements
    - ii. Verification of professional certification/licensure

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- e. Pre-employment, post-offer health, psychological and/or drug screening exams.
  - f. Pre-employment, post-offer State required Caregiver Background Check
  - g. Pre-employment, post-offer driver's license check and verification of insurance if appropriate for the position
9. The County Administrator shall appoint the Corporation Counsel and department heads, other than constitutional officers, pursuant to Section 59.18(2)(b), Stats., subject to confirmation by the County Board.
10. If fully qualified persons cannot be recruited, and upon recommendation of the Human Resources Director, the County Administrator may authorize the appointment of persons having less than the appropriate qualifications which may be at a lower rate of pay, grade or classification, following a new publication for the position with the revised lesser qualifications. Once minimum qualifications are met, the Department Head shall initiate the process to promote the individual into the original authorized position.
11. To meet the needs of the County in emergency situations, any department head, with the approval of the County Administrator or Human Resources Director, may make immediate appointment of applicants on a limited term basis and delay official submission of the application as set forth in the preceding paragraphs. In such cases, the application must be accompanied by a statement showing cause for the use of this emergency procedure. Such emergency appointments shall then be reviewed and processed in accordance with the provisions of this section.
12. The procedure set forth in this section shall also apply in the case of the promotion, lateral transfer, or voluntary demotion of any County employee.
13. When an employee moves from their position within another department the respective Department Heads will mutually agree upon an effective date for the transfer.

### **B. HIRING INCENTIVES:**

#### **1. Applicant Travel and Relocation Expenses:**

The County's goal is to hire and retain the most qualified individual for every position while maintaining fair and equitable hiring practices. To achieve that goal, it may be necessary to recruit from outside the immediate geographical location of the job offering. An applicant may be reimbursed for travel and relocation expenses, subject to the following:

- a. Travel Expenses: When applicants are not from the local area, they may be reimbursed for their travel expenses with pre-approval of the Human Resources Director. Reimbursed costs may include meals, lodging, and travel expenses. Exceptions to these reimbursements require approval of the Human Resources Director.

The amount of monetary reimbursement will be in accordance with the Reimbursement of **Expenses Section (currently ordinance)** policy covering meals, lodging, and travel expenses for applicants at the same rate as for employees.

#### *Criteria for Reimbursement*

The Human Resources Director will consider the following when administering the

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policy:

- Classification
- Supply of eligible applicants
- Distance traveled
- Portion of expenses to be borne by applicant
- Availability of funds

- b. Relocation expenses: The hiring department head shall submit a request for *pre-authorization* for reimbursement of relocation expenses to the Human Resources Director for review with approval by the County Administrator.

## **2. Employee Referral Incentive:**

The Employee Referral Bonus Program will provide an incentive award to a current employee who brings new talent to the company by referring applicants who are selected and successfully employed.

The County Administrator shall have the authority to establish an Employee Referral Incentive during specific pre-determined periods of highly competitive job markets or for individual positions to which this might apply. The terms of the incentive may involve additional paid time off or the monetary equivalent, or other similar enticements. A report of the terms of the incentive and the period for which it may be in effect will be provided to the Human Resources Committee and communicated with employees prior to recruitment efforts.

Eligibility to qualify for the Referral Incentive is based that newly hired employee has met the following criteria:

- a. successfully completed an initial orientation period,
- b. not applied with the County for at least a year, and
- c. been hired in a regular, full-time position (not limited term, emergency help, etc.)

## **3. Hiring (Sign-on) Bonus:**

The sign-on bonus is a non-recurring and non-accumulating sum of money which is paid to an employee with the sole objective of incentivizing the applicant is receiving the bonus to accept employment at the County.

The County Administrator shall have the authority to establish a Hiring Bonus program during specific pre-determined periods of highly competitive job markets or for individual positions to which this might apply. The terms of the Hiring Bonus may involve additional benefits or a pre-determined monetary compensation that is based on the wage/salary of the position, e.g., the equivalent of two weeks compensation. A report of the terms of the program and the period for which it may be in effect will be provided to the Human Resources Committee.

Eligibility to qualify for the Hiring Bonus is based on the newly hired employee successfully completing the initial orientation period of six months, or as determined Department Head.

## **C. PRE-EMPLOYMENT TESTING AND BACKGROUND CHECKS:**

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Prior to extending an offer of employment for any position (other than emergency help or seasonal fair-week positions) it is required that a detailed background check regarding the employment history of at least the top-ranking candidate.

1. Skills/Knowledge Testing: When a respective position requires skill or knowledge-based testing, all applicants or employees being considered will be required to take and pass the respective job-related tests for further consideration in the selection process. The Human Resources Department shall be responsible for the integrity of the test(s) to measure an applicant's or employee's qualifications and aptitudes for performing the job and to allow the county to make good hiring decisions. The results of tests which are administered shall be valid for a period of six months from the date of testing and shall serve as the applicant's or employee's score during that period.
2. Employment History References: Applicants seeking employment will be required to sign a document that constitutes the applicant's full waiver, release and indemnification of any liability related to a background investigation. Applicants who refuse to sign the waiver, release and indemnification form will not be considered for employment.

Prior to extending an offer of employment for any position (other than emergency help or seasonal fair-week positions) it is required that the hiring manager conduct a detailed employment reference check regarding the employment history of at least the top-ranking candidate, reviewed and approved by the Human Resources Department.

3. Criminal Background Checks: The County shall conduct a Criminal Background Check on persons being given serious consideration for employment in certain positions. In the event of a prior conviction, it will be at the discretion of the Human Resources Director to determine whether or not an offer of employment may be made, with consultation of the Corporation Counsel if needed.

A criminal record or pending charge does not constitute an automatic bar to employment. In determining if the criminal conviction substantially relates to the position, the County will consider the length of time between the conviction and the application for employment, the nature of the offense, and a comparison between the general circumstances of the crime and the likelihood the applicant may duplicate the circumstances in the workplace. Based on the review and analysis of the information contained in the record, Human Resources will discuss the information with the department supervisor in relation to the position for which the candidate is being considered and a final decision will be made as to whether the applicant will be offered employment.

Also see the Ongoing Criminal Background Checks section of this policy.

4. Credit Background Checks: The County conducts a pre-employment credit check (one that authorizes the credit reporting agency to disclose only limited information including tax liens, bankruptcies, items placed for collections, late payments, and charge offs) for the identified positions in pre-employment Credit Checks section below.

Jefferson County seeks to employ qualified, fiscally responsible individuals in

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sensitive positions within the company. Therefore, all candidates and temporary staff who are selected for employment for a position that regularly engages in handling credit cards, cash or other company funds, including all management position, must undergo a credit check. In addition, positions that have access to sensitive information such as social security numbers, dates of birth or employee/client login information may be required to undergo a credit check. This includes all new employees; existing employees who are transferred, reassigned, reclassified or promoted to such a position; and temporary employees. In addition to management positions, other occupations that regularly require a credit check include accounting, finance, human resources, and IT (MIS) staff. Credit checks for temporary employees are conducted by the temporary agency that employs them. Credit checks for employees directly hired by Jefferson County are conducted by the Human Resources department or by a reputable third-party vendor providing this service.

When candidates apply for position, they consent in writing to a credit check to be performed when determined to be necessary by the company. Credit checks are not done for all candidates. They are conducted when an applicant has been interviewed and is selected as a final candidate for a qualifying position. Although results of the credit check may take a few days to obtain, every effort is made to avoid delay in the hiring process.

The Human Resources department is responsible for obtaining and reviewing all credit checks for qualifying internal positions. The Human Resources Director reviews the information obtained when a credit check is required for a hiring decision and provides the results to management personnel involved in the hiring process. Access to this information is strictly limited to employees of the HR department and others on a need-to-know basis to ensure that the privacy of the candidate is respected. Staffing agencies will conduct credit checks on temporary employees and will apply the following disqualification standards prior to referring for placement at Jefferson County.

### ***Disqualification of candidate***

If the credit check reveals that the candidate for hire or transfer has a history of bad debt, the individual may be disqualified from the position that involves the handling of credit cards, cash or other company funds or have access to sensitive data. "Bad debt" is defined as debt that has been referred for collection, has a balance past due more than 120 days or has been written or charged off by the creditor. Bad debt *is* considered a risk if it exceeds 20 percent of the gross monthly income for the position being filled, regardless of the time period in which the debt was incurred; however, extenuating circumstances such as debt more than five years old, the result of the candidate's student loan obligations, or incurred through extensive medical care for the candidate or his or her immediate family members or dependents will be taken into consideration.

Jefferson County complies with all applicable federal and state laws regarding the collection, storage, use and disposal of information obtained as part of a credit check. This includes the consent and disclosure provisions of the Fair Credit Reporting Act and the Fair and Accurate Credit Transactions Act. If a credit check on a current employee provides adverse information, the employee will be referred to the HR department for review and resolution.

5. Verification of Educational Credentials: Certain classifications have specific post high school educational requirements. After an individual is selected for one of these

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positions, the Human Resources department shall run an education check or obtain a copy of the employee's transcript. Continued employment is dependent upon verification of the applicant's credentials.

6. Professional Certification and Licensure Checks: Certain positions may require professional certifications and/or licenses due to legal requirements or due to other job requirements. Human Resources shall obtain verification of those credentials and licenses prior to making an offer of employment to any internal or external applicant. Department Heads that are filling positions having access to Protected Health Information are required to obtain copies of any Professional Certifications and licenses that are required for the position. Verification information, such as copies of certifications or licenses and/or copies of online verification, will be forwarded to the Human Resources Department for inclusion in the employee's file.

## **D. OFFERS OF EMPLOYMENT**

After conducting the interview process and pre-employment screening, the hiring manager will select the candidate whose education, abilities and qualifications appear most suited for the position that is to be filled. The hiring manager shall seek approval from the Department Head and County Administrator or Human Resources Director to extend an offer of employment to the desired candidate, based on standard wages, benefits and conditions of employment. When special conditions warrant such consideration, the County Administrator or Human Resource Director may authorize an advanced starting salary and/or additional benefits or conditions of employment. See Sections 1000 – Compensation and 1300 – Benefits.

After approval has been obtained, the offer of employment is extended to the candidate, which may be conditional based on further post-offer background checks/testing, and this is generally done by the hiring manager. The conditional offer of employment shall be documented in writing to the candidate and a copy shall be provided to the Human Resources Department.

The hiring manager shall notify the Human Resources Department immediately when confirmation has been received that the candidate has accepted the offer to either schedule further post-offer testing or new employee orientation.

## **E. POST-OFFER TESTING AND VERIFICATION**

All offers of employment will be contingent on the person successfully passing any and all pre-hire, post-offer screenings, including drug screening and, if applicable to the position, Caregiver Background Check, Department of Justice Background test, Driver's License/Traffic violation check and Physical/Psychological testing. The Human Resources Department shall make arrangements for the pre-employment drug screening and shall finalize any further testing and verifications. The Human Resources Department shall keep the hiring manager apprised of the results of these final steps of the hiring process.

Once all processes have been completed the hiring manager shall confirm a starting date with the candidate and shall inform the Human Resources Department.

1. Drug Testing: The Human Resources Department shall contact the test facility to authorize a pre-employment drug screen for all post-offer candidates, and shall notify the candidate of the procedure to be followed, including the need for the

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candidate to sign a form authorizing that the test results can be released to the County. The facility will notify the Human Resource Department of the results.

A confirmed positive test result or refusal to submit to the test will result in immediate withdrawal of the employment offer and shall subject the candidate to be ineligible for employment with Jefferson County for up to 24 months. See Section 1900 – AODA.

2. Physical and Psychological Testing: All Sheriff deputies and promotions within the Sheriff's office for sworn personal shall require post-offer, pre-employment physical and psychological testing. The Sheriff's office shall contact the test facility to authorize a pre-employment drug screen for all post-offer candidates, and shall notify the candidate of the procedure to be followed, including the need for the candidate to sign a form authorizing that the test results can be released to the County. The facility will notify the Human Resource Department of the results.
3. Caregiver Background Checks: All applicants for certain positions are required to fill out a Background Information Disclosure (BID) Form as required by the Wisconsin Caregiver Background Check Law, and must submit accurate, complete and truthful answers to all questions thereon. If applicants choose not to provide a signed BID form, they will no longer be considered for the position.

The County is prohibited from employing, for those positions, any person who has been convicted of, or has a pending charge for, a serious crime as provided by statute or as defined by State of Wisconsin Department of Health Services departmental rule. The County is required to submit BID forms for all applicants for these positions, as well as for active employees on an ongoing basis.

Within the County the Human Resources Department is responsible for managing and coordinating all caregiver background checks for County employees. After a conditional offer of employment has been made, the hiring manager must conduct a caregiver background check in compliance with Wisconsin Statutes.

Once hired all County employees subject to the caregiver background check regulations must notify their Department Head or manager as soon as possible about any pending charge or conviction of any crime which has been or is being investigated by any governmental agency of any act or offense specified under Wisconsin Statutes that may be reasons for barring a person from employment as a caregiver.

All records relating to Caregiver Background Check Law are maintained in confidential files within both the hiring department and the Human Resources Department.

4. Driver's license and driver's history check: Prior to making an offer of employment, the Human Resources Department shall ensure that driver's license verification and acceptable driver's record history for employees who will be driving during the course of their work, whether their own vehicle or a County vehicle is completed. Additionally, Human Resources shall require the applicant to provide proof of liability insurance on their own vehicle, if appropriate, as required by County Finance policy.

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5. Fingerprinting and e-Verify background check:
  - a. Certain positions, including various Sheriff's office, District Attorney, Clerk of Courts, Corporation Counsel, Administration, Human Resources and Central Services staff, who have access to use the TIME/NCIC System information or data contained within, are required to undergo fingerprint based background check, completed security awareness training and appear on the agency's list of authorized personnel as a condition of hire. This is in accordance with the Criminal Justice Information Services Policy Section 5.12, a division of the Federal Bureau of Investigation and monitored by the Wisconsin Department of Justice.
  - b. All Child Support Agency (CSA) staff, and contractors and subcontractors who have access to Federal Tax Information (FTI), are subject to background check requirements which include:
    - i. An Internal Revenue Service requirement that each individual undergo Federal Bureau of Investigation (FBI) fingerprinting and a local law enforcement criminal history check, and
    - ii. A United States Citizen and Immigration Services (USCIS) requirement that each individual hired after February 6, 2019, have their eligibility to work legally in the United States verified through the E-Verify process.
  - c. The CSA shall maintain a list of all subjects required to participate in the background investigation process, which also shall include date of Fieldprint appointment, date Fingerprinting completed, date background investigation was completed, and for new employees, date of completion of the E-verify process.
  - d. Federal Bureau of Investigation (FBI) fingerprinting and local law enforcement criminal history checks shall be conducted after an offer has been made and prior to establishing a start date with the new hire. Once results are gathered and there are no concerns, the new hire's start date will be established. Within 3 days of completion of the United States Citizen and Immigration Services (USCIS) Form I-9, verification of eligibility to work in the United States will be completed through the E-Verify process.

## **F. MISCELLANEOUS PROVISIONS**

1. Civil Service:
  - a. Recruitment for and promotions to full-time and part-time Deputy Sheriff positions, and the positions of Detective, Sergeant, Captain and Chief Deputy shall be in compliance with Jefferson County's Civil Service Ordinance, Ordinance No. 2012-06, and any labor agreement in effect. Matters not expressly covered in the Ordinance or by a labor agreement will be subject to existing Jefferson County policies relative to the matter.
  - b. Recruitment for and promotions to full-time and part-time Veterans Service Officer position shall be in compliance with Wisconsin Statutes 45.82.
2. Employment of Minors: The Federal Fair Labor Standards Act and the Wisconsin Administrative Code regulates the hours of work for employees under eighteen (18) years of age. All minors under 18 years of age are prohibited from working during the times the minor is required to be in school. In addition, all minors under 18 years of age who work more than six (6) consecutive hours must be provided a 30-minute duty free meal period. Other federal or state regulations may apply.

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Last Updated: 12/31/2019

# HR-200.5 Employee Orientation

## **SUMMARY/POLICY STATEMENT:**

Effectively orienting new employees to Jefferson County and to their positions is critical to establishing successful, productive working relationships. The employee's first interactions with the County should create a positive impression of their department and the County.

## **PURPOSE:**

The welcoming of new employees is a collaborative effort that includes Human Resources, the hiring department and other teams throughout Jefferson County. Preparing for new hires and providing appropriate guidance and information during the first several days of employment can ensure success. This short-term orientation process is not a replacement for onboarding of employees to their specific role and department, which is a more detailed and longer process.

## **A. ORIENTATION:**

Within the first week of hire, all new employees will receive general orientation information from Human Resources and specific orientation information from their hiring department. Certain positions, such as supervisory positions, will be provided additional orientation opportunities.

- 1. Human Resources Orientation:** On the first day of employment all new employees shall report to the Human Resources Department to complete the required forms, but no later than three calendar days. Employees will also be advised of employee benefits, pay dates, and Human Resources related policies such as harassment, HIPAA, etc.

Jefferson County complies with provisions of the Immigration Reform and Control Act of 1986 in employing only United States citizens and/or documented immigrants authorized to work in the United States. Completion of an Immigration and Naturalization Service Form (I-9) is required within three business days from date of hire on all employees. In addition, if at any time during the course of an employee's employment with the County it is established that the employee is not legally authorized to work in the United States, the employee will be subject to immediate termination.

- 2. Safety Orientation:** New employees will also be advised of job-related safety issues, such as blood borne pathogens, lock-out-tag-out, etc.
- 3. Department Orientation:** Supervisors are responsible for assuring that each new employee is familiar with the role that the department plays in the functioning of the County and how his or her position contributes to the functioning of the department. Departmental orientation includes ensuring the employee understands job duties and

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expectations; introducing new employees to fellow workers and facility layout; explaining department specific safety regulations and emergency evacuation procedures; explaining functions and activities of the department such as break periods, lunch, use of telecommunications equipment, confidentiality, etc; and explaining other relevant departmental work rules, policies and procedures.

- B. **ORIENTATION/TRIAL PERIOD:** Newly hired employees will begin their employment with the County in an orientation period during which time the employee will become familiar with the position, job duties, department procedures, and other relevant information to assist them in becoming a successful employee. Orientation periods will normally be six (6) calendar months, however, Department Heads will determine when the orientation period is concluded. Employees making a job change will also serve a six (6) calendar month orientation period. During the orientation period, employees will be provided initial orientation and training for the position and will be provided feedback and guidance on their progress. See relevant language in Sections 1000 – Compensation, 1100 – Performance Evaluations, 1300 – Benefits, 2100 – Discipline and Termination, 2200 – Grievance Procedure and 2400 – Separation of Employment.

Date Created: 12/31/2019

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# **HR-200.6 Non-Standard Working Arrangements**

## **SUMMARY/POLICY STATEMENT:**

Jefferson County is aware that the needs of people differ greatly. As part of its commitment to Equal Opportunities, the County has therefore adopted a policies to allow employees to consider non-standard working relationships to meet individual needs as well as the needs of the County.

## **PURPOSE:**

There are circumstances when an individual is qualified for a position but cannot work full time hours or a particular required schedule of hours; an individual desires to work additional hours, but a full-time position is not open; an individual is looking to get back into the workforce and in need of work-experience; and an individual desires to provide services to the County as a non-employee. This policy allows employees to have the hours they want and allows the County to fill the position.

## **A. JOB SHARING:**

At the request of the department head, the County Administrator or Human Resources Director may approve the employment of two or more employees to job share the duties and responsibilities of one full-time or part-time position, provided the cost of the job sharing does not exceed the funds allocated for the position in the budget.

- 1.** Employees must sign a Letter of Agreement before participating in the program. A copy of the signed agreement must be sent to the Human Resources Department.
- 2.** The hours of the position shall be divided between the employees to best meet the needs of the department and the wages and benefits will be provided in accordance with policies relating to part-time employees. See Sections 1000 – Compensation and 1300 – Benefits.
- 3.** The job share employees are responsible for coverage of the position during normally scheduled hours. These employees are responsible for communicating with each other to assure such coverage. The schedule must be approved by the Department Head or immediate supervisor. The employee scheduled to work a particular day/time will be expected to work and will be held accountable for any work missed, unless the Department Head or supervisor has approved a change to the work schedule.
- 4.** The County reserves the right to at any time and for any reason to rescind the decision to allow job sharing of a position. The job share arrangement must not result in increased costs to, the County, including administrative and overtime compensation.

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5. Should one of the employees vacate the job-sharing arrangement, the County Administrator or Human Resource Director shall determine if the position should remain a job-sharing position and post accordingly.
6. If either employee vacates their portion of the job share position, and should the County have any problem refilling that vacancy, the County may require the remaining employee to transition to fill all hours regular full-time or part-time position either temporarily or on a long-term, continuing basis. If the remaining employee is unable to work the additional hours, the County will attempt to find other employment within the County; otherwise, the employee will be placed on lay-off.
7. If the job-share is initiated as a result of one or more employees requesting a voluntary reduction in the number of hours he/she was working prior to the effective date of the job share, that/those employee(s) reduction in hours may be considered a "quit" for purposes of Wisconsin Unemployment Insurance. Any wages that he/she may earn while working the reduced hours of the job share may not be used to satisfy the quit re-qualification provision.

### **B. EMPLOYMENT IN MULTIPLE POSITIONS:**

An employee may hold only one position with the county, unless the Human Resources Director approves employment in an additional position in accordance with procedures approved by the County Administrator. The following shall generally apply:

1. Unless otherwise agreed upon by the Department Heads in advance, the position originally held by the employee, regardless of hours scheduled, shall be considered the employee's primary position and the position later assumed will be considered the auxiliary position.
2. Hours of work in each position, procedures for scheduling additional hours in each position, as well as allocation of hours worked towards benefit accrual and use, shall be agreed upon by the respective Department Heads and Human Resource Director prior to the individual being accepted into the auxiliary position.
3. Should a reduction of hours occur in one of the positions, the Department Head supervising the other position is not obligated to schedule the employee to work additional hours.
4. The employee's pay rate will be paid independently for each position, but hours will be combined for purpose of merit increases.
5. For purposes of benefit entitlement, the Human Resource Director will consider the total hours worked in the two positions along with other factors normally considered in order to determine benefit eligibility and each position will be charged on the pro-rata basis.
6. If the employment in the auxiliary position is considered occasional or sporadic as defined in 29 CFR §553.30 of federal regulations, hours worked in the auxiliary position will not be combined with hours in the employee's primary position for the purpose of determining overtime liability.

## **C. EMPLOYMENT SHARED WITH OTHER GOVERNMENTAL ENTITIES:**

It may be in the best interest of the County to enter into an agreement with another governmental agency to share the services of an individual employee rather than each entity hiring a part-time employee to provide specific job functions. When this occurs, the County and the other entity will enter into a formal agreement as to which will assume the responsibility of being the primary employer, provide benefits and compensation. The other entity will reimburse the primary employer for their pro- rated portion of the incurred costs of employment. Information regarding performance, attendance or any other employment related matter shall be shared between the two entities.

## **D. INTERNS, JOB SHADOWING AND VOLUNTEERS:**

The County appreciates the valuable contributions interns and volunteers have to the citizens of Jefferson County. The County recognizes that the designation as an 'intern', 'job shadow' or a 'volunteer' is contingent on the duties performed and supervision the individual receives. Interns and volunteers are subject to the policies and procedures of the Administrative Manual.

### **1. Intern Position:**

Jefferson County views internships as an important element of recruiting and staffing. The County looks for capable, driven interns with long- term interest in the County or in the career they are pursuing. This section also applies to students obtaining clinical experience. Interns may be required to sign confidentiality agreements or other waivers to fulfill requirements of the internship.

- a. Unpaid Intern. Unpaid interns are assigned actual work, complete with challenges and opportunities for problem solving and gaining practical experience, often for educational credit or advancing the intern's career. Unpaid interns are classified as employees for Workers Compensation purposes only. For a position to be classified as an unpaid intern, the following conditions shall be met:
  - i. The training is similar to training the student would find in an educational environment.
  - ii. The training is for the benefit of the intern.
  - iii. The training does not replace the work of regular employees but works under close supervision of existing staff.
  - iv. The internship is set for a fixed duration and the intern is not entitled to a job at the end of the internship.
  - v. The intern understands he/she is not entitled to wages for the training.
  - vi. The County derives no immediate advantage from the contributions of the intern and on occasion, its operations may actually be impeded. (i.e. require extra supervision, require extra time reviewing work and/or increase the amount of time to complete a project.
- b. Paid Intern. If any of the conditions of an unpaid intern are not met, the individual is a paid intern and is considered an employee for all purposes.

### **2. Job Shadowing Participant:**

Job Shadowing Participants receive limited exploration of a specific occupation or industry, typically lasting less than one day. Job Shadowing is available to adults, dislocated workers and youth participants and will usually involve job placement sites, schools or employees/candidates for employment who are interested in knowing more

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about a specific position. Job Shadowing Participants are not considered employees by any definition and may be required to sign confidentiality agreements or other waivers. Participants perform no or minimal work or contribution to the County's productivity. A thorough task orientation for Job Shadowing participants is appropriate, but only to the extent that the participant observes and asks questions to understand the basic concept of the task demonstrated. All job shadowing requests shall be reviewed and approved by Human Resources prior to the participant engaging in any activity.

### **3 . Volunteer:**

A volunteer is a person who provides services of his or her own free will to the County and neither receives nor expects to receive any kind of pay or compensation for these services. Generally, the services performed are associated with typical volunteer duties, such as being a greeter at a fund-raising event or serving food at a shelter, as opposed to performing tasks that would normally be done by employees of the County. Volunteers are not considered employees by any definition and may be required to sign confidentiality agreements or other waivers.

An employee shall be considered a volunteer only if the employee does NOT perform the same type of services in the employee's job as those for which the employee proposes to volunteer with the County. For example, an Accounting Assistant could not volunteer during the County Fair to collect fees, but the same Accounting Assistant could volunteer during the County Fair to transport guests throughout the fairgrounds.

## **E. INDEPENDENT CONTRACTORS/OTHER NON-EMPLOYEE COUNTY BUSINESS PARTNERS:**

Jefferson County is committed to hiring individuals who perform services for the County in accordance with applicable law, including laws and regulations pertaining to the proper classification of individuals as independent contractors or employees. It is the policy of Jefferson County to have all proposed independent contractor service agreements with individuals reviewed for proper classification prior to engaging the individual. Prior to committing to pay an individual for services, the County will determine whether the individual will be classified as an employee or independent contractor in accordance with the guidance and procedures described below.

1. Department Heads must inform the Human Resources Department of any individual who will be interning, consulting, contracting or starting employment with Jefferson County, prior to the start date of the assignment, regardless of the length of time the above will be with the County. Human Resources will complete an Independent Contractor Checklist to determine the proper work status of the individual, either as an employee of Jefferson County or an independent contractor.
2. Human Resources will contact the MIS Department to provide notification of the above. The MIS Department staff will not move forward with security without this notification from Human Resources. The Department Head will contact the MIS Help Desk to request the assignment of a county email address and access to the county network within the specific area that the intern, consultant, contractor or Agency staff will be located. The Department Head will also notify the MIS Department of the workspace, and the need for an office phone, computer, etc. if necessary.
3. The Department Head will gather the following information from the school, the consultant, or contractor prior to the start of the assignment: a copy of the caregiver background check (if required) which will be forwarded to Human Resources; a copy

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of the liability insurance carried by the school, consultant or contracting company; the name and contact information for the intern's field placement supervisor; and a copy of the intern's, consultant's, or contractor's valid driver's license, registered vehicle and auto insurance, if driving will be a requirement of the assignment.

4. Human Resources will meet with the intern, consultant, contractor or Agency staff within the first week of the start date of the assignment. Human Resources will issue a County ID Badge as per the **Employee Identification policy** in Section 1800 – Safety and Security. Information regarding the level of building access needed must be communicated to Human Resource or appropriate facility designee to assure that the badge only allows access to necessary portions of the building at appropriate times.

In addition, the Human Resources Department will provide, and have the intern, consultant, contractor or Agency staff acknowledge, an orientation to any specific County's policies and procedures deemed relevant to their role and responsibilities while at the County. This includes any Safety agreements/procedures.

5. The department supervisor/department head will ensure that the intern, consultant, contractor or Agency staff sign a document acknowledging receipt of specific training related to the type of assignment with the Department, i.e. HIPAA training, Civil Rights Training, Ethics Training, etc.

Date Created: 12/31/2019

Last Updated: 12/31/2019

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# HR-200.7 Nepotism

## **SUMMARY/POLICY STATEMENT:**

It is Jefferson County's policy that any member of the immediate family of persons currently employed with Jefferson County may be hired if they have participated in the recruitment and selection process in the same manner as other applicants, providing they will not:

1. be working directly for a relative, or
2. be directly or indirectly supervising a relative.

For the purpose of this policy, immediate family includes spouse, children, parents, siblings, grandparents, grandchildren, live-in companions and any step- relatives and in-laws of the aforementioned family members. This policy does not affect seasonal or emergency help employees.

## **PURPOSE:**

Employment of relatives in the same area of an organization can cause serious conflicts effecting employee morale due to real or perceived favoritism. In these circumstances, all parties, including supervisors, are open to charges of inequitable consideration in decisions concerning work assignments, transfer opportunities, performance evaluations, promotions, demotions, disciplinary actions, pay increments, and terminations. In addition, to claims of partiality in work treatment, personal conflicts from outside the work environment can potentially be carried into day to day working relationships.

## **PROCEDURE:**

If a supervisory relationship of an immediate family member, as defined above, is established after employment, and if, at the employer's discretion a transfer/change of position is not available, one of the employees will be placed on lay-off, which may result in a permanent lay off, from County service. Every attempt will be made to effect transfer or separation on the basis of agreement between the involved employees and the County. If an agreement is unattainable, the Human Resource Director will decide the employee to be transferred or separated, with final approval by the County Administrator. The policy does not affect the occasional supervisory relationship of an immediate family member that may occur due to overlapping shifts, overtime shifts, or any occur to ensure necessary staffing coverage.

Date Created: 12/31/2019

Last Updated: 12/31/2019

# HR-500 Employee Files and Records

## **SUMMARY/POLICY STATEMENT:**

Employee records are essential to maintaining factual information regarding the employment history of individuals presently or previously employed by the County. Under the overall direction of the County Administrator, the Human Resources Department shall establish and maintain an official employee file for active employees and maintain files for inactive and former employees.

## **PURPOSE:**

This policy provides guidance to employees about their privileges and obligations with respect to their own personnel records, and guides Jefferson County personnel responsible for producing and maintaining personnel records in the appropriate handling of those records.

## **A. CONTENTS OF EMPLOYEE FILES:**

### **1. Personnel File:**

For the purposes of this policy, a personnel file consists of any non-medical, employment-related or personal information about a County employee, former employee or applicant for employment gathered by the County. Examples of employment-related records include: employment application, job change form, promotions, salary, leave, benefits, performance evaluations, disciplinary actions, status changes, etc. Examples of personal information includes: home address, social security number, date of birth, marital status, etc.

### **2. Medical File:**

Medical information, including FMLA medical certification forms, documentation of a disability, health care provider notes, drug or alcohol test, post-offer medical examinations, and worker's compensation records shall be stored in filing areas separate from the employee's personnel file. Access to medical records shall be restricted to authorized individuals on a need-to-know capacity.

## **B. DISCLOSURE OF PERSONNEL RECORDS – PUBLIC RECORD REQUESTS:**

The right of the public to review and obtain copies of employment records is governed by Wisconsin Statutes.

Portions of an employee's file may be subject to public disclosure if a public records request is properly made under Wisconsin Public Records Law. If required to make disclosure of employees' records, the County shall adhere to the Public Records Law, by providing such information as is required and by providing notice to the employee, as applicable, of a potential disclosure pursuant to Wis. Statutes.

The following information shall be redacted from employee records prior to permitting public inspection: home address, personal electronic mail address, personal telephone

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number(s), social security number, date of birth, sex, ethnic origin, disability, bank accounts, medical information and other HIPAA-protected health information.

Records also may not be released to the public depending on the balancing of the public's interest in disclosing the contents of the record versus the public's interest in nondisclosure. The employee must be notified of the records request prior to release, pursuant to [Wisconsin State Statutes 19.356](#).

## **C. LOCATION OF PERSONNEL RECORDS:**

The Human Resources Director serves as the official custodian of employee records. The Human Resources Department shall securely maintain employee records as required and needed. Examples include, but are not limited to, employment applications, resumes, employment tests, salary changes, leaves of absence forms, employee benefit records, performance evaluations, payroll records, disciplinary and commendation documents, training records, and medical records.

Departments may contain *copies* of certain records for auditor and compliance reasons. These records must be maintained in a secure area.

## **D. RETENTION AND DESTRUCTION OF RECORDS:**

The County will maintain, purge, and destroy employee records in accordance with federal and state statutes, and the County's records retention policy.

## **E. EMPLOYEE INSPECTION OF RECORDS:**

Pursuant to Wis. Stat. §103.13, employees or their designated representatives may request a copy of their employee file. An employee may designate in writing a representative to review and obtain copies of an employee's record. An authorized representative will be given the same rights to access employee records as the employee.

The County will make the employee file available for review. The Human Resources Department will schedule an appointment for the employee to review files within seven working days following the receipt of the employee's request. Employees may make two requests per calendar year. Employees may also review and obtain their medical records; however, if the County believes the release of the medical record would have a detrimental effect on the employee, release of the record may be made through a physician designated by the employee.

The review of the employee file shall take place in the Human Resources Department. If review requires employees to take time off work, another reasonable time for the inspection will be provided. The Human Resources Department may allow the review to take place at a place other than in the Human Resources Department, if necessary. The County shall adhere to all other applicable provisions of Wis. Stat. §103.13 in providing employment records to its employees.

If an employee, an employee representative, or someone from the public requests and obtains copies of available personnel records, they can be charged a fee. The fee will be established and maintained in the department where the personnel record is maintained.

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## **F. REMEDIES FOR EMPLOYEE OBJECTION TO MATERIAL IN PERSONNEL FILE:**

If an employee disagrees with any information contained in his or her records, a removal or correction of the information can be mutually agreed upon between the employee and the Director of Human Resources. In the event an agreement cannot be reached, the employee may submit a written statement outlining his or her position. The employee's statement will be attached to the disputed record and will be provided whenever the disputed record is provided to someone.

Date Created: 12/31/2019

Last Updated: 12/31/2019

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# **HR-600 Hours of Work, Scheduling, and Closures**

**SUMMARY/POLICY STATEMENT:**

The County will establish and communicate normal and regular work schedules for employees. Employees should have an expectation that their work schedules will be consistent whenever possible. Work schedules may vary throughout the organization based on the nature of department operations and needs of the department. Staffing needs and operational demands may necessitate variations in starting and ending times, days of the week worked, as well as variations in the total hours that may need to be scheduled. When a department determines there is a need to alter an employees' work schedule, supervisors will advise employees of any changes with as much notice as possible.

**PURPOSE:**

This section establishes the official workweek at Jefferson County. Because of the differing nature of local government services, departmental guidelines determine employee scheduling needs and should be communicated to employees as part of their orientation.

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# **HR-600.1 Hours of Work, Non-Exempt (Hourly) Employees**

## **SUMMARY/POLICY STATEMENT:**

It is the policy of Jefferson County to be in compliance with the Fair Labor Standards Act (FLSA) and Wisconsin Labor Laws and to ensure that employees in non-exempt positions are classified correctly and paid appropriately. Human Resources is responsible for determining the classification of positions as non-exempt based on FLSA criteria.

## **PURPOSE:**

This policy provides guidance to non-exempt employees about their rights and responsibilities with respect to their hours of work, recordkeeping requirements and overtime policies.

## **PROCEDURE:**

Non-exempt employees' work hours are typically based on a 40-hour work week, with hours to be established by the department head to ensure that staff is available during business hours to assist the general public and clients the County serves.

No employee shall be guaranteed a minimum of 8 hours per day or 40 hours per week. An employee's work schedule and hours of work are dependent on the operational or business needs of the department and the County.

*All time worked shall be recorded and reported to the Human Resources Department with each payroll. This includes any use of paid time off to fulfill the County's need to be accountable to the public.*

## **A. UNPAID BREAKS:**

### **1. Meal Period:**

Non-Exempt employees scheduled to work 6 hours or more are allowed a one-half hour to an hour, unpaid meal break, whenever feasible. Meal breaks shall not be used for late arrival or early departure purposes or to create overtime.

### **2. On-duty meal period:**

When an employee is *required* to remain on duty and eat while on duty, the meal period shall be included in hours worked. This includes Communication Operators and Jail Kitchen Cooks, but may include other positions. On-duty meal periods shall be limited to no more than thirty (30) minutes.

### **3. Breaks for Breastfeeding Mothers:**

Reasonable break periods will be provided for a breastfeeding mother to express breast milk for her child. These breaks should be documented and reported as non-worked time, unless taken during a normal *rest break*. Breastfeeding

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mothers requiring these breaks should make the request to the immediate supervisor or manager and communicate the frequency and duration of the breaks. [See Policy???? For additional information.](#)

## **B. PAID BREAKS:**

### **1. Rest Breaks:**

Non-Exempt employees scheduled to work eight (8) or more hours in a day may be allowed two 15-minute paid rest breaks, one per each half of the shift. Employees scheduled to work less than eight (8) hours in a day may be allowed one 15-minute paid rest break.

Rest breaks shall not be used for late arrival or early departure purposes, nor shall they be combined with a meal or rest break order to take longer break periods. Rest breaks are meant to allow an employee to refresh themselves during the workday and therefore should not be taken in the first or last hour of the workday. As employees are paid for rest breaks, it is expected that they remain on facility grounds should they be needed to return to work.

Date Created: 12/31/2019

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# **HR-600.2 Hours of Work, Exempt (Salaried) Employees**

## **SUMMARY/POLICY STATEMENT:**

It is the policy of Jefferson County to be in compliance with the Fair Labor Standards Act (FLSA) and Wisconsin Labor Laws and to ensure that employees in exempt positions are classified correctly and paid appropriately. Human Resources is responsible for determining the classification of positions as exempt based on FLSA criteria.

Exempt employees are expected to work whatever hours are necessary beyond the workweek to assure that a complete and adequate job is done. This expectation has been taken into account in determining the classification and salary for each exempt position.

## **PURPOSE:**

This policy provides guidance to exempt employees about their rights and responsibilities with respect to their hours of work, recordkeeping requirements and overtime policies.

*All time worked shall be recorded and reported to the Human Resources Department with each payroll. This includes any use of paid time off to fulfill the County's need to be accountable to the public.*

## **PROCEDURE:**

### **A. DEPARTMENT HEADS AND ATTORNEYS:**

Department heads and Attorneys are normally expected to work beyond the standard eighty (80) hour biweekly pay period when required by their job responsibilities and work demands. These employees may adjust/flex their hours with the standard eighty (80) hour biweekly pay period in increments eight (8) hours or less in a week. Department heads and Attorneys working less than 80 hours in a pay period are required to supplement work time with paid-leave time such as sick, vacation, personal holiday, bringing total hours up to eighty hours per pay period. [See Compensation for additional information.](#)

In addition, Department Heads and Attorneys in exempt classifications shall be eligible for additional vacation benefits. [See Section XXX, Vacation.](#)

### **B. EXEMPT EMPLOYEES:**

Exempt employees are normally expected to work beyond the standard eighty (80) hour biweekly pay period when required by their job responsibilities and work demands. Exempt employees, other than Department Heads and Attorneys, may occasionally adjust their normal work schedules due to working beyond the eighty (80) hour pay period with approval of the department head.

An adjustment in an employee's work schedule may result in time off on another day in the

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pay period or later in the calendar year. When an employee's work schedule is adjusted, they are not required to use benefit time such as vacation or sick leave providing it is in increments of eight (8) hours or less in a week. The adjustment may include working less than eight (8) hours on a particular day and less than 80 hours in the pay period. It is preferred that adjustments occur within the pay period in which the additional hours are worked; however, if that is not possible, the adjustment may occur in other pay periods of the year.

This adjusted time off must be approved in advance by the employee's supervisor and must be recorded on the employee's timesheet. Adjustments in work schedules will not be approved on an hour for hour basis for all time worked beyond the eighty (80) hour pay period standard and in no circumstances exceed 40 hours of out-of-the-pay period adjusted time in a calendar year. Salaried exempt employees should have no expectation of an hour for hour adjustment.

Adjusted work schedules are intended to be an occasional occurrence and are not intended to replace other types of time off for such things as an extended or regularly scheduled vacation, extended illness, absence due to a worker's compensation illness or injury, FMLA leave, military leave, etc. Extra hours worked beyond the eighty (80) hour standard do not accumulate in any way, and do not entitle an employee to additional compensation, leave time, or other benefits.

Any exceptions to these rules must be pre-approved by the Human Resources Director. The department must provide justification for the exception.

Exempt employees working less than 80 hours, including the adjustment of hours, in a pay period, are required to supplement work time with paid-leave time such as sick, vacation, personal holiday, bringing total hours up to eighty hours per pay period. [See Compensation for additional information.](#)

Date Created: 12/31/2019  
Last Updated: 12/31/2019

# HR-600.3 Work Schedules

## **SUMMARY/POLICY STATEMENT:**

Jefferson County is committed to helping employees with work-life issues by offering a number of possible work schedule arrangements. These arrangements provide employees with increased flexibility while allowing the County to maintain a progressive and productive work environment.

## **PURPOSE:**

This policy provides guidance to non-traditional and alternative work schedules. A department head may modify the hours of work for an employee based on the needs of the department. Prior to modification of an employee's hours, the department head should review [Safety Policy Section 1800](#) regarding access to buildings.

## **PROCEDURE:**

Department Heads may establish schedules other than a traditional Monday through Friday work schedule for some employees to meet the operational needs of the department and County. Schedules can be modified at any time. If an employee's work schedule is changed, they will be provided as much notice as practical. The department head shall notify Human Resources prior to making any change.

## **A. NON-TRADITIONAL WORK SCHEDULES:**

Examples of some non-traditional work schedules include the following:

1. A schedule consisting of five (5) days on followed by two (2) days off, followed by five (5) days on followed by three (3) days off.
2. Substituting, or trading shifts, with co-workers in accordance with Section 7(p)(3) of the FLSA. A department head who allows substitution or trading of shifts shall notify the Human Resources Director prior to implementation of the policy. The hours worked shall be excluded by the employer in the calculation of the hours for which the substituting employee would otherwise be entitled to overtime compensation under the Fair Labor Standards Act. Where one employee substitutes for another, each employee will be credited as if he or she had worked his or her normal work schedule for that shift
3. Certain Public Safety employees may have a work schedule created in accordance with the Section (k) FLSA, which may include a 15-day or other work period.

## **B. ALTERNATIVE WORK SCHEDULES:**

An employee may request an alternative scheduling arrangement that will equally meet the needs of the department as their current schedule.

- Adjustments to schedules will generally not be permitted if the adjustment results in overtime or compensatory time, or if satisfactory performance is not maintained.

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- A record of this agreement indicating the anticipated work schedule (if possible), duration (if applicable), and the signatures of both parties shall be submitted to Human Resources. This is not meant to include the occasional flexing of hours to meet the demands of an employee's workload or department.
  - The department may discontinue an alternative scheduling arrangement. Employees will be provided notice prior to the discontinuation of the schedule.
  - If an employee's safety would be compromised by the granting of an alternative schedule, they may not be eligible for alternative scheduling. In some cases, alternative scheduling may be available, but will be limited due to safety concerns.
  - Each workweek of the alternate work schedule shall contain the same amount of hours an employee was normally scheduled to work.
- 1. Flexible Workday:** The employee's normal workday is "flexed" within the confines of an employee's normal workday. For example, on a regular and ongoing basis an employee's requests to leave work for 2 hours in the middle of the normal workday. An alternate schedule is created to allow the employee to report to work earlier, stay later or a combination of the two.
  - 2. Compressed Workweek:** The employee's workweek remains as established for the position, but the number of hours per day or days per week varies.
  - 3. Part-time Hours:** The employee's workweek may be temporarily reduced. When this occurs, there may be an impact on employee benefits, depending on the duration of the reduced work.
  - 4. Telecommuting and Remote Access:** The employee's normal work hours are met by a combination of work at the employee's regular work location and through work at home or other location via remote access. Written notice shall be provided to Human Resources.

Date Created: 12/31/2019  
Last Updated: 12/31/2019

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# HR-600.4 Volunteering and Secondary Employment

## **SUMMARY/POLICY STATEMENT:**

Jefferson County permits employees to engage in volunteering activities and secondary employment when it does not create a conflict of interest or interfere with the employee's responsibilities of working with the County.

## **PURPOSE:**

This policy ensures that an employee's volunteering commitments and secondary employment does not have an adverse effect on the employee's primary employment and does not create a conflict of interest.

## **PROCEDURE:**

### **A. VOLUNTEER HOURS:**

All volunteer service provided by an employee of the County will be performed outside of the normal hours of work of the employee. Employees are prohibited from volunteering for activities for Jefferson County that are the same or similar nature to their job duties with the County.

### **B. SECONDARY EMPLOYMENT:**

County employees are permitted to engage in outside employment provided they meet all responsibilities, obligations, scheduling demands and work performance requirements of their position with the County. Employees are expected to consider the impact outside employment may have on their health and physical endurance. Wherein outside employment is found to interfere with an employee's ability to fully meet his/her employment obligations, the employee will be requested to terminate his/her outside employment if he/she wishes to retain employment with the County. Any outside employment which constitutes a conflict of interest is absolutely prohibited and is subject to disciplinary action up to and including dismissal from County employment. In addition, employees are prohibited from using County facilities, equipment or telephones in any activity related in any way to their outside employment at any time. No activities related to outside employment are to be conducted during working hours.

Each employee is required to disclose all regular, on-going secondary employment to his or her department head. Each disclosure will be reviewed to ensure that the secondary employment is compatible with the employee's job and does not impair the employee's ability to perform his or her primary job in an acceptable manner. Before the department head makes a final determination that the secondary employment is *not* compatible, the department head shall consult with Human Resources.

Date Created: 12/31/2019

Last Updated: 12/31/2019

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# **HR-600.5 County Facility Closings**

## **SUMMARY/POLICY STATEMENT:**

It is the policy of Jefferson County to keep all services, offices and departments open and available to the public to the fullest extent possible. County employees who perform non-essential or non-emergency-type services during periods of inclement weather or other emergency conditions should make a good faith determination about their safety when attempting to travel to work. All County buildings will be open at normal operating times as to allow employees to reach their work site. All County employees should report to work as usual, unless notified otherwise.

## **PURPOSE:**

The purpose of this policy is to standardize County emergency closing procedures and to provide direction to employees in the rare circumstances when the County decides to close, delay, or alter County facilities and/or operations during business hours.

## **PROCEDURE:**

### **A. AUTHORITY TO DECLARE EMERGENCIES:**

The County Administrator and County Board Chair or their designees may close a building(s) or temporarily cease providing non-essential public service when an emergency condition such as inclement weather or some other emergent condition exists and it has been determined it is in the best interests of the employees and the public to temporarily declare an emergency condition

### **B. NOTIFICATION PROCESS:**

In the event that an emergency situation is declared which requires the delay, curtailment or closure of buildings or non-emergency services, the County Administrator will advise Department Heads. If such decision is made prior to the commencement of the work day, employees will be made aware of the decision through local television, radio and other news media. Other methods of communicating with employees may be used if available and if it is practical to do so, including the County's Mass Notification System.

### **C. REPORTING FOR WORK – ESSENTIAL SERVICES EMPLOYEES:**

Department Heads who are responsible for essential services will designate the operations, positions and staff that are essential and will continue despite the declaration of an emergency condition. Essential operations may include, but will not be limited to, continuous operations, patient care, protection of the public, or services required to improve driving conditions (Sheriffs' Office and Highway Department) or other conditions prompted by the emergency. Based on the nature and extent of the unique emergency situation other operations and positions may also be considered essential. Employees in positions designated as essential will be expected, as a condition of their employment, to

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report to work. Designated essential employees may be required to report to work when other County employees are excused.

**D. COMPENSATION DURING DECLARED EMERGENCIES:**

See [Section 1000 Compensation](#) for policy regarding compensation for employees during declared Inclement Weather and Emergency conditions.

Date Created: 12/31/2019

Last Updated: 12/31/2019

# HR-700 Position Classification Plan

## **SUMMARY/POLICY STATEMENT:**

The County shall develop, maintain and administer a Position Classification Plan where County positions are assigned to classifications based on the nature of work, level of responsibility, and the skills, knowledge, and abilities required to perform the positions.

## **PURPOSE:**

The position classification system is intended to provide the basic organizational structure to address a broad range of human resource matters including but not limited to:

- Establishing a framework to create and maintain a sound pay policy by providing for consistent salary relationships between functions within County government
- Establishing meaningful training, education and work experience requirements for jobs
- Assisting in establishing job performance standards
- Developing recruitment and selection programs
- Establishing appropriate promotional sequences and career opportunities
- Developing a foundation for the creation of training programs and skill development
- Establishing workforce planning and budgeting

## **DEFINITIONS:**

**Allocation:** Assigning a position to a specific pay grade.

**Position Classification Plan:** The organization of positions into groups on the basis of similar duties, responsibilities, and qualifications.

**Position:** A County Board authorized and approved job that has a set of duties and responsibilities assigned to an employee. The job is authorized and assigned to a specific County department.

**Position Description:** A written description for each position in the position classification plan. Descriptions include a position title, a general statement of the purpose of the position, specific duties and responsibilities, and minimum qualifications. Special requirements, such as licensure or certification, and physical demands are also included where appropriate.

**Reclassification:** "Reclassification" has a dual meaning depending on whether the impact is on an individual employee or is associated with the change in pay grade of a position.

**Employee Impact:** A change in an individual employee's (or several employee's) position based upon substantial changes in the duties and responsibilities performed by an employee on a consistent and ongoing basis, but not necessarily performed by

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all of the other employees in the same position. The result is the employee being placed in a new position which has a higher, lower or equal pay grade. This involves the creation of a new position and job title or moving the employee into a different existing position that has duties and responsibilities equivalent to what the employee's job requires.

**Position Impact:** A movement of all employees in a particular position to a different pay grade resulting from a logical change in the duties and responsibilities of the position, which has generally occurred over time, or in order to address significant changes in the labor market. The change impacts all of the employees in the position but may not have an impact on the current duties and responsibilities of the employees in the position classification. When a reclassification of a position to a new pay grade occurs, the new pay grade may be higher or lower than the current pay grade.

## **A. CLASSIFICATION SYSTEM ADMINISTRATION:**

The County Administrator has the responsibility for the overall development and administration of the classification plan.

The Human Resources department will manage the day to day system, periodically review the classification plan, and recommend modifications when it is determined that the one or more of the following conditions exist:

- Current position descriptions need to be updated
- Positions are not properly classified
- Organizational and departmental changes require the creation of new classifications
- Market conditions have changed

When it is appropriate to modify the classification plan, the County Administrator will make recommendations to the Human Resources Committee and County Board for final approval. The County Board may also create, combine or abolish positions.

The position title and description is the official record and will be used in all official transactions. Working titles may be used for any position as long as the working title is consistent with the position's relative placement in the organizational structure and is approved by the department head. The [position classification listing](#) and position descriptions shall be on file with the Human Resources Department.

## **B. RECLASSIFICATION (CLASSIFICATION CHANGE):**

Department heads shall assign work to employees in a manner consistent with the employee's position approved through the annual budget. Positions are authorized within a specific position description and the duties shall be assigned to the employee within the scope of responsibilities of their position.

The department head shall not implement significant job duty changes to the authorized position that would result in the need for a reclassification of the position without prior notifying the County Administrator. If the significant job-duty changes are not required by statute or other regulatory mandate, prior approval must be obtained by the County Administrator.

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When one or more of the following conditions is present, a request may be made to have a classification study conducted to determine if a position or classification of positions should be modified and changed:

- Organizational departmental changes
- Significantly new functions assigned to or removed from one or more employees
- Abolishment of positions
- Market condition changes
- Recruitment and/or Retention challenges

Increased volume of work does not affect the classification assigned to an employee and as such is not a reason for a classification study.

## 1. Reclassification Procedure:

The following process shall be followed to initiate a reclassification request:

- a. Requests for review may be initiated by an employee, the department head, Human Resources, or the County Administrator.
- b. Requests are submitted to Human Resources department in accordance with the annual budget calendar timelines and employees shall complete a job description questionnaire (JDQ).
- c. Requests and JDQs are reviewed and approved, when appropriate, by the Human Resources Director.
- d. The County will engage the services of a consultant to review the accuracy of the assigned classification. In some instances the study may be conducted by the Human Resources staff.
- e. The study results are reported to the Human Resources Director and County Administrator, and presented to the County Board for final approval typically in conjunction with the annual County budget or through special resolution.
- f. Human Resources will update job descriptions as appropriate.

If the reclassification is to a lower pay grade employees are placed at the step of the new pay grade that provides the least amount of decrease.

## 2. Implementation of Classification Adjustments:

Classification adjustments shall typically be effective on January 1 of the succeeding year, in conjunction with the budget. However, adjustments may take effect at a time designated by the County Board via a special resolution approving the reclassification.

- a. Reclassification to a Higher Pay Grade: The incumbent(s) shall be compensated at the rate in the higher pay grade which provides the least amount of increase. The employee's anniversary date does not change unless the incumbent was at the top step prior to the reclassification and is eligible for future steps in the new pay grade.
- b. Reclassification to a Lower Pay Grade: The incumbent(s) shall be compensated at the rate in the lower pay grade which provides the least amount of decrease. The employee's anniversary date does not change.
- c. Reclassification within the Same Pay Grade: The salary of a classified employee whose position is reclassified within the same pay level shall not receive a change in rate of pay. The employee's anniversary/appraisal date does not change.

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## **C. POSITION CONTROL - CREATION, ELIMINATION, AND MODIFICATION OF POSITIONS:**

Positions are managed through a specific process. When a position is created, eliminated, or modified in some way the change must be approved by the County Board.

### **1. Requests During Annual Budget Process:**

The County Board shall on an annual basis authorize for each department the number and classification of positions for the succeeding year. Department Heads wishing to create, eliminate, or change the status of positions will use the following process:

- a. A written request for the creation, elimination or status change of a position must be submitted by the Department Head to the Human Resources Department in accordance with the annual budget calendar timelines. The request shall include justification and funding available for the position as well as a completed JDQ if an existing position description does not exist.
- b. Position change requests are reviewed by the County Administrator as part of the annual budget development. If approved by the County Administrator, a classification and pay grade are assigned.
- c. As part of the overall budget process the Human Resources and Finance Committees will review the County Administrator's recommended position changes.
- d. Positions are presented to the County Board during the budget approval process. Position changes are effective only if approved by the County Board. New positions will be created, eliminated, or changed January 1 of the subsequent year unless specified otherwise in the budget.
- e. Human Resources shall update the classification plan listing and prepare a new position description, if applicable.

### **2. Requests Outside Annual Budget Process:**

There may be times when a department head may wish to amend the number of positions within the departmental budget that does not coincide with the budget process. In these cases, the following process will be used:

- a. A written request for the creation, elimination or status change of a position must be submitted to the County Administrator and Human Resources Director. The request shall include justification and funding available for the position as well as a completed JDQ if an existing position description does not exist.
- b. The County Administrator and Human Resources Director shall review the request and determine if the position request should be forwarded on to the Human Resources Committee.
- c. If the Human Resources Committee supports the department request and the recommendation of the County Administrator, a resolution will be presented by the Committee to the entire County Board for action and approval.
- d. Human Resources shall update the classification plan listing and prepare a new position description, if applicable.

Date Created: 12/31/2019

Last Updated: 12/31/2019

# HR-800 Travel

## **SUMMARY/POLICY STATEMENT:**

Department Heads and employees of Jefferson County may need to travel and incur expenses in order to perform the duties of their job or to gain and maintain relevant professional knowledge. Accordingly, it is appropriate to delineate which types of travel time are compensable, and which expenses are allowed and/or reimbursable.

## **PURPOSE:**

This policy outlines the pay rules (what travel is compensable) and expense rules (what expenses are eligible for reimbursement) when an employee is traveling on County business.

## **PROCEDURES:**

### **A. TRAVEL TIME:**

Employees may be eligible for compensation for the time they spend traveling. Employees in positions classified as nonexempt (hourly) under the Fair Labor Standards Act may be eligible for overtime for the time they spend traveling. The compensation an employee receives depends on the kind of travel and whether the travel time takes place within normal work hours.

#### **1. Travel During the Normal Workday:**

Time spent traveling in the performance of assigned duties during the employee's normal work schedule is considered time spent working. "Normal work hours," for the purposes of this policy, are defined as an employee's regularly scheduled work hours (e.g., 8:30 a.m. to 5:30 p.m.). This definition applies to normal workdays (Monday through Friday) and to weekends (Saturday and Sunday).

For same-day out of town travel, any employee who is eligible for overtime consideration and who is required to travel during hours which are in addition to the normal workday shall be paid overtime for the additional time, provided it is eligible to be counted as hours worked.

- a. Travel during the workday: Time spent by an employee traveling as part of his or her regular job duties, such as travel from jobsite to jobsite during the workday, is work time and will be paid as such.
- b. Travel for a one-day assignment in another city: An employee who regularly works at a fixed location and is given a special one-day assignment in another city and returns home the same day will be paid for the time spent traveling to and from the other city, except for the time the employee would normally spend commuting to and from the regular worksite. The usual meal time is also expected and deducted unless work is performed during this time.
- c. Attending a Meeting, Seminar, Conference or Training: Department Heads and staff may attend conventions, seminars, training and tours, provided it is related

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to the employee's job. If an employee wishes to attend a conference, meeting, and/or training program, or other similar activity, the employee must obtain advance ~~written~~ authorization from the employee's supervisor.

Attendance at conferences, meetings, training programs, and other similar activities is considered hours worked unless all four of the following criteria are met:

- attendance is outside the employee's regular working hours;
- attendance is in fact voluntary (i.e. not required by the County);
- the conference, meeting, or training program is not directly related to the employee's job; and
- The employee does not perform any productive work during such attendance.

Since the time in attendance is considered work time, the employee shall be subject to all employee work rules.

When an employee travels to a meeting, seminar, conference, etc. and returns home all in the same day, a portion of the travel time is considered time worked. Travel time that is compensable includes time spent traveling from home to the destination, and from the destination back home, which is in excess of the employee's normal travel time between home and their regular work site. For example, an employee's normal travel time to the regular worksite is 15 minutes and the travel time to the conference is 60 minutes; the employee should be paid 45 minutes for his/her travel time. The usual meal time should be deducted, unless work is being performed during this time.

2. **Travel Away from Home Community:** Travel for work related purposes which requires overnight accommodations away from home is travel away from the home community. Out-of-state travel by an employee must be approved by the County Administrator or their designee. All travel arrangements and travel plans shall be pre-approved by the department head.

All time spent traveling away from home is counted as time worked. This time may be subject to overtime compensation for employees who are eligible for overtime compensation. The department head may adjust the employee's work schedule to eliminate the need to provide overtime compensation.

- a. *Air, Bus and Train Travel:* Time spent traveling from home to an airport terminal or train/bus station is considered commute time and is not treated as hours worked, except as provided in **travel during normal workday**. Time spent traveling as a passenger on an airplane or train is considered work time, including waiting at a terminal.
- b. *Automobile Travel:* Time spent traveling as a driver or passenger in an automobile is considered work time, including time waiting in traffic.

If an employee is offered public transportation but requests permission to drive their car instead, the County will count as hours worked either the time spent driving the car or the time the County would have had to count as hours worked during working hours if the employee had used the public conveyance, whichever is less.

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- c. Extended Travel Schedules: Employees who travel may adjust their travel schedule, for the purpose of obtaining savings in their total trip expenses. For example, cost to travel in advance of a conference is less expensive than traveling the morning of the conference. Such arrangements and total cost review must be approved by the employee's department head in advance. Employees are required to demonstrate that by comparison, the times at which travel is undertaken result in total travel expenses that are less than if the employee had not adjusted their travel schedule. If additional wage costs are incurred as a result of the employee's adjusted travel schedule, such wages must be considered as part of the employee's total trip expenses.

## B. TRAVEL EXPENSES:

### 1. Registration Fees:

When provided proper notice, the County will pay approved registration fees in advance. If request for payment is not made timely, the employee shall pay the registration fees and submit a reimbursement request for repayment.

Registration fees are reimbursable if evidence of payment, along with documentation which includes actual dates, location, title of the conference/ seminar/training/convention and the amount of the fee. When available, a breakdown of specific costs, such as meals, included in the fee should be provided.

### 2. In-State Lodging:

Actual and reasonable expenses will be allowed for lodging for employees traveling for work related business, not to exceed the established State of Wisconsin Rate for in-state lodging. An exception is made in the event that County personnel are lodging at a site that is in more suitable proximity to where business is being conducted, i.e. convention site, in which case the full cost of lodging will be paid. A purchase order will be obtained in advance unless the employee uses a County purchase card or personal credit card.

Additional lodging in excess of a travel day before or after a conference or convention is an allowable expense if there is a net savings in the overall conference travel costs for the extended stay. This savings must be documented using the [County's Travel Form](#).

### 3. Out-of-State Lodging:

Reimbursement for out of state lodging costs follows the annual index published by the State of Wisconsin Department of Administration (DOA), Division of Personnel Management, unless such rates are not offered. In that case, employees shall make reasonable effort to find nearby lodging at the most economical rate. Out-of-State lodging that exceeds the maximum reimbursement rate shall be pre-approved by the department head. This maximum rate schedule is made available periodically by the DOA and does not include taxes and lodging fees which are also allowable expenses if not waived by the lodging site. Persons seeking lodging should request a governmental rate (for work related travel only) and should inquire whether taxes and lodging fees will be waived.

### 4. Meals:

Employees will be reimbursed for meals:

- a. if the County is hosting a district meeting or similar event in the County

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- b. if the employee is attending an approved convention or seminar or traveling out of County
- c. in the County if pre-approved by the employee's supervisor

Meal Reimbursement shall be as follows:

- a. Breakfast: maximum of seven dollars (\$7.00), inclusive of taxes and up to an eighteen percent (18%) tip if the employee leaves home before 7:00 a.m.
- b. Lunch: maximum of ten dollars (\$10.00), inclusive of taxes and up to an eighteen percent (18%) tip if the employee leaves their Department before 10:30 a.m. and returns home or to the Department after 2:30 p.m.
- c. Dinner: maximum of twenty-two dollars (\$22.00), inclusive of taxes and up to an eighteen percent (18%) tip if the employee returns home after 7:00 p.m.
- d. No reimbursement shall be made for the cost of alcoholic beverages.
- e. It will be necessary to have an itemized receipt for all meals as well as an agenda/itinerary for the event attended.
- f. The County P-card typically will not allow charges for restaurants. The employee may pay for the meal expense and request reimbursement.

If an employee attends a conference, seminar, or meeting for which meal(s) are provided as part of the registration fee, no additional reimbursement meal(s) shall be allowed, unless the employee or officer is subject to dietary restrictions that prevent the employee from accepting the meal provided.

### 5. Transportation:

Reimbursement is generally limited to the most reasonable cost-effective transportation available. Employees are encouraged and may be required to use a County vehicle when available and/or carpool as much as possible.

- a. Air Travel: The most economical means of transportation shall be used in all cases unless travel time is a factor. In that case, special consideration will be given to approval of airfare. Travel by plane shall be at coach rate and airline tickets shall be purchased in advance so as to achieve the lowest possible fare.

When airfare can be significantly reduced by adding additional days to a trip (i.e. staying over a weekend or flying on a particular day), the County will pay the additional expenses including lodging and meals for the minimum number of additional days needed to produce the savings, with the additional expense not to exceed the expected savings.

- b. Auto – County Owned: If the County has a vehicle available and an employee attends a training or seminar, that vehicle should be used rather than using a personal vehicle and charging mileage. If an employee drives a County vehicle for County business they shall be required to carry minimal insurance coverage as established by the County.
- c. Auto – Personal: Employees authorized to drive for County business shall hold a valid driver's license. Authorized use of an employee's automobile for County business shall be reimbursed at the rate set by the Internal Revenue Service. If an employee drives a personal vehicle for County business they shall be required to carry minimal insurance coverage as established by the County.
- d. Auto – Rental: Auto rental shall be made only if less expensive than other forms of land transportation or if other forms of transportation would prove

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unreasonable. An itemized receipt shall accompany the request for payment. Department heads are urged to obtain cost comparisons and authorize these expenditures in advance.

- e. *Public Ground Transportation - Bus/Rideshare/Taxi:* Employees who have traveled to another city by means other than their personal automobile are eligible for reimbursement of cab, bus, nationally recognized ride share options or airport limousine fare to travel to and from their hotel to the terminal or depot, and to attend assigned meetings. Receipts are required for reimbursement of these expenses unless waived by the Department Head.

## **6. Mileage:**

The County will reimburse allowable travel mileage at the IRS rate per mile, by the most direct route. The rate of reimbursement will be adjusted administratively without necessity of County Board action to coincide with the standard rate as established by the IRS.

Mileage that is reimbursable includes miles spent traveling from home to the destination, and from the destination back home, which is in excess of the employee's normal travel miles between home and their regular work site. For example, an employee's normal travel is 15 miles the regular worksite and the travel to the conference is 60 miles; the employee is eligible to be reimbursed for 45 miles.

## **7. Parking:**

Parking fees will be reimbursed when an employee is required to travel. A receipt or proof of payment shall accompany the request for payment.

## **8. Other Reimbursable Expenses:**

Toll charges and other incidental travel related expenses, within reasonable limitations, may be considered for reimbursement. Receipts or proof of payment are required for reimbursement of these expenses.

## **9. Expenses that are Not Reimbursable:**

The following travel expenses are considered non-reimbursable. If incurred, these expenses are the responsibility of the employee, and are to be paid by the employee personally.

- a. The purchase of alcoholic beverages
- b. Lodging costs within a 45-mile radius of the County Courthouse unless pre-approved by the County Administrator
- c. Flight accident insurance
- d. Maintenance or repair expenses to an employee's personal vehicle incurred while traveling Physical damage to a personal or leased automobile may be covered a County liability insurance policy
- e. Parking violations, traffic tickets, etc. regardless of whether the employee is driving a personal, rented, or County owned vehicle
- f. Travel by moped, motorcycle, or non-commercial airline is not allowed for work related travel under any circumstances

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- g. Personal Expenses (entertainment or other miscellaneous personal items)
- h. Tips (except allowed as part of the meal expense when the total expense is below the allowable limit)

## **C. PAYING FOR EXPENSES:**

### **1. Reimbursement Procedure:**

The County will reimburse employees for all necessary expenses incurred in the performance of their duties, including approved travel.

In order to receive reimbursement, employees must submit a County reimbursement form along with documentation to the Department Head in sufficient time for the Department Head or designee to review, sign and approve the submittal. It is advisable that all expense claims shall be submitted to the Finance Department within thirty days after the end of the month in which such expenses were incurred. If the expense claim is less than \$200, those expense claims may be carried over for a maximum of an additional month. It is at the discretion of the department head if they require expense claims to be submitted more promptly. The Finance Department may disallow all claims for reimbursement of expenses not submitted within the time prescribed.

### **2. Use of County Credit Care/Purchasing Card (P-Card):**

The County Purchase Card (P-Card) shall be used to pay for certain travel and training expenses. Specifically, the Purchase Card shall be used to pay for the following:

- Airfare
- Seminar Registration
- The P-Card may be used to hold hotel reservations and to pay for lodging expenses upon checkout, exclusive of any incidentals. Use of the P-Card to pay in advance for the entire stay is discouraged

The P-Card must be used only for the employee's own travel expenses. The P-Card cannot be used for expenses related for travel expenses of any non-county employee. When using the P-Card any portion of the travel expenses which are non-reimbursable under County policy, must be reimbursed to the County, either through a deduction on the employee's total travel expense reimbursement, or by the employee writing a check to the County for those expenses. Original receipts are required for all P-Card charges. Refer to the Purchase Card Policy and Procedures document.

## **D. BUSINESS AND PERSONAL TRAVEL COMBINED:**

It is expected that employees can judge when they are on business and when they are on personal time and that they will claim expenses in an honest and ethical manner.

When booking flights, if any personal time is included, you may not charge the airfare to the County using the P-Card. You must purchase the tickets using personal funds and request reimbursement, if applicable.

If an employee takes a side trip for pleasure, the employee may not claim time worked or be reimbursed for any expenses related to the side trip or the extended stay. If the trip is

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primarily personal (for example, you're on vacation) but you attend to business while at the location, you can claim any expenses related to the business, but you cannot be reimbursed for transportation to the location.

If family members are traveling with you, document and claim the cost for car rental, lodging, and meals as if you were traveling alone. The County will not pay for any incremental costs associated with personal traveling companions. For example, if the least expensive lodging is \$100/night for one person and \$125/night for two people, the employee is only eligible for \$100 reimbursement. Employees may use the P-card for the Single room rate only and pay the difference with their personal credit card.

Air flight and Airport parking will be paid only for business-related days. If an employee should have returned on Thursday, but extended the stay for personal reasons and returns on Sunday, reimbursement will not be paid for the three extra days for parking. Also, if the air flight to return on Thursday is less expensive than the cost to return on Sunday, the County will not reimburse the difference.

If taking a side trip for personal activities, document and claim the costs for the direct route related to the business purpose of the trip.

## **E. APPLICANT TRAVEL:**

An applicant may be reimbursed for travel and relocation expenses, subject to pre-approval of the County Administrator. **Please see Section XXX, Recruitment and Selection.**

Date Created: 12/31/2019

Last Updated: 12/31/2019

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# HR-900 Promotion, Demotion and Transfer

## **SUMMARY/POLICY STATEMENT:**

Jefferson County offers qualified employees the opportunity to seek career development and growth through transfers and promotions, and for personal reasons and better job fit or satisfaction, voluntary demotions. Jefferson County also acknowledges that jobs will naturally change over time as new technologies, initiatives and mandates are introduced into the workplace.

Jefferson County encourages employees to make full use of their talents, skills, and potential growth within the County and no employee will be adversely affected as a result of expressing an interest in another job opening. Employees are normally expected to have been in their current position for at least one year, but Jefferson County does not require a minimum time in one position prior to a promotion, transfer or voluntary demotion. When an employee accepts a new position, a new orientation period of six months begins.

## **PURPOSE:**

This policy provides qualified employees the opportunity to seek career development and growth through transfers and promotions, and for personal reasons and better job fit or satisfaction, voluntary demotions. This policy also provides guidance when jobs change over time as new technologies, initiatives and mandates are introduced into the workplace and when job and/or position reassignment occurs due to performance concerns. Refer to **HR-1000.2 Job Change Implementation** for additional information.

## **DEFINITIONS:**

**Reclassification:** "Reclassification" has a dual meaning depending on whether the impact is on an individual employee or is associated with the change in pay grade of a position.

**Employee Impact:** A change in an individual employee's (or several employee's) position based upon substantial changes in the duties and responsibilities performed by an employee on a consistent and ongoing basis, but not necessarily performed by all of the other employees in the same position. The result is the employee being placed in a new position which has a higher, lower or equal pay grade. This involves the creation of a new position and job title or moving the employee into a different existing position that has duties and responsibilities equivalent to what the employee's job requires.

**Position Impact:** A movement of all employees in a particular position to a different pay grade resulting from a logical change in the duties and responsibilities of the position, which has generally occurred over time, or in order to address significant changes in the labor market. The change impacts all of the employees in

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the position but may not have an impact on the current duties and responsibilities of the employees in the position classification. When a reclassification of a position to a new pay grade occurs, the new pay grade may be higher or lower than the current pay grade.

**Promotion**—A promotion is the movement of an employee from one classification to another classification and having a greater pay range maximum.

**Transfer**—A transfer is a change from one position to another position in the same classification in a different department; or a change from one classification to another classification having the same maximum salary.

**Work Assignment**-- A change in work assignment is the movement of an employee from one assignment to another in the same classification in the same department, e.g., Social Worker assigned to juvenile court is assigned to a family services unit; or an Administrative Assistant assigned to Criminal/Traffic is assigned to Small Claims.

**Demotion**—A demotion is the movement of an employee from a position in one classification to a position in another classification having a lower maximum salary. A demotion may be voluntary or involuntary.

## PROCEDURE:

### A. APPLICATION PROCEDURE:

3. When a vacancy occurs and is approved to fill, the department has the option to either limit the receipt of applications to current regular and temporary employees or to immediately open the position to all internal and external applicants. In determining which option to use, departments will consult with Human Resources and consider the number and quality of internal applicants that are available for consideration. A department that provides first consideration to County employees may eventually consider both internal and external applicants.
4. A notice of the job opportunity will be posted on the employee website, sent electronically to all employees and posted in appropriate areas within a department for employees who do not have access to the electronic format. Job opportunity notices shall remain posted for a period of fourteen (14) calendar days, unless a different time period is approved by the Human Resources Director.
5. Employees wishing to apply for a vacant position will complete an internal employment application within the appropriate posting period. A resume may also be required. Employees will be advised of any additional application materials that are required.
6. The application materials will be submitted to Human Resources to ensure that the employee meets the minimum qualifications. If an employee meets those requirements, the Human Resources department will provide the appropriate department supervisor with the employee application and resume.
7. Employees must obtain permission from their supervisor prior to receiving time off from work for the purpose of participating in the selection process. Employees will be excused from work with pay when they interview for another Jefferson County position, providing they notify their supervisor of the reason for requesting time off and provide sufficient notice.

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8. If fully qualified persons cannot be recruited, and following a new reposting for the position with lesser qualifications, the County Administrator may authorize the appointment of persons having less than the appropriate qualifications which may be at a lower rate of pay, grade or classification. It is expected that an employee will meet the full qualifications in a reasonable period of time, as a condition of employment. The length of time an employee may continue in employment with less than the full qualifications will be determined by the County Administrator.

## **B. SELECTION FACTORS:**

The process of selecting internal employee applicants for positions in County service is carried out under the general guidance of the Human Resources Director. This process relies on objectivity and validity through a practical assessment of the applicant's qualifications and suitability for employment. Depending on the position, this may include but need not necessarily be limited to the following:

- education, training and experience both during and before employment with the County
- practical job related work sample; or written, oral, or performance tests
- pre-offer, pre-employment checks, such as education, criminal history, caregiver background checks, driving records, etc.
- post-offer, pre-employment health (physical and psychological) and/or drug screening exams
- reference and employment inquiries from current and former supervisors and managers.

## **C. TRANSITION AND RELEASE DATES:**

When an employee makes an inter-departmental move, it is required that their department be given a two (2) week notice before they assume their new position. When more or less time is needed, an agreement for release is determined by the supervisors and/or department heads involved, and the Human Resources Department is notified of the date agreed upon.

## **D. PROMOTIONS:**

Promotions may occur as a result of a vacancy, new position or on a temporary basis to meet a department need for a specified period of time. When considering a current employee for a promotion, the respective department head shall meet and confer with the Human Resources Director.

Temporary Promotions: During a period of vacancy or long-term absence, an employee may be temporarily appointed to fill the vacancy. A temporary appointment for a department head position requires approval of the County Administrator. Temporary positions are typically expected to last more than 30 days but less than 180 days and may be extended with the approval of the County Administrator. Although the employee may receive extra compensation, the temporary promotion does not include an adjustment in employee benefits.

## **E. DEMOTIONS:**

Demotions may occur following a voluntary request of the employee or an involuntary action by a department head to address a performance deficiency, disciplinary action, or as a result in an organizational or position change.

Demotions are subject to recommendation from the Department Head and Human

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Resources Director, and approval of the County Administrator. Demotions may not follow the application process and factors in selection as outlined in this policy. The process used for demotion will be determined by the Human Resources Director.

## **F. TRANSFERS:**

Transfers may occur following a voluntary request of the employee or an involuntary action by a department head to address a performance deficiency, disciplinary action, or as a result in an organizational or position change.

Transfers are subject to recommendation from the Department Head and Human Resources Director, and approval of the County Administrator. Transfers may not follow the application process and factors in selection as outlined in this policy. The process used for transfer will be determined by the Human Resources Director.

## **G. REASSIGNMENTS:**

An employee may be given a different set of duties and responsibilities in the same classification in the same department. This change in work assignment may result from a decrease in the employee's current workload; an increase in workload in another area of the department; a desire to better utilize an employee's knowledge, skills, and abilities; to eliminate interpersonal conflicts between employees; or for other good reasons.

The employee's supervisor will inform the employee of the change in assignment, within the scope of the job classification, and provide an explanation of the new duties and responsibilities. A change in work assignment can be effective any day during the week and no advance notice is required. The length of the work assignment will be determined by the supervisor and can vary.

When immediate action is necessary to ensure the safety of the employee or others, or the integrity of an investigation, the most effective action may be the temporary removal of the employee from the workplace. In these situations, the immediate supervisor may temporarily change an employee's work assignment and duties to another area, pending the outcome of an investigation. The Human Resources Director and County Administrator shall be notified as soon as practical regarding this immediate action and the County Administrator shall approve any continued action to be taken.

## **H. JOB PROGRESSIONS:**

Certain types of positions may provide for progressive levels of skill, knowledge and ability which are acquired through education and experience. Examples of these positions include Economic Support Specialist, Communications Operators, and Child Support Enforcement Specialist. The employee may be promoted to a higher level upon documented attainment of having met the requirements needed for advancement. Specific requirements for advancement are established by management and are documented on the respective job description.

## **I. ORIENTATION PERIODS:**

Upon placement into a new classification as a result of a promotion, demotion, or transfer, employees normally serve a six (6) month orientation, or trial, period during which they are to demonstrate through their abilities, work habits, behaviors, etc., that they are capable of performing the required duties.

Upon completion of the six (6) month orientation/trial period, employees will be formally evaluated as to their abilities to meet the expectations and job requirements of the new position.

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Employees who do not demonstrate an ability to perform the duties of the position after a reasonable period of time may apply for other vacant positions or may be considered for their former position if it is vacant or they may be terminated. Employees do not have a right to return to their former position.

## **J. COMPENSATION FOLLOWING JOB MOVEMENT:**

The salary placement and anniversary dates for employees following a promotion, demotion, or transfer will follow the policies and procedures outline in [Section 1000 Compensation](#).

Date Created: 12/31/2019

Last Updated: 12/31/2019

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# HR-1000 Compensation

**SUMMARY/POLICY STATEMENT:**

Jefferson County is committed to maintaining salary levels that are in competitive and in compliance with all applicable laws and regulations and internally equitable. All employees will be compensated fairly regardless of race, color, religion, sex, sexual orientation, national origin, age, disability, veteran status or marital status.

Human Resources is responsible for policy guidance and administration of a uniform compensation program by providing counsel to departments. This policy covers pay plan administration; job changes; pay during inclement weather, emergencies and closures; additional types of pay for non-exempt and exempt employees; and payroll policies and procedures.

**PURPOSE:**

The objectives of the compensation system shall be to develop, maintain and administer an appropriate salary structure to recruit and retain competent individuals in order to provide the required services in the County. The development of the compensation system is directly related to the classification and salary structure and is based upon certain internal and external standards.

An effort is made to see that the compensation system is competitive with the relevant labor markets for comparable work and where employees are expected to have similar knowledge, skills and abilities. The goal is to have a system that is objective and non-discriminatory in theory, application and practice.

Date Created: 12/31/2019  
Last Updated: 12/31/2019

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# HR-1000.1 Pay Plan Administration

## **SUMMARY/POLICY STATEMENT:**

The Human Resources department is responsible for the development, maintenance, and administration of the pay structure. Based on the County Administrator's recommendation, the County Board will establish the compensation structure and policies and approve any modifications to the plan.

The Human Resources Department may conduct a survey of appropriate competitive employment markets and, when the results of such survey indicate, the County Administrator may make recommendations to the Human Resources Committee for changes in pay plan, employee benefits, and other conditions of employment and to the County Board for action.

In establishing and administering the compensation system the following factors will be considered:

- Recruiting and retaining competent individuals
- Uniformity of pay for each classification
- Internal equity and external competitiveness
- Prevailing rates of pay in both public service and private industry, as deemed appropriate, based upon comprehensive and valid salary surveys
- Training and experience required to perform the work
- Fiscal policies and conditions of the County

## **PURPOSE:**

This policy provides guidelines that are designed to maintain the competitiveness, appropriateness, integrity and consistency in application of Jefferson County's pay plan. These guidelines address the method of revising the pay structure and managing employee movement through the range to maintain a structure that is internally equitable and externally competitive.

## **A. ANNUAL PAY PLAN ADJUSTMENT:**

During the preparation of the new fiscal year budget, the County Administrator may recommend a wage adjustment to implement a general increase or decrease to the pay plan structure. Any change is subject to approval by the County Board. If approved, the Human Resources Department will apply the change to each step in each pay range and the employee shall receive the new rate for the pay step he or she is placed at, except as otherwise provided by resolution or by the specific provisions of a pay plan.

## **B. MARKET DATA PAY PLAN ADJUSTMENT:**

Maintaining a competitive salary structure requires a periodic review of the overall labor market. Jefferson County will periodically examine the overall salary structure to determine whether the pay plan is still aligned with the County's strategic plan and the labor market. There are other situations, changes and events that also demand a

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review of the salary structure, such as a significant change in the labor market or challenges to recruit and retain a classification of positions.

When the salary ranges of a pay plan are adjusted based on a market study, employees will move to the grade recommended at the step that provides the least amount of increase. If there is a decrease in the salary range for an employee or position, and the employee's current salary exceeds the new pay range, the employee will be **red-circled**.

## **C. ANNUAL AND MID-YEAR ADJUSTMENTS BY POSITION:**

Department heads may request that the pay grades for certain classifications be evaluated. The requests should be submitted to the County Administrator and Human Resources Department and include detailed justifications, labor market, and other relevant supporting data. The review will address such factors as turnover, ability to recruit, relevant labor market, total compensation, and internal equity.

The Human Resources Department will report its findings and recommendations to the County Administrator and will also discuss the request with the department head. If a change in pay grade is recommended, the change must be approved by the County Board in the budget process. If the request is made outside of the budget approval process, approval must first be given by the County Administrator. If approved, a resolution authorizing the change is presented to the appropriate Committee(s) and finally the County Board for approval and action.

## **D. SALARY PLACEMENT OF NEW POSITION OR JOB CLASSIFICATION:**

When a new job classification is created, or when a determination that a job classification should be reclassified to a different pay grade, the Human Resources Department will have an analysis conducted and recommend a pay grade within the existing pay grade structure to the County Administrator.

## **E. STARTING SALARY FOR NEW HIRES:**

Whenever it is appropriate and possible, new employees shall be hired at the minimum step of the pay range. When qualified applicants are in short supply or high demand, or the potential employee possesses exceptional qualifications directly related to the position, an applicant may be hired above the minimum starting salary. These requests are submitted by the Department Head to the Human Resources Director and are reviewed and approved on a case-by-case basis. Approval must be obtained from the Human Resources Director prior to tendering a job offer.

Consideration must be given to the current compensation of other employees in the same classification and salary range, if applicable, to maintain internal pay equity. It is not in the County's best interests to promote a practice of hiring employees higher in the range and then adjusting current incumbents' pay thereafter. Department heads are not authorized to make compensation or benefit offers to potential candidates that exceed the entry-level step. A report will be given to the County Administrator and Human Resources Department's governing committee summarizing the exceptions.

## **F. INDIVIDUAL PAY ADJUSTMENTS:**

### **1. Merit Review and Increases for Full-time and Part-time Employees:**

Merit increases are granted on the basis of an employee's work performance and not solely on length of service. Employees become eligible upon completion of the period of service, the required hours worked during that period of service, and on the basis of merit as demonstrated by the employee's work performance. A written

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recommendation of the department head and approval by the Human Resources Director is required to award the salary increase. Section 1100 outlines the Performance Evaluation process and requirements.

Regular full-time and part-time employees may be considered eligible for increase in salary according to the current merit-system plan. Employees may advance to the next step upon satisfactory completion of 12 months and a minimum of 1900 hours of service since their most recent merit increase, until the employee reaches the maximum step.

Effective Date-- Step increases are awarded on merit and shall normally become effective on the first day of the pay period following the employee's calendar anniversary date. An employee's calendar anniversary date may be affected by a job change or by the corresponding days in excess of an unpaid leave of absence greater than 30 calendar days or 173.33 hours in a year or by part-time status. -discuss if make it effective date of.

## **2. Early Merit Increase/Salary Adjustments:**

The County Administrator may advance the pay of an employee by one or more steps at any time during the year when the County Administrator determines it is in the County's best interest to offer additional compensation in order to reward exceptional performance or to retain an employee who would be excessively costly or difficult to replace based on skills and knowledge required for the position. The Human Resources department shall report such increases to the Human Resources department's governing committee.

## **3. Merit Increase for Temporary, Limited Term and Seasonal Employees:**

Temporary, seasonal, casual, and limited term employees may be granted a merit increase based on satisfactory performance. Employees whose work performance is evaluated as "Effective" or better may receive a merit increase on an annual basis until they reach the maximum step. An eligible employee must have satisfactorily completed 12 months and a minimum of 1900 hours of service since their most recent merit increase.

## **4. Merit Adjustment Delay:**

If an employee's work performance falls below established standards, or if the employee has been on a long term leave of absence, except for FMLA or military leave, or for other business reasons, the employee will not receive a merit increase. Since there are no automatic wage increases within a salary range, the employee's merit increase will be delayed a period of time beyond the normal time schedule. In the event a merit increase is delayed, and an employee requests in writing the reasons for not receiving a pay increase for which the employee is eligible, the Human Resources Director shall advise the employee of the reasons and the length of time which the employee has to correct the problem area.

Date Created: 12/31/2019

Last Updated: 12/31/2019

# HR-1000.2 Job Change Implementation

## **SUMMARY/POLICY STATEMENT:**

Employees who meet at least the minimum qualifications of an available position are eligible for consideration. Employees are normally expected to have been in their current position for at least one year, but Jefferson County does not require a minimum time in one position prior to a promotion, transfer or voluntary demotion. When an employee accepts a new position, a new orientation period of six months begins.

## **PURPOSE:**

Jefferson County offers qualified employees the opportunity to seek career development and growth through transfers and promotions, and for personal reasons and better job fit or satisfaction, voluntary demotions. Jefferson County also acknowledges that jobs will naturally change over time as new technologies, initiatives and mandates are introduced into the workplace.

## **A. PROMOTION:**

Promotion is the movement of an employee to a new position that has a higher maximum salary.

1. **Non-supervisory position:** When an employee is promoted to a non-supervisory position, the employee shall receive a minimum of a 2% increase and be placed at the entrance step of the pay grade in the new classification. If the pay grade overlaps the employee will be placed at the step in the pay grade that provides the minimum 2% increase.
2. **Supervisory position:** When an employee is promoted, or **assigned to an interim** supervisory or management position, the employee shall receive the rate of compensation in the entrance step of the pay grade to which the employee has been promoted or designated by interim assignment, or into the next higher step that provides a minimum of a 5% increase of the current position. In no case will a pay adjustment allow an employee's pay to exceed the established range maximum for the position.
3. **Anniversary date following promotion:** The employee will maintain their current anniversary date for purposes of eligibility for future merit step increases, except where the employee was at the maximum step prior to the promotion. In this situation a new anniversary date shall be established for purposes of future merit step increases.

## **B. DEMOTION:**

Demotion is the movement of an employee to a new position that has a lower maximum salary. Demotions may be voluntary or involuntary.

1. **Voluntary Demotion:** An employee who takes a voluntary demotion will be placed in the step in the new range that provides the least amount of decrease, which includes a step that may be equal to the current rate of pay, if the present salary is

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above the new range maximum.

- 2. Involuntary, Non-Disciplinary Demotion:** When an employee is demoted for involuntary reasons not related to performance and their salary prior to demotion exceeds the new range maximum, they will retain their present salary for 90 days. Thereafter, the employee will be placed at the maximum step in the new pay grade. As long as an employee's salary exceeds the new range maximum, the employee will not be eligible for further base-accumulating pay increases until the employee's salary is again within the salary range for the new position. If the salary prior to demotion is below the new range maximum, the employee will be placed in the new range at the step that provides the least amount of decrease.

The 90-day grace period does not apply to **red-circled** employees as the result of the pay plan adopted effective December 30, 2012 and January 6, 2019. Red-Circling occurs when an employee's pay rate is above the established salary maximum for that position. These employees shall maintain the present salary until such a time that the new range meets or exceeds the present rate of pay or as otherwise approved by County Board.

- 3. Disciplinary Demotion:** When an employee is demoted based on performance or other employment-related issues, the employee will be placed at a step in the lower salary range which is at least one step less than the dollar amount of the employee's prior classification. The pay of an employee may be reduced to a lower step within the established range upon recommendation of the department head and the Human Resources Director, and with approval of the County Administrator.
- 4. Anniversary Date following demotion:** The employee will maintain their current anniversary date for purposes of eligibility for future merit increases.

## C. RECLASSIFICATION:

Reclassification is when an employee moves to a new classification as a result of changes in the organizational structure of a department or slow and gradual changes in the duties and responsibilities of the employee's current position.

- 1. Non-supervisory position:** When an employee is reclassified to a non-supervisory position in a *higher* pay grade, the employee shall be placed at the entrance step of the pay grade to which the employee has been reclassified. In cases where the pay range overlaps, the employee will be placed at the next step in the new range that provides an increase.

When an employee is reclassified to a non-supervisory position in a *lower* pay grade, the employee shall be placed at the step of the new pay grade that provides the least amount of decrease.

- 2. Supervisory position:** Employees whose positions are reclassified from a non-supervisory position to a supervisory or management position shall receive the rate of compensation in the entrance step of the pay grade to which the employee has been reclassified, or into the next higher step that provides a minimum of a 5% increase of the current position. In no case will a reclassification pay adjustment allow an employee's pay to exceed the established range maximum for the position.

If the reclassification is to a lower pay grade, the employee is placed at the step of the new pay grade that provides the least amount of decrease.

- 3. Anniversary date following reclassification:** The employee will maintain their current anniversary date for purposes of eligibility for future merit step increases, except where the employee was at the maximum step prior to the reclassification.

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In this situation a new anniversary date shall be established for purposes of future merit step increases.

## **D. TRANSFER:**

A transfer is when an employee moves from one position to another in the same classification in a different department or to a different classification which is in the same pay grade. The employee maintains the same salary in the new position or classification.

**Anniversary Date following transfer:** The employee will maintain their current anniversary date for purposes of eligibility for future merit increases.

## **E. TEMPORARY ASSIGNMENTS:**

An employee who is temporarily assigned to an existing position in a higher pay grade shall be paid a temporary higher salary for the duration of the assignment only if these guidelines are met:

- the higher position is an existing classification
- sufficient budget authority is available for the higher position
- the temporary upgrade must exceed or be reasonably anticipated to exceed a period of thirty (30) days but not longer than six (6) months, unless otherwise authorized by the County Administrator
- the employee must assume the duties of the higher-classified position
- the County Administrator approves the action
- the granting of the temporary higher salary may not have a retroactive effective date more than thirty days prior to the date that County Administrator approves the action

**Interim Position:** An "interim" position is when an employee is assigned to a position temporarily, usually exceeding 30 calendar days but less than one year. The County Administrator has the authority to make such an assignment. Interim Department Heads do not require confirmation by the Board.

## **F. ACTING POSITION:**

An "acting" title is used if an employee is being temporarily assigned to a position for a short period of time, usually 30 calendar days or less, and the employee will not receive additional compensation. The County Administrator has the authority to make such an assignment.

Date Created: 12/31/2019

Last Updated: 12/31/2019

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# **HR-1000.3 Pay During Inclement Weather, Emergencies, and Closures**

## **SUMMARY/POLICY STATEMENT:**

The County Administrator and County Board Chair or their designees may close a building(s) or temporarily cease providing non-essential public service when an emergency condition such as inclement weather or some other emergent condition exists and it has been determined it is in the best interests of the employees and the public to temporarily declare an emergency condition. See Section [600 Hours of Work for policy](#) provisions.

## **PURPOSE:**

The purpose of this policy is to establish pay policies during situations of inclement weather, emergencies and closures for both essential and non-essential positions.

## **A. INCLEMENT WEATHER AND EMERGENCY CONDITIONS:**

Emergency conditions such as inclement weather may make it dangerous for employees to come to work or it may require employees to leave work before the end of a scheduled shift. Such time off will be charged to unused vacation, or holiday, or accrued compensatory time or the employee may request that the time off be without pay, or the time may be made up within the same work week at a time mutually agreeable to the employee and the supervisor/department head. The employee may be allowed to work from home if beneficial to the County and *pre-authorized* by the department head. The department head shall inform the Human Resources Director of the temporary arrangement for FLSA compliance purposes.

## **B. FACILITY CLOSURES:**

The County Administrator and County Board Chair or their designees will decide if it is necessary to close a building or temporarily cease providing *non-essential* public services. In the event of a facility closure or the cessation of *non-essential* services employee time, such time off will be charged to unused vacation, or holiday, or accrued compensatory time or the employee may request that the time off be without pay, or the time may be made up within the same work week at a time mutually agreeable to the employee and the supervisor/department head. The employee may be allowed to work from home if beneficial to the County and *pre-authorized* by the department head. The department head shall inform the Human Resources Director of the temporary arrangement for FLSA compliance purposes. Employees performing *essential* services designated for the specific emergency are expected to report to work as scheduled.

Date Created: 12/31/2019

Last Updated: 12/31/2019

# **HR-1000.4 Additional Pay For Non-Exempt (Hourly) Positions**

## **SUMMARY/POLICY STATEMENT:**

Non-exempt employees are generally paid on an hourly basis. They must be paid for all hours worked in a workweek and receive overtime pay if they work over forty hours in a workweek. Non-exempt employees may also be paid additional compensation based on specific positions and/or circumstances.

## **PURPOSE:**

This policy ensures non-exempt employees are paid appropriately under the Fair Labor Standards Act and Wisconsin Fair Labor Standards Act as well as establishes guidelines for paying additional compensation based on position or specific circumstances. In addition to the employee's hourly rate of pay, additional pay is provided to employees for working certain types or number of hours or under certain types of conditions.

## **A. OVERTIME:**

As a general principal and in accordance with the Fair Labor Standards Act (FLSA) and Wisconsin state statutes, employees in certain job classifications will be designated as **Non Exempt Employees** and will be eligible for overtime for all hours *actually* worked over forty (40) hours in a workweek. Employees will receive compensation at the rate of time and one-half their regular rate of pay. Employees may also be eligible to accrue compensatory time instead of overtime pay, per department head discretion.

No employee may receive overtime compensation or accrue compensatory time during a work week in which all paid benefit time such as compensatory time off, vacation, holiday or sick leave was used, unless actual work time is greater than 40 hours in a workweek.

An employee shall work the hours prescribed by the employee's department head and shall work additional hours or overtime when directed to do so by the department head, manager or supervisor. When feasible and practical supervisors will attempt to assign overtime as equally as possible among the employees who normally do the work during their regular work day.

It is the policy of the County to avoid overtime work. Daily work schedules may be modified within the work week to accommodate workload fluctuations without accrual of compensatory time or payment of overtime. Employees must receive permission from their supervisor to work unscheduled additional hours, overtime or accrue compensatory time. Any employee overtime hours must be pre-approved by the employee's supervisor or department head. Non-exempt employees cannot authorize any overtime hours of work for themselves or any other employee.

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When an unusual circumstance occurs which results in an employee performing essential work beyond his/her normal schedule without preapproval, the employee will discuss the matter with his/her supervisor as soon as possible. The supervisor will make the determination of whether overtime payment will be approved after the fact or whether the employee will be required to adjust his/her work schedule within the balance of the current work week to accommodate the additional time worked. Employees who do not comply with pre-approval or the alternate method of approval after the fact may face disciplinary action.

- 1. Fair Week:** Section 13(a) (3) of the Fair Labor Standards Act provides an exemption from FLSA overtime provisions for certain situations for an establishment which is an amusement or recreational establishment. During the week prior to, the week of, and the week following, any employee devoting 100% of work time to the operation of the County Fair is exempt from overtime, and all hours worked are paid at the regular rate of pay. This does not include regular full or part-time employees.
- 2. Substitution or Trading of Shifts:** Employees may substitute, or trade shifts, with co-workers. Section 7(p)(3) of the FLSA provides that two individuals employed in any occupation by the same public agency may agree, solely at their option and with the approval of the public agency, to substitute for one another during scheduled work hours in performance of work in the same capacity. The hours worked shall be excluded by the employer in the calculation of the hours for which the substituting employee would otherwise be entitled to overtime compensation under the Act. Where one employee substitutes for another, each employee will be credited as if he or she had worked his or her normal work schedule for that shift.

## **B. COMPENSATORY TIME:**

Department heads or their designee shall have full responsibility and discretion for approving the employee request to accrue compensatory time. Department heads may limit the amount of compensatory time the employee earns. The accrual of compensatory time is subject to a maximum accrual of 240 hours, non-recurring.

Advance approval may be required by the department head or authorized supervisor to use accumulated compensatory time. If compensatory time will be accrued for overtime hours worked in lieu of payment at the overtime rate, an understanding to that effect must be reached between the employee and the supervisor prior to the authorization to work overtime hours.

- 1. Use of Compensatory Time:** An employee must request and receive supervisory approval to use accumulated compensatory time. The use of compensatory time must not conflict with the needs of the department.

Whenever possible, compensatory time is to be taken within thirty (30) days of the date it is earned. Under normal circumstances, it is expected that compensatory time be used on an on-going basis as the workload permits, and not as a vacation supplement or addition.

The maximum amount of compensatory time which may be accumulated is 240 hours based on 160 hours of overtime worked. This bank is non-replenishing and therefore employees may not earn more than 240 hours from December 1 – November 30.

- 2. Compensatory Time Payout:** Any employee may request all or a portion of

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earned compensatory time to be paid out at any time during the year, providing it is paid out in the same year it was earned. Approval of a pay out of compensatory time request will require the approval of the department head and the Human Resources Director and shall not impose any disadvantage to the County.

3. **Compensatory Time Year-end Payout:** Any compensatory time not used by November 30 shall normally be paid out with the November 30<sup>th</sup> pay period.
4. **Compensatory Time Carryover:** On-call Intake Social Workers may request to carry over a maximum of eighty (80) hours of compensatory time by November 30. The decision to authorize the carryover of compensatory time is at the discretion of the Human Services Director. All carryover hours will be applied to the 240 hour compensatory maximum.
5. **Compensatory Time Payout at Termination:** If employment is terminated, any unused compensatory time will be paid to the employee at the regular rate of pay at the time of termination, or the average of the rate of pay over the last three years, whichever is greater.

## C. SHIFT DIFFERENTIALS:

1. **Communication Operators:** Communications Operators working the second shift shall receive ten cents (\$.10) per hour in addition to their regular rate of pay; employees working the third shift shall receive twenty (\$.20) cents per hour in addition to their regular rate of pay; employees working a swing shift shall receive twenty-five (\$.25) cents per hour in addition to their regular rate of pay.
2. **Licensed Practical Nurses:** LPN's assigned to second shift in the jail are eligible to receive seventy-five cents (\$.75) per hour in addition to their regular rate of pay.

Upon authorization by the Human Resources Committee, additional positions may be authorized to receive shift differentials or adjustments may be made to any existing shift differentials.

## D. PREMIUM PAY:

1. **Licensed Practical Nurses:** LPN's working in the jail and assigned to work on a holiday, Saturday or Sunday are eligible to receive seventy-five cents (\$.75) per hour in addition to their regular rate of pay and applicable shift differential.
2. **Communication Operators:**
  - a. Communication Operators working in a Field Training Officer (FTO) capacity for four (4) hours or more will receive two (\$2.00) dollars per hour shift differential for those hours.
  - b. Communication Operator's working a schedule of five days on, two days off, five days on, three days off, any time worked outside of the employee's scheduled hours of work shall be paid at one and one-half (1 ½) time the hourly rate of pay.
3. **Public Health Nurses and WIC Project Director:** Public Health Nurses and the WIC Project Director when assigned to work as Clinical Instructors for nursing students shall receive a premium pay equal to one-dollar (\$1.00) for each hour spent with nursing students.
4. **Highway Employees:**
  - a. Temporary Highway Foreman: on-supervisory Highway employees are assigned to work as 'temporary foreman', such employees shall, for the duration of the assignment, receive an additional five percent (5%) of the employee's regular rate. All work assignments will be approved by a department supervisor prior to being eligible for the additional compensation.
  - b. Speed Zone Pay for Highway employees: Highway employees who are assigned to work on section of roads where the speed limit is 65 MPH shall receive

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hazardous duty pay equal to five percent (5%) of their regular rate of pay for actual hours worked.

c. Highway Equipment Operation Pay:

- i. Highway Maintenance III workers operating E1 equipment shall receive two dollars (\$2.00) per hour in addition to their regular rate of pay for all time operating E1 equipment. E1 Equipment: Backhoe, Grader, Dozer, Paver, Chip Spreader, Shoulder Machine.
- ii. Highway Maintenance III workers operating E2 equipment shall receive one dollar (\$1.00) per hour in addition to their regular rate of pay for all time operating E2 equipment. E2 Equipment: Rollers, Loader-Backhoe, End Loader, Drill Truck Operator, Hi-Lift Operator.

**5. Human Services Intake Worker After Hour positions:**

- a. Human Services Intake After Hour Workers shall receive 75% of their regular rate of pay for any hours that work is not performed (sleep time) during their scheduled shift. Intake After Hour Workers shall be allowed to utilize accrued vacation or holiday pay or earned compensatory time to supplement the reduction of pay.
- b. Human Services Intake Workers who are required to work in an Intake After Hours Worker capacity between the hours of 10:00pm – 7:00am shall receive the pay of the Intake After Hour Workers classification that is one step less than the step in the Intake Worker position (approximately 5%). Intake Workers shall also receive 75% of the After-Hour classification for any non-work hours (sleep time) performed during the scheduled shift and shall be allowed to utilize applicable accrued time or compensatory time to supplement the reduction of pay.

Upon authorization by the HR/Finance Committee, additional positions may be authorized to receive premium pay or adjustments may be made to any existing premium pay.

**E. BONUS PAY:**

Employees may be eligible for bonus pay based on recruitment or retention purposes or for the purpose to recognize employees who went above expectations in public service or contributing to the County's success. Bonus pay is at the discretion of the County Administrator.

**F. CALL-IN PAY:**

1. **Non-emergency call-in:** Any non-exempt employee called into work at a time other than his/her regular schedule of hours, except where such hours are consecutively prior to or subsequent to the employee's regular schedule of hours, shall receive a minimum of *two (2) hours pay at the regular rate of pay*, unless otherwise required by law or policy.
2. **Public Service Emergency Call-in:** Highway, Courthouse, Human Services, Parks and Fair Maintenance staff required to respond to a public service emergency call-in shall be paid at one and one-half (1 ½) time the hourly rate, unless the call is immediately preceding or following the employee's scheduled shift. All other hours shall be paid at the regular rate of pay unless required otherwise under provisions of the Fair Labor Standards Act. Employees who are called in for a public emergency for less than two hours shall be paid a minimum of two (2) hours at one and one-half (1 ½) times the hourly rate, unless the call in is immediately preceding or following the employee's scheduled shift.

**G. ON-CALL PAY:**

Department heads may establish specific policies, procedures and work rules that are

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specific to their department in order to meet operational needs. Employees will be advised of the policy and work rules and are expected to comply. An employee who is required to be on call is expected to be available and report for work in a timely manner and be capable of performing work in accordance with department expectation and standards.

A non-exempt employee who is on-call and is given a cell phone or pager will receive an additional one hundred twenty five dollars (\$125.00) for a week (7 consecutive days) or fifteen dollars (\$15.00) for after hours Monday – Friday and twenty-five dollars (\$25.00) for Saturday or Sunday or a designated holiday. As an alternative, if mutually agreeable, an employee who is on-call may elect 5 hours of compensatory time for a week (7 consecutive days), or .6 hours Monday – Friday and one (1) hour for Saturday or Sunday or a designated holiday.

### **H. CONTINGENCY PAY:**

Certain employees may be eligible for additional pay based on achieving certain length of continuous service thresholds. For purposes of this section, continuous service means there have been no intervening terminations. Eligible employees with 10 or more years' continuous service may receive an additional \$.12 per hour; eligible employees with 15 or more years of continuous service may receive an additional \$.24 per hour. Part-time employees meeting the minimum requirement of at least 20 hours/week and 10,400 life-to-date hours (exclusive of overtime) are eligible for 50 percent of the 10-year contingent rate and 15,600 life-to-date hours (exclusive of overtime) are eligible for 50% of the 15-year contingent rate.

Eligible employees include full-time and part-time employees who were:

- hired into a non-represented position on or prior to December 31, 2004, or
- hired into a position covered under an AFSCME contract, other than AFSCME Local 655, on or prior to December 31, 2011

Contingent rates are dependent upon continued satisfactory performance and may be withheld at any time for unsatisfactory performance, as recommended by the department head or supervisor.

### **I. LONGEVITY PAY:**

Certain employees may be eligible for an annual payment based on achieving certain length of continuous service thresholds. For purposes of this section, continuous service means there have been no intervening terminations. Eligible employees who have completed more than 5 years of continuous full-time service immediately preceding November 1 of any year shall be paid longevity pay at the rate of \$1.25 per month for each month of service up to a maximum of 300 months of service. Longevity pay generally will be paid in December.

Eligible employees include full-time and part-time employees (who have completed 10400 hours of County service, exclusive of overtime) who were:

- hired into a non-represented position on or prior to December 31, 2004, or
- hired into a position covered under an AFSCME contract on or prior to December 31, 2011

Effective January 1, 2012, months of service shall be prorated based on actual part-time status. Employees part-time as of December 31, 2011, and receiving longevity payments based on calendar months shall be grandfathered by continuing to use the

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calendar-month procedure.

"Month of service" shall be defined as 173.33 hours of County Service. Active military service shall be included in the computation of longevity pay only if the employee receives a leave of absence for such military service.

**J. RED-CIRCLED EMPLOYEES:** An employee is considered to be in a Red Circle rate of pay, when their current salary is higher than the maximum of the salary range for their assigned job classification. This may occur as a result of a change in a pay plan study where a pay grade for a classification is assigned to a lower pay grade. Under special circumstances, this employee's rate of pay is not reduced and the employee's salary remains constant until the maximum rate of pay in the new classification exceeds the rate of pay earned in the former classification. The former rate of pay is considered "Red Circled," or "frozen," and no across-the-board or merit increases apply until such time as adjustments to the pay grades cause the employee's rate of pay to once again fall within the pay grade to which the classification is assigned.

Date Created: 12/31/2019

Last Updated: 12/31/2019

# **HR-1000.5 Compensation for Exempt Positions**

## **SUMMARY/POLICY STATEMENT:**

Exempt employees are paid a guaranteed salary for each workweek regardless of the hours worked. Occasionally exempt employees may be required to perform duties above and beyond their usual duties, or work may be available in other departments for which an exempt employee may be eligible for additional pay.

Employees in exempt positions are compensated, not primarily on the basis of their specific hours of labor, but on the basis of the total duties and responsibilities assigned. When the need warrants, exempt employees are expected to devote the extra effort necessary to complete their work in a professional manner, and in turn they may occasionally request some flexibility in their work schedule.

The County does not formally recognize any compensatory time balances for exempt employees, and it is not the intent of this provision that time off will be adjusted on an hour-for-hour basis. Employees shall not “bank” the extra hours or expect that an hour for hour match will be given as time off in the future. Exempt employees, other than Department Heads, must request and receive supervisory approval to adjust their work schedule.

## **PURPOSE:**

This policy allows for special compensation for work performed by exempt employees in addition to their normal responsibilities. As a general principal and in accordance with the Fair Labor Standards Act (FLSA) and Wisconsin state statutes employees in certain job classifications will be designated as Exempt Employees. Certain classifications of employees, including supervisory, managerial, and professional positions, are excluded from eligibility for overtime payment. Therefore, these employees are not paid either in compensatory time or in cash for any hours worked beyond their normal work schedule.

## **A. DEPARTMENT HEADS AND ATTORNEYS:**

Department heads and Attorneys may adjust/flex their hours with the standard eighty (80) hour biweekly pay period in increments of eight (8) hours or less in a week. Department heads and Attorneys working less than 80 hours in a pay period are required to supplement work time with paid-leave time such as sick, vacation, personal holiday, bringing total hours up to eighty hours per pay period. [See hours of Work, Exempt Employees](#)

## **B. EXEMPT EMPLOYEES:**

Supervisors are encouraged to promote the flex of an employee’s work schedule. An adjustment in an employee’s work schedule may result in time off on another day in the pay period or later in the calendar year. When an employee’s work schedule is adjusted, they are not required to use benefit time such as vacation or sick leave. The adjustment may include working less than eight (8) hours on a particular day. An adjustment in an

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employee's work schedule may result in time off on another day in the pay period or later in the calendar year. It is preferred that adjustments occur within the pay period in which the additional hours are worked; however, if that is not possible, the adjustment may occur in other pay periods of the year. Under no circumstances shall the adjusted hours that are outside of the payroll exceed 40 hours. See [hours of Work, Exempt Employees](#)

## C. PREMIUM PAY:

**1. Public Health Nurses and WIC Project Director:** Public Health Nurses and the WIC Project Director when assigned to work as Clinical Instructors for nursing students shall receive a premium pay equal to one-dollar (\$1.00) for each hour spent with nursing students.

## D. BONUS PAY:

Employees may be eligible for bonus pay based on recruitment or retention purposes or for the purpose to recognize employees who went above expectations in public service or contributing to the County's success. Bonus pay is at the discretion of the County Administrator.

## E. CONTINGENCY PAY:

Certain employees may be eligible for additional pay based on achieving certain length of continuous service thresholds. For purposes of this section, continuous service means there have been no intervening terminations. Eligible employees with 10 or more years' continuous service may receive an additional \$.12 per hour; eligible employees with 15 or more years of continuous service may receive an additional \$.24 per hour. Part-time employees meeting the minimum requirement of at least 20 hours/week and 10,400 life-to-date hours (exclusive of overtime) are eligible for 50 percent of the 10-year contingent rate and 15,600 life-to-date hours (exclusive of overtime) are eligible for 50% of the 15-year contingent rate.

Eligible employees include full-time and part-time employees who were:

- hired into a non-represented position on or prior to December 31, 2004, or
- hired into a position covered under an AFSCME contract, other than AFSCME Local 655, on or prior to December 31, 2011

Contingent rates are dependent upon continued satisfactory performance and may be withheld at any time for unsatisfactory performance, as recommended by the department head or supervisor.

## F. LONGEVITY PAY:

Certain employees may be eligible for an annual payment based on achieving certain length of continuous service thresholds. For purposes of this section, continuous service means there have been no intervening terminations. Eligible employees who have completed more than 5 years of continuous full-time service immediately preceding November 1 of any year shall be paid longevity pay at the rate of \$1.25 per month for each month of service up to a maximum of 300 months of service. Longevity pay generally will be paid in December.

Eligible employees include full-time and part-time employees (who have completed 10400 hours of County service, exclusive of overtime) who were:

- hired into a non-represented position on or prior to December 31, 2004, or

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- hired into a position covered under an AFSCME contract on or prior to December 31, 2011

Effective January 1, 2012, months of service shall be prorated based on actual part-time status. Employees part-time as of December 31, 2011, and receiving longevity payments based on calendar months shall be grandfathered by continuing to use the calendar-month procedure.

“Month of service” shall be defined as 173.33 hours of County Service. Active military service shall be included in the computation of longevity pay only if the employee receives a leave of absence for such military service.

Date Created: 12/31/2019

Last Updated: 12/31/2019

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# **HR-1000.6 Payroll Policies**

## **SUMMARY/POLICY STATEMENT:**

It is the County's policy to pay all employees for time worked in an accurate and timely manner, in accordance with applicable laws, and to maintain the required supporting documents and records. Employees have a duty to comply with County guidelines with respect to time and attendance. Supervisors have a duty to be familiar with those procedures as well as the basic provisions of the Fair Labor Standards Act (FLSA) covering time reporting and record keeping.

## **PURPOSE:**

To ensure that all payments through the Jefferson County Payroll System are made to bona fide employees of the County and that these employees have earned the amount requisitioned by performing duties, using leave, and/or receiving taxable fringe benefits as appropriate for their authorized positions in accordance with the Fair Labor Standards Act (FLSA) and other applicable federal and state laws.

## **POLICY:**

### **A. TIME RECORDING:**

All time worked shall be recorded and reported to the Human Resources Department with each payroll. This includes any use of paid-time off to fulfill the County's need to be accountable to the public.

Each employee is responsible for and required to accurately record their own work time or use of paid time off each work day. It is the responsibility of the employee to approve the time sheet /card indicating the information on the time card is accurate and complete. The information entered is an official record, and as such, requires accurate and truthful information. Anyone who willfully falsifies a time record may be subject to immediate dismissal.

It is the responsibility of the Department Head or their designee to approve the time record indicating they have reviewed the information and agree the employee be paid as provided by the information on the time record.

Errors on time sheets/cards or paychecks must be immediately reported by the employee. Employees should never assume a supervisor, Finance Department, or Human Resources Department would notice or edit any time discrepancy, as this is the employee's responsibility.

### **B. PAY PERIODS AND PAY DATES:**

Pay periods are typically fourteen (14) days commencing on a Sunday and ending on a Saturday. Paydays will be the second Thursday following the end of each pay period. If a payday falls on a County, State or Bank holiday, the County will pay employees on the normal business day prior to the normal payday.

The payroll earnings and deductions statement that an employee receives will indicate regular hours worked, the employee's rate of pay, overtime hours worked and all deductions made.

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Certain classifications of protective service employees are subject to the FLSA 7(k) exemption under the FLSA and may have a different established work period for the purposes of calculating overtime under the law.

## C. PAYMENT METHOD:

### 1. Direct Deposit:

The County will pay all employees by electronic direct deposit to the account designated by the employee. Certain employees who are employed for short durations such as those hired for the County Fair or where it is anticipated that they may receive less than three paychecks may not be required to be paid via direct deposit.

### 2. Earnings Statement:

Employees will have access to their earnings statement via the employee self-service system. Employees who do not have access to view and print their statements may request a paper copy of their earnings statement.

### 3. Reissuance of Payroll:

Employees will be charged \$25.00 if the Finance Department must reissue a payment due to the employee's failure to notify the Finance Department of changes to the account designated for deposit.

### 4. W-2:

Each employee will be provided an original W-2 annually. There will be a charge of \$10.00 for each additional W-2 form requested.

## D. PAYROLL DEDUCTIONS:

### 1. Required Deductions:

Certain deductions from employee pay are required by law and County policy.

- Federal laws require that income and FICA taxes be withheld
- State law requires withholding for income tax purposes
- County policy requires that any employee who participates in a benefit which requires a payroll deduction, will have the contribution deducted from their paycheck.
- Other legally required deductions can occur such as garnishments, child support payments and bankruptcy payments. Non-court ordered wage assignments (garnishments) will not be honored. It is not a requirement to inform employees before deducting payments for such matters. The County reserves the right to deduct all legally required fees from the employee's pay.

### 2. Optional Deductions:

Employees may authorize additional deductions only for specific purposes which have been authorized by the County. No optional deduction shall be deducted from an employee's pay without written authorization from the employee, including union dues for employees covered under a collective bargaining agreement. In the event, the employee owes benefit related deductions that are in arrears (i.e., employee on an unpaid leave), the County will proceed in collecting those deductions without signature.

The County reserves the right to limit the number of payroll deductions according to the capabilities of the payroll system.

- a. Change to Employee Withholdings: Employees wishing to change the number of withholding allowances or withholding rate must submit revised State and

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Federal withholding forms. The County will make the change on the start of the first payroll period ending on or after the 30<sup>th</sup> day from the date the revised Form W-4 is received.

### **3. Improper Deductions:**

An employee who believes that an unauthorized or improper deduction has been made from their pay, should immediately report the matter to Human Resources or Finance Department.

Date Created: 12/31/2019

Last Updated: 12/31/2019

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# HR-1100 Performance Evaluation Program

## **SUMMARY/POLICY STATEMENT:**

It is the policy of the County to foster employee engagement, improve performance, strengthen supervisor-employee relationships, and recognize employee accomplishments and good work. The performance evaluation system is a framework designed to establish and ensure meaningful coaching conversations are taking place between managers and employees. It is a partnership between managers and employees to support employee success and the success of the County.

## **PURPOSE:**

The performance evaluation program is used for the following purposes:

1. To counsel and to provide ongoing feedback to employees so that they have a clear understanding of their duties and responsibilities, the work of their department, and the objectives toward which they must strive.
2. To improve performance by recognizing accomplishments and identifying areas for improvement of employees' performance.
3. To identify areas where employees can engage in professional and personal development by acquiring additional knowledge and skills.
4. To discuss and identify potential career advancement paths and opportunities within the County.
5. To provide a link between the efforts of employees and their departments' strategic and operational plans, and to provide a method of accountability to ensure the successful completion of the
6. department mission, goals, strategic and operational plans.
7. To provide opportunities for employees and their supervisors to discuss and develop continuous improvement opportunities.
8. To recognize employee accomplishments and outstanding performance.
9. To evaluate employees for salary increases. Performance evaluations are required to make changes in employees' salary as referenced in Section 1000 Compensation.
10. To aid in the decision making process for movement of employees between jobs within the County, or in other employment decisions.
11. To reinforce employee corrective action plans and, when necessary, to serve as a preliminary step prior to the disciplinary process.
12. Set goals for employee

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## **A. PROGRAM ADMINISTRATION:**

The Human Resources Director is responsible for the overall direction and oversight of the Employee Evaluation Program. The Human Resources Department will manage the day to day program and will advise, assist, and train department managers and supervisors to ensure the evaluation procedures are fair and consistent. It is the responsibility of department heads to see that the Performance Evaluation Program covering employees in their department is operating as designed.

## **B. FREQUENCY:**

- 1. Newly Hired ---** Newly hired employees will begin their employment with the County in an orientation period during which time the employee will become familiar with their job duties, department procedures, and other relevant information to assist them in becoming a successful employee.

Orientation periods will normally be six (6) months. However, a Department Head may recommend, and approved by the HR Director, an extension of the orientation period, not to exceed 12 months. Employees who fail to successfully complete the orientation period or extended period will be terminated.

It is expected that supervisors will provide new employees regular feedback during their orientation period. Formal evaluations should be completed after 3 months and prior to completion of the orientation period.

- 2. Annual reviews:**

As a general principle, regular full-time; regular part-time; and part-time, non-benefited employees will receive a formal performance evaluation at least annually, or upon eligibility for a merit increase. However, a formal performance evaluation may be completed at any time to document significant events of exceptional performance or substandard performance.

- 3. Job Changes (Promotion, Demotion and Transfer):**

Informal performance evaluations should be conducted at one month intervals for employees who are promoted, demoted, or transferred into a different position. A formal performance evaluation is required after the completion of the new position's orientation period six-months. Thereafter formal evaluations will be conducted on an annual basis.

- 4. Limited Term and Occasional Employees:**

For temporary, seasonal, limited term, and on-call employees it is recommended that a written evaluation be performed annually or at the end of the season or term for which they were employed.

- 5. Ongoing Assessments:**

Supervisors should observe the performance of their employees throughout the evaluation period using direct and/or indirect observation. Direct observation involves first-hand knowledge of an employee's performance. Indirect observation is accomplished by reviewing tasks the employee has done after the fact.

Supervisors should document significant favorable and unfavorable events in the employee's performance to use as an aid in completing the formal performance

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evaluation. When possible, significant events should be discussed with the employee when they occur. Employees should also keep track of their own significant performance events. This will aid employees in providing input to their supervisor prior to completion of the formal performance evaluation.

## **6. Discretionary Evaluations:**

Discretionary evaluations are appropriate to commend unusually exceptional performance, provide direction to employees whose performance needs to be improved, or may be utilized for some other specific purpose. These evaluations can be done at any time.

## **C. PROCEDURE:**

An employee's performance is to be evaluated and documented in written format by their immediate supervisor. All formal performance evaluations should follow the performance evaluation cycle guidelines stated below.

### **B. Developing a Performance Plan:**

At the beginning of each evaluation period, the employee and supervisor should meet to mutually develop the performance expectations, goals, priorities and any standards by which the employee will be evaluated on during the upcoming evaluation period. A copy of this performance plan should be provided to the employee for their reference during the evaluation period.

### **C. Observing Performance:**

Over the course of the evaluation period, the supervisor should observe the employee's performance in relation to the content of the performance plan developed. Observation can be accomplished either by direct or indirect means.

### **D. Documenting Performance:**

Throughout the evaluation period, the supervisor and the employee should document specific examples of behavior or performance, both positive and negative, which relate to the content of the employee's performance plan. In addition, supervisors should document any significant conversations they have had with employees regarding their performance.

### **E. On-Going Feedback:**

Throughout, the evaluation period, the supervisor and employee should meet on a regular basis to discuss the status of the employees goals and objectives as well as any notable behaviors or performance, both positive and negative. These discussions should take place at the time the behavior or performance occurs.

### **F. Preparing the Written Evaluation and Conducting the Performance Evaluation Meeting:**

At the end of the performance evaluation period, the supervisor should complete the written evaluation form, and should assign performance ratings. The written form should include specific examples of behavior that support the ratings assigned. The supervisor and the employee should meet to discuss the employee's overall performance.

### **G. Employee Participation:**

Employees are strongly encouraged to participate in the evaluation process by completing a self-evaluation, or by providing comments to the supervisor prior to or after the evaluation meeting.

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## **D. PERFORMANCE STANDARDS:**

Performance standards should be identified for critical job functions, skills, and behaviors that will be utilized in the evaluation. These standards should be specific, objective descriptions of the type and level of performance that is expected. These standards should clearly define how well a task must be performed in order to be considered effective. Where possible, elements of quality, quantity, and time should be included as part of the standards. In addition, when setting goals, each goal should include an action plan which outlines key steps and general time lines for completion of each step.

## **E. PERFORMANCE IMPROVEMENT PLANS:**

When an employee's performance is not meeting the expectations of the position, in collaboration with the Human Resources Director or their designee, the employee's supervisor, manager or department head shall develop a performance improvement plan. The supervisor, manager or department head shall meet with the employee to review and implement the plan. Performance improvement plans are positive tools for coaching employees struggling to meet normal work expectations. A performance improvement plan may be implemented at any time and is not a substitute for the annual performance evaluation. The objectives of an effective plan shall be specific, measurable, achievable, realistic and time- bound. A performance improvement plan is a tool for coaching employees by helping them develop more effective and efficient work behaviors; it is not a substitute for discipline nor is considered to be discipline.

## **F. RECORD RETENTION:**

Performance evaluations will be maintained in the official employee's file.

This document is not a public record, but is available to employees under Chapter 103 of the Wisconsin Statutes relating to "Records Open to Employee."

Date Created: 12/31/2019

Last Updated: 12/31/2019

# **HR-1200 Professional Development, Training, and Licensing**

## **SUMMARY/POLICY STATEMENT:**

In support of the County's strategic plan, training and development opportunities are provided to ensure that employees keep up to date in their respective occupational fields and prepare for future leadership opportunities. Such training enhances the knowledge, skills and proficiency of the County's work force while providing for employee career growth and promotional opportunities within County service. Department Heads will evaluate the training needs of their employees and implement appropriate training to meet their specific needs. Policy and procedures regarding expense reimbursement is covered in [Section 800, Travel](#).

## **PURPOSE:**

The purpose of the Professional Development Policy is to encourage and support employees to actively pursue their professional and career development as an integral element of their employment with the County. The County acknowledges that continuing professional development contributes to personal job satisfaction, workplace productivity, reward and recognition.

## **B. PROFESSIONAL DEVELOPMENT:**

### **1. Management Responsibilities:**

Effective implementation of this policy requires supervisors, managers and department heads to:

- a. Provide new employees with an orientation to the job and the department.
- b. Evaluate the skills, abilities, and knowledge of the employees within their direction to determine what development opportunities should be provided to meet the needs of the department and to satisfy legal and regulatory obligations.
- c. Work in conjunction with the Human Resources Department in designing and implementing employee development programs.
- d. Provide active leadership in the development and advancement of employees under their supervision.
- e. Assess the effectiveness of employee development programs and make recommendations for improvements and modifications.
- f. Assure employees are provided with sufficient time to participate in in-service programs, provided that such participation does not unduly interfere with necessary operations.
- g. Provide in-service education to employees to meet any applicable state and federal statutes, rules and regulations.

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- h. Encourage employees to attend and participate in internal sponsored professional development training sessions.
- i. Encourage employees to attend seminars and workshops outside the County when appropriate.

## 2. Employee Responsibilities:

Employees have a shared responsibility for their own development and are strongly encouraged to be proactive in the creation and development of a personal training and development plan. Employee responsibilities include:

- a. Discussing the employee's interest and inquiring about potential opportunities.
- b. Maintaining the job skills to perform their current job responsibilities.
- c. Participating in cross-training initiatives to further develop the necessary knowledge and skill to perform other jobs within the organization.
- d. Preparing themselves for advancement opportunities.
- e. Maintaining any required licenses and certifications.

## B. MEMBERSHIPS:

### 1. Professional Memberships:

Professional membership means being a member of a group that supports a specific profession and may provide continuing education programs. Employees may be **reimbursed for expenses** associated with a professional membership if approved. If a professional organization is of benefit to multiple staff in a department or division, the County may pay for one Agency membership in that organization. Nothing herein shall create a vested right to County-paid professional memberships.

The County may change its sponsorship or non-sponsorship of memberships whenever it deems appropriate. Employees may join and become a member of a professional organization where such memberships:

- a. Are required as a condition of licensure to hold a particular County position; or
- b. Provide a benefit to the county commensurate with the expense of such memberships; and
- c. Do not conflict with business needs or interests of the County

Employees may present their professional views or contribute articles to professional organizations. However, an employee shall not represent his or her views as those of the County nor use his or her title with the County without prior written approval of the department head or, in the case of department heads, the County Administrator.

### 2. Civic Memberships:

Civic organization means an established group that supports or promotes community programs through volunteer service. Examples of civic organizations include, but are not limited to, Rotary and Kiwanis. Civic organizations for the purpose of this section are:

- non-denominational
- do not discriminate on account of any factor set forth in Wis. Stats. § 111.321
- located in the county
- do not advance a political party

An employee's absence from work to participate in a civic organization during working hours shall be subject to prior approval by the department head or in the case of a department head, by the County Administrator. Time spent participating in

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civic organizations shall not be considered work time, except when the employee is a speaker representing the County or when pre-approved by the County Administrator or Human Resources Director.

Employees must obtain permission from their supervisor prior to receiving time off from work for the purpose of participating in the selection process. Employees will be excused from work with pay when they interview for another Jefferson County position, providing they notify their supervisor of the reason for requesting time off and provide sufficient notice.

### **3. Emergency Volunteer:**

An employee who is a member of a volunteer fire department, volunteer rescue squad or volunteer emergency responder group shall not sign-up to be on-call during the employee's assigned work schedule, unless approved otherwise by the department head. On an exception basis and for extraordinary emergency situations, the department head may authorize the employee to leave work for emergency response duties. In that case, time spent in service to the emergency responder group shall not be considered work time. **Please also refer to Section HR Military Service.**

## **C. LICENSES AND CERTIFICATIONS:**

Employees are personally responsible for obtaining and maintaining professional certifications or licenses which are required as minimum qualifications for the position which the employee holds. Unless authorized for payment through the budget process, employees are responsible for any fees or financial obligations in order to maintain their license. However, the County may provide certain training to employees which may incidentally result in a certification or license, if the training is beneficial for County purposes or improves an employee's performance in their job. The County Administrator may pre-approve any exceptions.

### **1. Certifications and Licenses as Minimum Job Requirements:**

Professional certifications and licenses that are required as minimum qualifications of a job are stated in the training and experience requirements of the classification specification. Employees in these classifications, or employees who wish to transfer or be promoted into these classifications, are personally responsible for obtaining and maintaining such certifications and licenses.

When an employee does not meet all job prerequisites, but is still offered a position with the condition that specific job requirements must be met or skill training completed within a specified time period as a condition of being retained in the position, it shall be the employee's personal responsibility to satisfy the conditions in order to be retained in the position. When certain positions require licensing, certification and/or continuing education to maintain the license or certification, it shall be the employee's personal responsibility to meet all continuing education requirements. Any employee who fails to meet these requirements may be reassigned to a different position or subject to termination.

### **2. Changes in Minimum Job Requirements:**

Training and experience requirements may change or be modified to require a professional certification or license where that requirement did not previously exist.

### **3. Employee Responsible for Meeting New Requirement:**

If there is a need for an employee to obtain a certification or license due to a change in Federal or State rules or regulations or a County requirement, the employee is

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responsible for obtaining and maintaining the newly required certification or license.

#### **4. Training Resulting in Certification or Licensure:**

Certain types of training which are directly related to an employee's job, and which are of benefit to the County, may also incidentally qualify for or result in professional certification or licensure, even though such certification or licensure is not a minimum requirement of a particular job classification.

#### **5. Authorized Training Resulting in Certification or Licensure:**

When such training is authorized by the County, the County will pay for the actual training under **the travel and training reimbursement section** of this policy and budget. However, the County will not pay any fees or costs directly associated with taking a test or examination to obtain the certification or license.

#### **D. TRAINING AND DEVELOPMENT RECORDS:**

The employee's department and the Human Resources Department will have a shared responsibility for the recording and retention of employee training records. Human Resources will be responsible for the training and development records associated with County-wide initiatives and general policy training. Departments will be responsible for the recording and retention of training and development activities that are unique and specific to an employee's job within a department.

Employees may submit copies of completed training and development programs and certifications to Human Resources for inclusion in their County employee file.

Date Created: 12/31/2019

Last Updated: 12/31/2019

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# HR-1600 Employee Conduct and Work Rules

**Ethics policy, cell phone use policy, CBD oil, parking rules, pets at work policy**

## **SUMMARY/POLICY STATEMENT:**

Providing a quality workplace for employees is a priority for the County. Employees are expected to conduct themselves in an appropriate and professional manner in the performance of their duties and in the interaction with other employees, clients and members of the public. There are core sets of behaviors and conduct that employees must adhere to; failure to do so will result in discipline up to and including the termination of employment.

Jefferson County expects employees and others who are engaged to provide services, such as temporary personnel, consultants and independent contractors, to follow these rules of conduct while on company premises, attending company functions or otherwise performing work-related activity.

## **PURPOSE:**

The goal of the Employee Conduct and Work Rules Policy is to ensure orderly operations and provide the best possible work environment. In addition to maintaining and enforcing this policy to protect the interests and safety of all employees and the organization, Jefferson County complies with all applicable federal, state and local laws and regulations concerning employer/employee rights and obligations.

## **A. GENERAL PROHIBITIONS:**

The following actions constitute grounds for corrective action or discipline ranging from a verbal warning to immediate discharge depending on the circumstances and the seriousness of the offense. The list is not to be considered or construed as all inclusive. Other circumstances may warrant disciplinary action up to and including dismissal. **Please refer to Section HR2100, Discipline and Termination, for additional information:**

1. Unacceptable work productivity, quality, wasting time or horseplay
2. Dishonesty or falsifying any client records, work reports, employee records, or other official documents.
3. Insubordination (includes refusal to carry out a reasonable order, disrespectful/rudeness, talking back, arguing, verbal abuse or assault of a supervisor, co-worker or member of the general public)
4. Theft or misappropriation of County property
5. Destruction or negligent use of County equipment or property
6. Use of illegal drugs, controlled substances, or intoxicants (alcohol) while on duty or closely preceding duty to the extent that alcohol or illegal drugs remain in the employee's system while at work. This includes non-prescribed medications
7. Possession of illegal drugs or non-prescribed controlled substances while at work or on County property

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8. Use of prescriptions or other medications while on duty or closely preceding duty to the extent that work performance is impaired or compromising safety of the employee or others
9. Fighting with, threatening, intimidating, bullying or inflicting harm to fellow employees or creating a disturbance among co-workers resulting in an adverse effect upon employees' morale, production and the work environment
10. An employee shall not interfere with the productivity of other employees nor cause any interruption of work
11. Absence without authorized leave, misrepresenting the purpose of an authorized leave or failure to report an absence
12. Habitual tardiness or abuse of sick leave privileges
13. Use of official position or authority for personal profit or gain or sexual favors
14. Engagement in discriminatory or abusive conduct with respect to employees protected by equal employment opportunity laws
15. Extending break time and lunch period limits
16. Violation of safety rules, regulations or procedures
17. Sleeping or inattentiveness on duty
18. Failure of an employee to maintain current and accurate personal contact and emergency contact information with their supervisor and/or the Human Resources Department
19. Failure to properly report an injury or accident during work hours or while on County property
20. Failure to obey all safety rules, regulations or procedures, including the use of protective equipment and clothing or in operation of vehicles and equipment.
21. Unauthorized possession of weapons or explosives on County property without County authorization in accordance with the County's Ordinance on Concealed Carry  
**Please reference Weapons policy, HR1600.**
22. Deliberate reduction of work output
23. Unethical conduct or behavior in the performance of duties
24. Negligence of job duties or responsibilities
25. Violation of any county or departmental policy, regulation, procedure or work rule
26. Performance of personal work or services for pay while on duty
27. Making false or malicious statements about other employees or officials of the County
28. Acceptance of gifts, gratuities, favors or services in the discharge of official duties as prohibited by the **Ethics code**
29. Racial, ethnic or sexual harassment of any person. **See HR2000, Harassment in the Workplace**
30. Conviction of a serious crime that is related or prohibits an employee from performing their essential duties or that brings shame or discredits Jefferson County
31. Unavailability for work due to incarceration
32. Discourteous treatment of the general public or use of profanity or threatening language or any other activity not compatible with good public service
33. Failure to observe smoking/e-cigarette regulations
34. Failure to comply with all State and Federal confidentially laws and regulations, and access, use or disclosure of clients protected health information without proper authorization is prohibited
- ~~35. Violation of cell phone use policy~~
- ~~36. Unacceptable use of social media~~

### **B. DEPARTMENT WORKRULES:**

Departments may develop work rules specific to their operations and/or department

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in a manner consistent with this Manual, state and federal regulations, and any County resolutions or ordinances. Failure to follow department work rules may result in discipline up to and including the termination of employment.

Date Created: 12/31/2019  
Last Updated: 12/31/2019

# **HR-1600.1 Attendance**

## **SUMMARY/POLICY STATEMENT:**

The County places great emphasis on good attendance. Absence or tardiness places an extra burden on co-workers and undermines the efficient operation of the County. Regular attendance is expected of every employee. It is each employee's responsibility to be on the job, on time each day, and fully able and ready to work. Although there are justifiable reasons to take time off from work, each employee's employment assumes their availability for work. Employees are expected to arrive at work on time, return from rest breaks and lunch breaks on time, to complete all assigned work and remain productive throughout the employee's scheduled work day.

## **PURPOSE:**

The purpose of this policy is to set forth Jefferson County's policy and procedures for handling employee absences and tardiness to promote the efficient operation of the company and minimize unscheduled absences.

## **PROCEDURE:**

An employee is responsible for notifying his/her supervisor when they are unable to report to work as scheduled. In case of an employee's illness or injury that would prevent the employee from reporting to work at their regularly scheduled time, the employee shall notify his or her supervisor, manager and/or department head in the manner and timeframe directed by the department head.

## **A. ATTENDANCE VIOLATIONS:**

Employees who violate any of the County or Department attendance rules may be subject to discipline up to and including termination. These include, but are not limited to:

- Excessive and / or unexcused absences.
- Excessive tardiness.
- No Call/No Show. A No Call/No Show is a failure to call in as required.
- Job Abandonment. Failure to report for duty without approval for two (2) consecutive work assignments will be considered Job Abandonment and a voluntary termination.
- A pattern of absence. A pattern of unacceptable absences are those unexcused absences which recur as a "pattern," and may involve consistent Monday or Friday absences; absences of days immediately before or after holidays, vacations or other off days; or frequent absences which fall on similar days or times of the month.
- Failure to provide documentation from of a health care provider when requested from a supervisor.
- Calling in absent for a date when time off for that date was previously denied.
- Time off without use of accrued benefit time, unless an approved unpaid leave of absence.

## **B. ABSENCES NOT SUBJECT TO DISCIPLINARY ACTION:**

- Pre-approved vacation, holiday or administrative leave.
- Pre-approved personal leave.
- Approved leave under state or federal family and medical leave laws.
- Absences for jury duty or other approved absences covered by contract/policy

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- provisions when advance notice is given to a supervisor.
- Approved time off for death in the family in accordance with the County bereavement leave policy.
- Workers' Compensation.
- Pre-approved medical appointments.

## **C. IDENTIFICATION OF AN ATTENDANCE PROBLEM AND CORRECTIVE ACTION:**

The circumstances surrounding an employee's inability to meet attendance obligations may vary. Supervisors will analyze records, discuss problem situations with employees and take necessary corrective actions. Consistent with the practice of progressive discipline, supervisors should counsel employees who show signs of attendance problems. Continued infractions may result in a verbal warning, written warning, suspension or termination. It is a management right to deviate from progressive steps in corrective action for egregious infractions of this policy.

Supervisors will review the attendance records of their employees. This review process provides supervisors with the opportunity to commend those who have good attendance records and counsel and work with employees who have attendance issues.

Each case of absenteeism and pattern of poor attendance will be handled and reviewed on its own merit. The type of action that the supervisor takes will depend upon the specific circumstances of the case. Supervisors will consider the following factors when considering appropriate action:

- the number of hours the employee has been absent
- the number of instances the employee has been absent
- the employee's past attendance record
- the employee's demonstrated effort to correct attendance problems

## **D. MEDICAL DOCUMENTATION:**

1. Medical documentation will be required as follows:
  - All absences due to any kind of work-related illness or injury regardless of the number of days absent. The health care provider's statement must specify the reason for the absence.
  - All non-work related and non-FMLA absences lasting three or more consecutive work days.
  - Upon the request of the department head, typically for suspected abuse such as identified pattern of absences or an absence for a previously denied vacation/personal day request.
2. Documentation from a health care provider must:
  - be provided within five (5) working days of call-in, unless an extension is otherwise approved by the employee's supervisor or Human Resources or allowed under FMLA or other applicable regulation. Documentation may be turned directly into the employee's supervisor or Human Resources. Supervisors who receive any medical documentation shall submit the original documentation to Human Resources to file in the employee's medical file. **See HR0500, Employee Files and Records.**
  - include that the employee is unable to perform their duties and responsibilities due to a medical condition. Diagnoses are NOT required;
  - include restrictions, if any, concerning the performance of the essential functions of the job; and

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- include an anticipated return to work date.

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# HR-1600.2 Employee Communication

## **SUMMARY/POLICY STATEMENT:**

Communication is the effective exchange of meaning or understanding in formal and informal communication. It applies to communication up, down and across the organization. Everyone in the organization is accountable for the effectiveness of his or her own communication. Employees are expected to read communications issued by the County. Information is provided electronically, posted on the employee website, and provided verbally or in other written formats.

## **PURPOSE:**

The purpose of this policy is to identify the various channels of communication within the County, their intended purpose, and the roles and responsibilities of staff in accessing and using them.

## **PROCEDURE:**

Bulletin boards, newsletters, emails and other employer-provided group communication systems are maintained solely for the County to communicate information to and from employees, post notices required by law, and for other work-related purposes. The County will designate bulletin boards that are to be used strictly for the county to communicate information to employees.

Posting of unauthorized notices, photographs, or other printed or written materials on bulletin boards, mass emails or other communication systems is prohibited. Employees must secure prior authorization from their department head or designee before posting any notices on a department-wide basis. The content of County-wide postings shall benefit or be related to a county or department program and be pre-approved by the Human Resources Director. Social media postings shall comply with the County's Social Media Policy.

Date Created: 12/31/2019

Last Updated: 12/31/2019

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# HR-1600.3 Disclosure and Confidentiality

## **SUMMARY/POLICY STATEMENT:**

It is our policy to protect confidential information that is available to employees to the fullest extent permitted by law and consistent with our needs to use such information in a responsible manner in order to provide governmental services.

## **PURPOSE:**

The purpose of this Policy is to establish procedures which permit the disclosure of information about Jefferson County and its employees to the public in a timely manner and to ensure that information not to be publicly disclosed, remains confidential.

## **PROCEDURE:**

No information concerning the internal operations of the County, including but not limited to the release of records of the County, may occur except through, and with the permission of the Administrator or individual Department Head if designated by the Administrator. If requests for information are received by employees, whether on or off duty, from any person, then the employee is required to politely decline to provide such information and to direct that individual to the Administrator or Department Head for a response to that inquiry.

### **A. NONDISCLOSURE:**

Because of an employee's responsibilities, an employee may have access to confidential client, personnel or other sensitive information. This may include information concerning a client's financial status, the County's business practices including purchasing and negotiating strategies, and employee records. This sensitive information cannot be disclosed to any personnel who do not have a legitimate business need to know such information or to persons outside of the County without the determination of the County Administrator or Department Heads designated by the Administrator. All employees are responsible for protecting the confidentiality of this information.

### **B. CUSTODIAN OF RECORDS:**

The Department's custodian of records is responsible for the disclosure of records pursuant to requests for records under [Wisconsin's Public Records Law](#). Unless directed by the Department's custodian of records, employees shall not act as the Department's custodian of records or disseminate information.

### **C. RELEASE OF INFORMATION**

Specific questions regarding the release of information should be referred to the Department Head. Consultation with the Corporation Counsel is required if there are any questions regarding the propriety of the release of information. [See Section 0500, Employee Records and Files.](#)

Date Created: 12/31/2019

Last Updated: 12/31/2019

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# **HR-1600.4 Ethics Code**

**SUMMARY/POLICY STATEMENT:**

It is the policy of Jefferson County that in all cases its employees will perform their duties for the benefit of the citizens and constituents. They shall conduct the operations of the government with loyalty, integrity and impartiality, without allowing prejudice, favoritism or the opportunity for personal gain to influence their decisions or actions or to interfere with serving the public interest.

**PURPOSE:**

The purpose of the Ethics Code is to establish legal and ethical standards of conduct for all officials and employees of Jefferson County and to require disclosures by all officials and employees of private, financial or other interests in matters that may affect the government. All government employees shall adhere to the following code of ethics to build public trust and ensure equitable treatment for all.

**PROCEDURE:**

Employees are required to be aware and comply with the [County Ethics](#) code. The ethics code is available on the County website.

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# HR-1600.5 Fraternization

## **SUMMARY/POLICY STATEMENT:**

Jefferson County strongly believes that a work environment where employees maintain clear boundaries between employee personal and business interactions is necessary for effective County operations. Although this policy does not prevent the development of friendships or romantic relationships between co-workers, it does establish boundaries as to how relationships are conducted during working hours and within the working environment.

Individuals in supervisory or managerial roles and those with authority over others' terms and conditions of employment are subject to more stringent requirements under this policy due to their status as role models, their access to sensitive information, and their ability to affect the employment of individuals in subordinate positions.

This policy does not preclude or interfere with the rights of employees protected by the National Labor Relations Act or any other applicable statute concerning the employment relationship.

## **PURPOSE:**

The purpose of this policy is to ensure that the employment of close relatives and others in a close personal relationship does not cause issues within the workplace, including concerns involving favoritism, effects upon employee morale, or the appearance of impropriety.

## **PROCEDURE:**

When employees work with close relatives or are in a close personal relationship with another employee, all parties involved, including supervisors and managers, could be placed in a position where they are open to charges of inequity in decisions such as work assignments, transfer opportunities, performance evaluations, promotions, demotions, disciplinary actions, pay adjustments, sexual harassment and terminations. In addition to claims of partiality, personal relationship conflicts from outside the work environment can be carried into the workplace, which has the potential to negatively impact day to day operations and negatively affect other employees in the workplace.

For these reasons, the County discourages supervision of an employee with whom the supervisor or manager has a close personal relationship.

## **A. CLOSE RELATIVE OR PERSONAL RELATIONSHIP:**

A close personal relationship may involve situations such as the following:

1. The employee is a close relative of the supervisor or manager, such as a spouse, sibling, child, grandparent, grandchild, aunt, uncle, cousin, or an in-law of the employee. Relatives include step relations.
2. The employee is in a romantic relationship with the supervisor or manager such that it is or is perceived by of the parties as more than a general friendship.
3. The employee is involved in an outside business relationship with the supervisor or manager as a partner, owner, shareholder, employee, vendor, or contractor.

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## **B. DISCLOSURE OF CLOSE RELATIONSHIPS:**

Managerial employees involved in a close personal relationship with a person employed in the department or through a contract agency shall inform the Department Head, County Administrator or Human Resources Director immediately. Efforts will be made to ensure fair treatment in the workplace for the individuals involved. If the Department Head identifies that a close personal relationship exists, then the Department Head shall promptly notify the Human Resources Director.

## **C. MEASUREMENTS TAKEN:**

The County may consider the following measures to avoid workplace conflicts if practical and in the interests of the County:

- Inform the managerial employee and the subordinate involved in the close personal relationship of the County's expectations of professional behavior applicable both on and off duty and compliance with County policies including the County's policy commitment against sexual harassment.
- Remove responsibility for various important supervisory or managerial decisions involving that subordinate from the supervisor or manager involved in a close relationship with the subordinate.
- Assign responsibility for supervision of the subordinate to another manager within the department.
- Assign responsibility for performance evaluations, investigations, complaint management, and any compensation or merit-based pay decisions relating to the subordinate, to another manager within the department.
- Afford protections for the managerial employee who has been assigned oversight responsibility of the subordinate employee by having the Human Resources Director review and approve all related decisions
- Inform the subordinate of the new chain of command, reporting, and supervision structure.
- If a vacant position is available and the employee meets the minimum qualifications of the vacant position, the Department Head of each Department and the County Administrator reserves the right to transfer the employee into the vacant position.
- Inform co-workers that gossiping and rumor-mongering are inappropriate and that employees are required to use the appropriate channels to report concerns and observations.
- If issues or conflict arises, separation from employment for the managerial employee and/or the subordinate involved in the close personal relationship.

The measures listed above shall not be considered an all-inclusive list, may not be applicable or necessary in every case and should be implemented with the assistance of the Human Resources Director. The Department Head shall consult with the Human Resources Director prior to implementing any of the measures.

The County maintains a strong commitment and policy against unlawful harassment in

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the workplace ([Harassment Policy](#)) and a [Grievance Procedure](#). Employees are encouraged to refer to these policies to address issues, if any, that may arise.

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# **HR-1600.6 Dress Attire, Appearance, and Demeanor**

## **SUMMARY/POLICY STATEMENT:**

Employees are required to report for work appropriately dressed to perform the essential functions of their assigned job. Employees are also expected to at all times present a professional, business-like image to clients, visitors, customers and the public.

## **PURPOSE:**

Jefferson County strives to maintain a workplace environment that functions well and is free from unnecessary distractions and annoyances. As part of that effort, the company requires employees to maintain a neat and clean appearance that is appropriate for the workplace setting and for the work being performed. To that end, department heads may determine and enforce guidelines for workplace-appropriate attire and grooming for their areas; guidelines may limit natural or artificial scents that could be distracting or annoying to others.

## **PROCEDURES:**

All Jefferson County employees are expected to present a professional, businesslike image to clients, visitors, customers and the public. Acceptable personal appearance, like proper maintenance of work areas, is an ongoing requirement of employment with Jefferson County.

### **A. Demeanor:**

It is the duty of every employee to deal courteously with the public and with coworkers. Favorable impressions created by courteous public relations develop citizen goodwill and support for the employee, the department, and the County as a whole.

### **B. Appearance:**

#### **1. Grooming:**

Grooming must be neat, clean and appropriate for the work being performed and the setting in which the work is performed.

#### **2. Fragrance:**

Scented products may cause or exacerbate health problems in certain individuals. Employees are expected to be mindful of this. The use of scented products should be kept to a minimum in the workplace and in County-owned vehicles. Employees who are concerned about scented products should contact their immediate supervisor or Human Resources. Scented products may include perfume, cologne, aftershave, lotions, powders, open-flame candles, air fresheners, and other scented items. Supervisors, in consultation with Human Resources, have the right to restrict scented products that are determined to be unpleasant or offensive in the workplace or as an accommodation under the American's with Disability Act.

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## **C. DRESS ATTIRE:**

Each employee is required to wear appropriate attire while on duty or conducting business on behalf of the County. Clothing is to be neat, clean, in good repair and appropriate to the nature of their position. In addition, all staff members must carry or wear the Jefferson County identification badge at all times while at work in accordance with [SectionXXX](#)

Regardless of occupation, clothing should be clean, neat and in good repair. Clothing or pins with language or pictures that are considered offensive or inappropriate (i.e. sexually suggestive, advertising with logos of illegal products, alcohol or tobacco products, promoting advertising firms and/or contractors that do business with the County) is considered inappropriate.

Because of the varying work situations in County employment, some departments may, out of necessity, provide dress/grooming rules that are different or more stringent than those listed in this policy. Supervisors should communicate their department's workplace attire and grooming guidelines to staff during orientation and evaluation periods. It is the responsibility of each employee to assure that s/he abides by not only the rules listed herein, but also is in compliance with any departmental rules. If an employee has a health or safety reason that they feel will not allow them to meet the expectations set forth, they should discuss their concerns with their supervisor and/or Department Head.

Employees who appear for work inappropriately dressed will be sent home and directed to return to work in proper attire. Under such circumstances, employees will not be compensated for the time away from work. The same will apply to employees exhibiting unacceptable oral or physical hygiene.

## **D. UNIFORMS AND PROTECTIVE EQUIPMENT:**

Certain staff members may be required to meet special dress, grooming and hygiene standards, such as wearing uniforms or protective clothing, depending on the nature of their job.

### **1. Uniforms:**

Uniforms required shall be provided by the County or an allowable expense shall be provided:

### **2. Personal Protective Equipment (PPE):**

It is a primary goal of the County to maintain a safe, comfortable work environment for its employees. For that reason it is important to stress the need to evaluate the purpose of personal equipment within each department. Personal equipment that is considered necessary items are generally not of concern; however personal equipment that is a luxury and not a necessity must be approved by the Department Head.

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All personal appliances are subject to available electrical capacity and review by the Risk Manager/Safety Coordinator or facility designee for safety concerns. The addition of electrical circuits to enable the use of personal appliances will not be permitted. See section XXX, Safety for additional information.

## **E. CASUAL OR DRESS-DOWN DAYS:**

### **1. Casual Dress Days:**

Casual dress days may have certain requirements. Department Heads will determine whether employees of a particular department will be allowed to participate in casual dress days. A sign indicating an employee casual day is being observed may be posted in order to inform the public.

Employees who are required to wear uniforms or employees required to appear in court or represent the County in a meeting or other non-casual setting may not be able to dress in casual attire.

2. At the discretion of the department head, in special circumstances, such as during unusually hot or cold weather or during special occasions, staff members may be permitted to dress in a more casual fashion than is normally required. On these occasions, staff members are still expected to present a neat appearance and are not permitted to wear ripped, frayed or disheveled clothing or athletic wear. Likewise, tight, revealing or otherwise workplace-inappropriate dress is not permitted.

## **F. REASONABLE ACCOMMODATIONS FOR RELIGIOUS BELIEFS:**

Jefferson County recognizes the importance of individually held religious beliefs to persons within its workforce and will reasonably accommodate a staff member's religious beliefs in terms of workplace attire unless the accommodation creates an undue hardship to the County. Accommodation of religious beliefs in terms of attire may be difficult in light of safety issues for staff members. Those requesting a workplace attire accommodation based on religious beliefs should be referred to the Human Resources department.

## **G. ADDRESSING WORKPLACE ATTIRE AND HYGIENE PROBLEMS:**

1. Violations of the policy can range from inappropriate clothing items to offensive perfumes and body odor. If a staff member comes to work in inappropriate dress, he or she will be required to go home, change into conforming attire or properly groom, and return to work.
2. If a staff member's poor hygiene or use of too much perfume/cologne is an issue, the supervisor should discuss the problem with the staff member in private and should point out the specific areas to be corrected. If the problem persists, supervisors should follow the normal corrective action process.

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# HR-1600.7 Political Activity

## **SUMMARY/POLICY STATEMENT:**

Jefferson County recognizes that, as a governmental entity, its operations do occasionally include items/issues that are political in nature. To that end, the County respects the right of its employees, as individuals, to become involved in the political process

## **PURPOSE:**

This policy provides direction as to what is, and what is not, permissible activities related to political activity.

## **DEFINITIONS:**

**Workplace:** The regular office and building of an elected official or, in the case of an employee, any place in which the employee is conducting regular business of Jefferson County, including County vehicles.

**Elected official:** The Sheriff, Register of Deeds, County Clerk, Clerk of Circuit Court, Treasurer and County Board Supervisor.

**Employee:** Every County employee except an elected official.

**Partisan:** Related to an established political party within the meaning of the elections laws of the State of Wisconsin.

**Non-partisan:** Unrelated to an established political party within the meaning of the election laws of the State of Wisconsin.

**Political committee:** Any person other than an individual and any combination of two or more persons, permanent or temporary, which makes or accepts contributions or makes disbursements, whether or not engaged in activities which are exclusively political.

**Political purposes/activity:** An act is for "political purposes" and constitutes "political activity" when it is done for the purpose of influencing the election or nomination for election of any individual to office, for the purpose of influencing the recall from or retention in office of an individual holding an office, for the purpose of payment of expenses incurred as a result of a recount at an election, or for the purpose of influencing a particular vote at a referendum.

## **A. PERMISSIBLE ACTIVITIES:**

The following political activities are permissible for employees:

1. Making voluntary contributions for political purposes.
2. Participating as a candidate for office, unless prohibited by the Hatch Political Activity Act, provided service in the office will not conflict or interfere with the efficient

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discharge of an employee's official duties.

3. Expressing opinions as an individual privately and publicly on all political subjects and candidates.
4. Being a member of a political party and participating in party affairs.
5. The following are some of the political activities, both partisan and non-partisan, that an employee may participate in providing he or she is off duty and not on County property:
  - a. Soliciting votes in support of or in opposition to a candidate for public office or political party office.
  - b. Serving as an officer of a political party, a member of a national, state or local committee of a political party, an officer or member of a committee of a political club, or being a candidate for any of these positions.
  - c. Directly or indirectly soliciting, receiving, collecting, handling, disbursing, or accounting for assessments, contributions, or other funds for a political purpose.
  - d. Taking an active part in managing the political campaign of a candidate for public office or political party office.
  - e. Acting as a recorder, watcher, challenger, or similar officer at the polls on behalf of a political party or candidate.
  - f. Organizing, selling tickets to, promoting or actively participating in a fundraising activity of a candidate, political party or political club.
  - g. Driving voters to polls on behalf of a political party or candidate.
  - h. Serving as a delegate, alternate or proxy to a political convention.
  - i. Addressing a convention, caucus, rally, or similar gathering of a political part in support of or in opposition to a candidate for public office or political party office.
  - j. Initiating or circulating a nominating petition.
  - k. Endorsing or opposing a candidate for public office or political party office in a political advertisement, a broadcast, campaign literature or similar material, except such action shall not be taken in the employee's official capacity, unless the employee is an elected official.
  - l. Organizing or reorganizing a political party organization or political club.

## **B. PROHIBITED POLITICAL ACTIVITIES:**

In general, the following political activities by employees or elected officials are prohibited:

1. Using governmental authority to interfere with or effect nomination or election for any public office or position within any political party.
2. Using governmental authority or influence to intimidate, threaten or coerce any person to vote contrary to his/her own voluntary choosing.
3. Using governmental authority to directly or indirectly intimidate, threaten, or coerce any person to pay, lend or contribute anything of value, including services, to any party, organization, group or individual for political purposes.
4. Using any official authority or influence to coerce any individual or group for political action, or to confer benefits or effect reprisals to secure desired political action or inaction.

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5. Offering to pay or accept benefits in return for desired political action or inaction.
6. Requesting or receiving anything of value for influence or help in securing appointive office.
7. Paying or offering payment for securing appointive office.
8. Engaging in political activity on County-owned property or during work hours in such a manner as to give the impression of an official County endorsement of a particular candidate, proposal or position unless the County in fact has taken such a formal position or the employee reasonably believes the employee's political activity to be consistent with his or her official duties.
9. Directly or indirectly soliciting or receiving pledges, subscriptions or contributions for any political party or any political purpose while in a building, office or room occupied for any purpose by the County.
10. Either orally soliciting or by email or letter transmitting any solicitation to a County office or be in any manner concerned in soliciting any assistance, pledges, donations or other support for any political party or purpose from any person holding any position with Jefferson County while on County time or engaged in official duties.
11. During the hours when on official duty engaging in any form of political activity calculated to favor or improve the chances of any political party or any person seeking or attempting to hold political office. The wearing of political identification while on duty is such a political activity.
12. Use of county services, credit or property for political purposes.

Date Created: 12/31/2019

Last Updated: 12/31/2019

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# HR-1600.8 Secondary Employment

## **SUMMARY/POLICY STATEMENT:**

Employees may hold outside jobs as long as they meet the performance standards of their job with the County, and provided that the outside employment does not conflict with their County employment. All employees will be judged by the same performance standards and will be subject to the County's scheduling demands, regardless of existing outside work requirements.

## **PURPOSE:**

The purpose of this policy and procedure is to ensure that an employee's secondary employment does not have an adverse effect on the employee's primary employment and does not create a conflict of interest.

## **PROCEDURES:**

If the County determines that an employee's outside work interferes with performance or the ability to meet the requirements of the County as they are modified from time to time, the employee may be asked to terminate the outside employment if they wish to remain employed by the County.

Employees are not allowed to conduct business related to outside employment while on County paid time, nor is an employee permitted to use County equipment or supplies in the performance of outside employment duties.

Outside employment, which constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals outside the organization for materials produced or services rendered while performing their jobs as the County employees. Determining whether or not such outside employment constitutes a conflict of interest will be left to the sole discretion of the County Administrator.

All employees are should disclose any secondary employment to their department head. Department heads working in any outside employment are required to notify the County Administrator.

Date Created: 12/31/2019

Last Updated: 12/31/2019

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# **HR-1600.9 Smoke Free, Vape Free and Tobacco Free Workplace**

## **SUMMARY/POLICY STATEMENT:**

To protect and enhance our indoor air quality and to contribute to the health and well-being of all employees, the use of all tobacco, smoking and vaping products, including chewing tobacco and electronic cigarettes (E-cigarettes), is banned from the Jefferson County workplace, except as designated in this policy.

## **PURPOSE:**

The purpose of this policy is to create healthy, smoke and tobacco-free environments to protect employees and the public from the harms of tobacco use and secondhand smoke by prohibiting smoking, vaping and use of tobacco on all county premises.

## **DEFINITIONS:**

**Smoking:** inhaling, exhaling, burning or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated tobacco or plant product intended for inhalation, including marijuana, whether natural or synthetic, in any manner or in any form. Smoking shall also include the use of an electronic delivery device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking.

**E-Cigarette or Electronic Delivery Device:** any product containing or delivering nicotine or any other substance intended for human consumption that may be used by a person to simulate smoking through inhalation of vapor or aerosol from the product. Electronic Delivery Device shall also include any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor.

**Vaping:** the use of electronic nicotine delivery systems or electronic smoking devices such as e-cigarettes, e-pipes, e-hookahs and e-cigars.

## **PROCEDURES:**

The County supports and promotes a smoking, vaping and tobacco free work environment. All forms of tobacco are prohibited, including but not limited to chewing tobacco, e-cigarettes, tobacco cigarettes, and cigars. There shall be no smoking, or chewing of tobacco in any building or vehicle owned, leased, or rented by the County, unless permitted by [County policy XXX](#).

**A.** Employees may not smoke indoors at any time in any county-owned, rented or leased building, including the Fair Park grandstand, park shelters or bathrooms, maintenance

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buildings or in the Dog Park.

- B.** Employees may not smoke within thirty (30) feet of a public entrance to any county-owned, rented or leased building, or outside a designated smoking area if such property has notice posted of this regulation and designated smoking areas. At the Fair Park, the 30 feet requirement shall only apply to the front door of the Activity Center.
- C.** Employees may not smoke at any time inside of any county-owned, rented or leased vehicle. Department heads in all county-owned, rented, or leased buildings shall enforce a "No Smoking" policy consistent with Sec. 101.123, Stats. and this ordinance. (The Wisconsin Clean Indoor Air Act).
- D.** In the event of conflict between the provisions of this ordinance and Section 101.123, Stats., the more restrictive regulation shall apply.
- E.** Smokers and users of tobacco products must dispose of the remains in the proper containers. This helps to keep a neat and clean environment for all employees and our visiting partners and customers.
- F. Exemption from Smoking Prohibition:** The following activities, facilities and vehicles are exempt from the prohibition of this ordinance:
  - 1. With the consent of the Sheriff, and under supervision of a County detective, individuals under interrogation are permitted to smoke in designated interrogation rooms within the Sheriff's Department.
  - 2. Vehicles owned, rented or leased for use by the Jefferson County Sheriff's Department, as designated by the Sheriff.
  - 3. In the presence of a bailiff, jurors may smoke in the area immediately adjacent to courthouse entrance 13.

In addition to or in lieu of enforcement of this ordinance by forfeiture, violations of this section by County employees and officers may be punished by appropriate discipline as a violation of a reasonable work rule as determined by the employee's supervisor and/or the County Administrator.

Date Created: 12/31/2019

Last Updated: 12/31/2019

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# HR-1600.10 Solicitation

## **SUMMARY/POLICY STATEMENT:**

Individuals who are not employees of the County are prohibited from soliciting employees or distributing materials to employees on the premises. This includes soliciting funds or signatures, conducting membership drives, distributing literature or gifts, offering to sell merchandise or services (except by representatives of vendors or potential vendors as authorized by the County), or any other similar activity. All visitors are strictly prohibited from entering non-public areas unless a supervisor grants permission.

## **PURPOSE:**

The solicitation of employees or distribution of materials to employees can often interfere with normal operations of the County, reduce employee efficiency, annoy employees and citizens, and pose a threat to security. For these reasons, the County limits solicitation and distribution on its premises.

## **PROCEDURES:**

Employees may engage in limited solicitation and distribution of materials to other employees, on the premises, subject to the following guidelines.

- A.** Solicitation or distribution of materials is prohibited during the working time of either of the individuals making or receiving the solicitation or distribution. "Working time" does not include an employee's authorized lunch or rest period. Distribution of literature in a way that causes litter on property is prohibited. County email may be utilized according to the [Internet usage policy](#) on a limited, reasonable basis. Authorization to send a mass-email must be obtained by Human Resources or Administration.
- B.** Bulletin boards, newsletters, emails and other employer-provided group communication systems are maintained solely for the County to communicate information to and from employees, post notices required by law, and for other work-related purposes. Posting of unauthorized notices, photographs, or other printed or written materials on those bulletin boards or other communication systems is prohibited.
- C.** The County may authorize a limited number of fund drives by employees on behalf of charitable organizations. Employee participation in such drives is completely voluntary. As a part of those charitable fund drives, the County may permit a representative from the charitable organization to make a presentation to employees. Employees seeking authorization for such a charitable fund drive should contact the Human Resources Director.

Date Created: 12/31/2019

Last Updated: 12/31/2019

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# **HR-1600.11 Weapons in the Workplace**

## **Address use of pepper spray**

### **SUMMARY/POLICY STATEMENT:**

Employees shall be prohibited from carrying or bringing any weapon, as defined herein, to the workplace. This provision applies to all employees except those required to carry a weapon as part of their job responsibilities.

### **PURPOSE:**

To ensure that Jefferson County maintains a workplace safe and free of violence for all employees, the company prohibits the possession or use of dangerous weapons on company property.

### **DEFINITIONS:**

**Law Enforcement Officer:** a Wisconsin law enforcement officer, as defined in Section 175.46(1)(g) Wisconsin Statutes or a federal law enforcement officer, as defined in Section 175.40(7)(a)1. Wisconsin Statutes.

**Licensee:** an individual holding a valid license to carry a concealed weapon under Section 175.60 Wisconsin Statutes or an out-of-state licensee per Section 175.60(1)(f) 1.-2. Wisconsin Statutes.

**Motor Vehicle:** a vehicle which is self-propelled, including but not limited to a passenger car, truck, and van, bus, taxi, commercial motor vehicle, motorcycle, moped, motor bicycle, snowmobile, and all-terrain vehicle.

**Placard:** a small card or plaque.

**Sign:** a sign that states a restriction imposed hereunder and that is at least 5 inches by 7 inches.

**Special Event:** an event that is open to the public, is for a duration of not more than three (3) weeks, and either has designated entrances to and from the event that is locked when the event is closed or requires an admission.

**Weapon:** includes, without limitation, any firearm (including a handgun), air guns, an electric weapon (as defined in Section 941.295(1c)(a) Wisconsin Statutes), a knife, including a box cutter or other sharp object, a switchblade (as defined in Section 941.24(1) Wisconsin Statutes), a billy club, oleoresin capsicum (OC) spray devices (also known as pepper spray or pepper mace), metallic knuckles, nunchaku, shuriken, cestus, manrikigusari, ammunition, explosives, batons or similar wood, metal or rigid objects like sign standards, or any device designed or used as a weapon and capable of producing great bodily harm or death.

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## PROCEDURES:

### A. PROHIBITIONS:

1. County employees are prohibited from carrying or possessing a concealed weapon (or a weapon that is not concealed) in the course (or during any part) of their employment. This prohibition does not apply to:
  - a. Certified law enforcement officers, entitled to carry a weapon, while acting in their official capacity and with lawful authority.
  - b. An employee, who is a Licensee, properly storing a weapon or ammunition in the employee's own motor vehicle, regardless of whether the motor vehicle is used in the course of employment or whether the motor vehicle is driven or parked on property used by the County.
2. Persons are prohibited from carrying or possession of a concealed weapon (or a weapon that is not concealed) while operating or being a passenger in any County owned or leased motor vehicle. This prohibition does not apply to certified law enforcement officers, entitled to carry a weapon, while acting in their official capacity and with lawful authority.
3. No person may, while carrying or possessing a weapon, enter or remain in any part of a building that is owned, occupied, or controlled by the County. This prohibition does not apply to:
  - a. Certified law enforcement officers, entitled to carry a weapon, while acting in their official capacity and with lawful authority.
  - b. A person who leases residential or business premises in the building.
  - c. A person if a firearm is concealed and in a vehicle driven or parked in the parking facility, or to any part of the building used as a parking facility.
4. Organizers of any "special event" may prohibit any persons carrying or possessing a weapon from entering or remaining at the "special event". This prohibition does not apply to:
  - a. Certified law enforcement officers, entitled to carry a weapon, while acting in their official capacity and with lawful authority.
  - b. If the firearm is in a vehicle driven or parked in the parking facility, or to any part of the special event grounds or building used as a parking facility.

### B. NOTICES:

1. For purposes of Prohibitions A. above: County employees will be notified, either orally or in writing, of the restriction.
2. For purposes of Prohibitions B. above:
  - a. A placard may be posted, that is located in a prominent place within or on the motor vehicle, such that any person who is an operator or occupant of the vehicle can be reasonably expected to see the placard. Suggested language for the placard: ENTRY TO THIS VEHICLE WHILE CARRYING OR POSSESSING A CONCEALED FIREARM OR OTHER WEAPON (OR A FIREARM OR OTHER WEAPON THAT IS NOT CONCEALED) IS FORBIDDEN. or
  - b. Any motor vehicle operator or occupant will be notified, either orally or in writing, of the restriction.
3. For purposes of Prohibitions C. above:

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- a. A sign will be posted that is located in a prominent place near all of the entrances to any building to which the restrictions apply, where any individual entering the building can be reasonably expected to see the sign.
  - b. Suggested language for a sign: "NO PERSON MAY ENTER OR REMAIN IN THIS BUILDING WHILE CARRYING OR POSSESSING A FIREARM OR OTHER WEAPON"
4. For purposes of Prohibitions D. above:
    - a. A sign will be posted that is located in a prominent place near all of the entrances to the special event, such that any individual attending the special event can be reasonably expected to see the sign.
    - b. Suggested language for a sign: "NO PERSON MAY ATTEND THIS INSERT NAME OF SPECIAL EVENT WHILE CARRYING OR POSSESSING A FIREARM OR OTHER WEAPON"

## **C. MISCELLANEOUS PROVISIONS:**

1. This policy is intended to be consistent with, and cannot supersede, state law/ or federal law.
2. If any provision or clause of this policy or its application to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this policy that can be given effect without the invalid provision or application, and to this end the provisions of this policy are severable.
3. Reference to the Wisconsin Statutes herein include as such statutes now exist or are hereafter amended.

## **D. PENALTIES FOR VIOLATION:**

1. If applicable, referral to law enforcement or the district attorney for prosecution as applicable under Wisconsin Statutes, including Section 943.13 Wisconsin Statutes; and/or
2. For County employees, discipline up to and including discharge from employment.

Date Created: 12/31/2019

Last Updated: 12/31/2019

# **HR-1600.12 Whistleblower Policy**

## **SUMMARY/POLICY STATEMENT:**

The County provides various mechanisms to assist and encourage employees to come forward in good faith with reports or concerns about suspected compliance issues. It is the policy of Jefferson County that harassment, retaliation or any type of discrimination or adverse action against a county employee ("whistleblower") who makes a good-faith complaint about suspected violation of law or county ethics policy by an employee or county elected official; or provides information or causes information to be provided or assists in an investigation regarding violations of law; or files, testifies or participates in a proceeding related to violations of law; is prohibited.

## **PURPOSE:**

The purpose of this policy is to promote open, honest and transparent government in Jefferson County and encourage good faith reports of allegations of misconduct concerning compliance with County policies and procedures and State and Federal laws and regulations.

## **PROCEDURES:**

### **A. REPORTING A SUSPECTED COMPLIANCE ISSUE:**

An employee who becomes aware of a potential or actual violation of policy or law should report such conduct, regardless of whether the employee is personally involved in the matter. An employee shall make such a report to his/her immediate supervisor. If the employee feels unable to do so or if there is any reason why this may not be appropriate, the employee shall raise the issue with the department director, Human Resources Director, or County Administrator. Should the complaint involve the County Administrator, the issue may be raised with the Executive Committee. Any report will be handled as confidentially as possible under the circumstances, and the County will handle all reports with discretion and with due regard for the privacy of the reporting employee. An employee may make anonymous reports, with the understanding that any investigation may be hampered due to the inability to identify the employee in order to obtain a full and complete account of relevant and necessary facts, or to ask additional questions or seek clarification as any investigation proceeds.

Employees may use the link on the County website for [reporting compliance complaints anonymously](#).

### **B. FILING A WHISTLEBLOWER COMPLAINT:**

Jefferson County encourages employees to report suspected retaliation violations and requires supervisory employees to report suspected retaliation violations. Employees can report alleged retaliation to the supervisor, department head, the Human Resources Director, the County Administrator, or the Human Resources Committee.

### **C. DISCIPLINARY ACTION:**

An investigation of all complaints will be undertaken as soon as reasonably possible. All information disclosed in the complaint and the investigation procedure will be held in the

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strictest confidence and only disclosed when necessary to investigate and resolve the matter, as subject to State open records laws. Anyone who has been found by Jefferson County, after appropriate investigation, to have retaliated against an employee will be subject to appropriate disciplinary action which may include, depending on the circumstances, a written warning, suspension or discharge.

Date Created: 12/31/2019  
Last Updated: 12/31/2019

# **HR-1700 Workplace Violence**

## **SUMMARY/POLICY STATEMENT:**

Jefferson County maintains a zero-tolerance policy towards violence in the workplace. All violent behavior is inappropriate in the workplace, on both the part of employees and customers, and will not be tolerated. Furthermore, the possession, use, or threat of use of a weapon is prohibited in the workplace by employees. All employees shall notify their supervisor of any workplace violence which they have witnessed, experienced, become aware of or in any way have knowledge of. Violations of this policy shall lead to disciplinary action up to and including termination and may also result in criminal prosecution.

## **PURPOSE:**

Jefferson County recognizes that workplace violence is a growing concern nationally that needs to be addressed by all employers. Employees of the County should be provided with a work environment which is as safe as is reasonably possible from harm. However, due to the need to allow public access to County facilities and services and the nature of certain employee's work, the County cannot guarantee the protection of employees or customers against acts of violence. The County may, however, regulate and direct the conduct of its employees and customers when possible in an effort to minimize the frequency and severity of violent incidents.

## **DEFINITIONS:**

**Employee:** All full-time, part-time, occasional part-time, limited term employees, seasonal employees, temporary employees, and volunteers of the County.

**Weapon:** Any type of firearm whether or not a permit is obtained, switchblade, knife (excluding eating utensils), jack knife with a **blade longer than two inches**, or explosives. Mace or pepper spray, as allowed by state law, is not to be considered a prohibited weapon provided the spray is only for personal defense. A weapon may also include any object that is used to cause harm to an employee or other individual, **including electronic weapons such as tasers.**

**Workplace:** All County-owned, rented or leased property, including vehicles and mobile equipment, and any other property where work is being performed by County employees in an official capacity for the County.

**Workplace Violence:** Any act of written, verbal, or physical aggression that occurs in the workplace intended to harm an individual or could cause a reasonable person to be in fear of imminent harm. It also involves the intentional non-authorized destruction or abuse of property. Examples of workplace violence may include: sexual violence, harassment, obscene phone calls, threats (direct or implied), stalking, unauthorized possession or inappropriate use of weapons, assault, battery, robbery, kidnaping, murder, bomb threats, arson. Workplace violence does not include the use of reasonable force in the defense of oneself or others.

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## PROCEDURES:

### A. EXCEPTIONS TO WEAPONS PROHIBITION:

The weapons prohibition policy does not apply to employees who are armed in the line of duty, such as Sheriff's Deputies, except in designated restricted areas unless otherwise directed by the Sheriff. Also, employees required to utilize knives or jackknives on the job within the normal scope of their employment as authorized by their department head are not considered to be in violation of this policy. **Contact Sheriff for review, conflict language with pepper spray.**

### B. REPORTING PROCEDURES:

#### 1. Non-Emergency:

If the individual is not violent and no immediate threat is present, but the individual is acting in a suspicious or hostile aggressive manner, then employees should:

- Notify their supervisor,
- **Use de-escalating techniques if properly trained,**
- Keep distance between themselves and the individual,
- Become aware of escape routes,
- Notify or have co-worker notify the Human Resources Department at X7101 and the Sheriff's Department at X7310 to report non-emergency events involving suspicious activity which are not life threatening.
- Be ready to summon the Sheriff's Department/Police if the situation escalates to an emergency situation,

#### 2. Emergency:

If it is reasonable to believe that an individual is acting in a manner that is of immediate threat to you or others, employees should:

- Seek safety by leaving area if possible,
- Notify their supervisor,
- Summon the Sheriff's Department or police by phone by calling 911 or by activating duress/panic alarms when available,
- When reporting an emergency event to the Sheriff's Department/Police, provide the dispatcher with your name and location, report the specifics of the event in a clear and concise manner and be prepared to stay on the line and answer questions the dispatcher may have,
- When practical and as appropriate to the circumstance, once a duress/panic alarm has been activated, personnel should contact the Sheriff's Department Communication Center by dialing X7310 and inform the Dispatcher of the circumstances as to the nature of the event,
- **Do not attempt to control a violent individual. Exception: If there is imminent threat and assistance has not arrived, employee needs to determine if 'flight or fight' is the best option for their own, and others, safety.**

### C. RESTRAINING ORDERS:

Employees who are seeking or have obtained restraining orders or injunctions against an individual are encouraged to notify their supervisor so that appropriate measures can be taken to facilitate prudent safety measures within the workplace.

When a protective or restraining order lists County workplaces as being protected areas, employees must provide their supervisor with a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent.

### D. REPORTING WORKPLACE VIOLENCE:

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In addition to the Non-emergency and Emergency reporting protocols above, supervisors or others receiving employee reports of workplace violence or that have knowledge of information of an internal or non-emergency nature which may affect the security of the County and its assets shall report such incidents to their department heads. The department head shall complete a memorandum and submit it to the Human Resources Director. The memorandum should include the following:

- Description in detail of what happened, where it happened, and when it happened.
- Identity of persons committing the threat or violent behavior.
- Identity of persons against whom the threat was made or violent behavior directed.
- Identity of persons reporting or witnessing the threat or violent behavior.
- Observations that would make you believe that the individual intends to follow through on a threat.
- How the matter was resolved or suggestions for minimizing the risk of a violent act based on the information available.

Although every effort will be made to keep reports and records that are made and kept pursuant to this policy confidential, the reports and records may be subject to public disclosure under Wisconsin's Public Records Law.

For those cases where it appears that criminal activity may be involved, department heads/managers/supervisors should not take any action that would jeopardize the outcome of any investigation, including changing anything at the scene of a violent incident until properly documented by those in authority.

## **E. FALSE REPORTS:**

Allegations and/or reports of workplace threats will be taken seriously. Employees intentionally making false reports will be subject to discipline up to and including terminations.

## **F. INVESTIGATIONS AND RESOLUTIONS:**

Human Resources will receive, evaluate, intervene, and respond to reports of workplace violence with the assistance of a Threat Management Team as appropriate. Threat Management Team members may include personnel from the Sheriff's Department, Corporation Counsel's Office, Human Resources Department, Administration and the Department Head of the affected department as well as any outside agencies that may provide assistance to the County on the matter.

Privacy rights will be observed in the event of the need to investigate workplace violence incidents. Only those individuals with a clear need to know of the potential risk will be notified in cases where a person is perceived to be a threat to others. Anonymity of employees reporting violence or threats of violence will be maintained during the investigation to the greatest extent possible by those investigating and resolving the complaint. However, there is no right to or guarantee of anonymity since it is often necessary to make the employee or customer against whom the allegation has been made aware of the complaint in order to ascertain the facts.

Retaliation and/or reprisal against an employee who genuinely reports threats of workplace violence in good faith is in violation of this policy. Anyone who engages in or assists in such retaliatory actions will be subject to disciplinary action up to and including termination of employment.

Crisis counseling to employees and their families victimized by workplace violence may

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be provided. Employees and their families are encouraged to use the employee assistance program.

## **G. CONSEQUENCES OF VIOLATION:**

Employees who violate this policy are subject to discipline up to and including termination and may also result in criminal prosecution. A mandatory referral to the Employee Assistance Program may also be a condition of an employee's action plan.

Date Created: 12/31/2019

Last Updated: 12/31/2019

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# HR-1900 Alcohol and Other Drug Abuse Policy

**Separate section on CBD oil?**

## **SUMMARY/POLICY STATEMENT:**

Employees are forbidden to use or possess illegal drugs or open alcohol at any time during the workday or anywhere on County property. Employees are prohibited from the unlawful manufacture, distribution, dispensing, possession or use of controlled substances in any workplace of County employment. Employees violating this policy will be subject to immediate discipline, and such actions may lead to criminal penalties.

## **PURPOSE:**

The County has a vital interest in maintaining safe, healthful, and productive working conditions for its employees. Employees possessing, distributing, selling, or working under the influence of alcohol or a controlled substance on the job can be a serious safety risk to themselves, to other employees and, in many instances, to the general public. Accordingly, the County has established the following policy with regard to possession, distribution, sale, use, or presence of alcohol or a controlled substance in one's system in a manner that is in violation of the policy.

## **DEFINITIONS:**

**County Property/Workplace:** For purposes of this policy, "county property" and "workplace" includes:

- all county facilities and parking lots
- all county vehicles
- any location at which the County conducts its business

**Illegal Drugs/Controlled Substances:** For purposes of this policy the terms "illegal drugs" or "controlled substances" shall include any of the following:

- substance that is considered illegal to manufacture, possess, transport, or be under the influence of in violation of any Federal or State of Wisconsin criminal drug statute
- prescription drugs that were prescribed for the employee but which the employee is self-administering in excess of medical direction
- prescription drugs that were prescribed for the employee and which the employee is attempting to sell or transfer to another individual
- prescription drugs that were not prescribed for the employee (and therefore illegal to possess) but which the employee is using or attempting to buy/sell/transfer to or from another individual.

**Working hours:** For purposes of this policy work hours include not only an employee's regularly scheduled hours, but also:

- paid or unpaid lunch periods or breaks during the normal work day
- time spent using a County owned, leased or rented vehicle, whether on or off duty
- time for which the employee is compensated outside the employee's normal work schedule, i.e., on-call or call-in time

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## PROCEDURES:

### A. RESPONSIBILITIES:

#### 1. County Administrator:

Ensure compliance with Federal and State regulations relating to Alcohol and Other Drug Abuse (AODA) and the Drug-free Workplace Act, including:

- Sign drug-free workplace policy certificates for any federal grant or contract.
- Notify any appropriate federal agency concerning any employee convicted of a violation of the Drug-free Workplace Act within 10 days of receiving the employee notice or the actual conviction.
- Take appropriate disciplinary action against employees with a criminal drug conviction. If employee is not terminated, the employee shall be required to satisfactorily participate in a drug rehabilitation program.

#### 2. Human Resource Department:

- Oversee the administration of the various aspects of this policy.
- Act as the contact between the County and the medical facility to conduct alcohol and drug testing on behalf of the County.
- Advise appropriate management personnel as to testing procedures and outcomes.
- Maintain confidential records relating to testing and test results.
- Supervise the Employee Assistance Program.

#### 3. Management:

- Investigate reports of potential violations of this policy.
- Advise Human Resources of suspected violations.
- Take any actions deemed appropriate based on findings.
- Comply with Drug-free Workplace Act by
  - Informing all employees under their supervision concerning this policy.
  - Advising all employees under their supervision concerning the harmful and dangerous effects of the abuse of controlled substances and provide resources.

#### 4. Employees:

- Immediately report to management any suspected violations of this policy.
- Notify the management within five days of any criminal drug conviction (including pleas of guilty or no contest), which includes but may not be limited to illegal manufacture, distribution, dispensing or use of a controlled substance. Failure to do so may result in discipline up to and including termination.
- Employees who must use a prescription drug that causes adverse side-effects which effects their ability to perform assigned work should inform their supervisor that they are taking such medication, what the side effects are and if requested produce a copy of the original prescription. If the side effect of the prescription drug interferes with the employee's ability to perform assigned work, the employee may be required to use sick leave, if available, or unpaid leave or other accrued leave.

### B. TESTING:

#### 1. Test Facility and Procedure:

A medical center designated by the County will collect the sample(s) for testing, utilizing chain of custody procedures protecting sample(s) identity. The County will designate the laboratory that will conduct the testing under this section. If a candidate's or employee's sample tests positive on an initial drug screen, a more

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sensitive confirmation test will be conducted. Testing will be at the County's expense.

## 2. **Pre-employment Testing:**

Before a candidate may be hired the candidate will be required to submit to a drug test. Candidates must authorize the release of test-related information by and between the County, its medical center(s), and the laboratory conducting the analysis. A confirmed positive test result will result in the immediate withdrawal of the offer of employment.

## 3. **Mandated Random Testing:**

Certain employment positions are subject to random drug and alcohol testing in accordance with provisions of the Federal Omnibus Transportation Employee Testing Act of 1991. Other state and/or federal drug and alcohol testing regulations may also apply to certain other positions of employment.

For purposes of this section, random testing means a method of selection of employees for testing, with the selection process administered by an outside third party, generally the test facility. The selection will result in an equal probability that any employee from among a group of employees will be tested. Furthermore, the county has no discretion to waive the selection of an employee selected by this random selection method.

## 4. **Reasonable Suspicion Testing:**

A supervisor may require an employee to take an alcohol and/or drug test if there is reasonable suspicion that the employee is under the influence of or has alcohol or a drug in his or her system during working hours. A reasonable suspicion must be based on specific, articulable observations and on any reasonable inferences drawn from those observations about the conduct of an individual that would lead a reasonable person to suspect that the individual is under the influence of, or has alcohol or a drug in his or her system.

A work-related incident resulting in personal injury, or resulting in substantial property damage or where the reason for the incident is not easily or reasonably explainable in the County's judgment, may constitute reasonable suspicion under this section.

## 5. **Refusal to Test:**

- a. Candidate: Any candidate who refuses to submit to a required drug test will be disqualified from further consideration for the current vacancy or eligibility list. Candidates may reapply for subsequent recruitments after one year of refusal.
- b. Employee: If an employee refuses the test or fails to cooperate with the procedure, corrective action or discipline will be considered as if there had been a test producing a positive result. Refusal or failure to cooperate may result in discipline up to and including termination.

## C. **TEST RESULTS:**

### 1. **Negative Results:**

- a. Candidate: If a candidate's test results are negative, the Human Resource department will advise the hiring authority that the hiring process may proceed.

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- b. *Employee:* If an employee's test results are negative, the Human Resource department will advise the department management and the employee may return to work. The employee will be made whole for any work time that was unpaid as a result of the testing procedure.

## 2. Positive Results:

If a candidate's or employee's test results are positive on an initial drug screen, a more sensitive confirmation test will be conducted.

- a. *Candidate:* If a candidate's test results are positive on the confirmation test, the Human Resource department will advise the hiring authority that any offer of employment must be immediately withdrawn, and the candidate will be disqualified from further consideration for employment. The candidate will not be considered for any employment with the County for one year following the County's receipt of the positive test result.
- b. *Employee:* If an employee's test results are positive on the confirmation test, the Human Resource department will advise the County Administrator and department management. The county reserves the right to address violations of this policy on a case-by-case basis. The employee may be subject to discipline up to and including termination.

Note that the County maintains an Employee Assistance Program (EAP) which provides help to employees who experience personal or family problems, which may be related to alcohol or drug abuse. Employees are encouraged to use this program, however, it is the responsibility of an employee to seek assistance from EAP before alcohol or other drug use leads to disciplinary action under this policy. (Where circumstances indicate a violation of this policy, use of EAP will not be a defense to avoid disciplinary action.) **See Section HR XXX for more information.**

An employee who is not terminated may be referred to the County's EAP program for an assessment regarding the need for admission to a rehabilitation program. If the EAP provider does recommend participation in a program the employee shall, as a condition of continued employment, have begun treatment with an appropriate health care provider before being allowed to return to the County in any position, and shall:

- execute a consent agreeing to the release of related information (such as assessment results, treatment recommendations, cooperation, and follow through on treatment) between the EAP, County, and rehabilitation provider that is pertinent to readiness to return to work;
- agree to follow through with any prescribed aftercare;
- test negative on a drug and/or alcohol screen.

The counselor or rehabilitation provider must submit notification of completion of a rehabilitation program to the EAP and County. If rehabilitation is prescribed, the employee may use accumulated sick leave or vacation or will be granted a leave of reasonable duration without pay for the purpose of pursuing rehabilitation as prescribed.

Subsequent drug screens without notice may be required of the employee following the incident, as outlined in their return to work plan.

## D. CONFIDENTIALITY:

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All test-related information, including the results of an alcohol or drug test, will be treated as confidential information.

Date Created: 12/31/2019

Last Updated: 12/31/2019

# HR-2000 Harassment

## **SUMMARY/POLICY STATEMENT:**

It is the belief of Jefferson County that all employees as well as customers of the County should be able to enjoy an environment free from all forms of discrimination and/or harassing conduct, including sexual harassment. Employees and job applicants should also have equal employment opportunities free from discrimination as described in the County's Non-Discrimination in the [Workplace Policy, Section 300](#).

## **PURPOSE:**

The County will not tolerate any form of discrimination or harassment, regardless of who initiates it, and regardless of whether it rises to the level of illegal harassment as defined by Federal and State statutes. Discrimination and harassment that occurs and that may not be illegal, but which the County determines is inappropriate and inexcusable will be handled in a similar manner as set forth in this policy.

## **DEFINITIONS:**

**Harassment:** A form of discrimination and means unwelcome conduct, whether verbal, non-verbal, or physical conduct that:

- is derogatory or demeaning in nature
- has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment

**Harassment Based on Protected Class:** One form of harassment that may occur is based on an individual's race, color, creed/religion, ancestry, national origin, genetic information, age (40 and over), disability, sex (including pregnancy), arrest or conviction record, marital status, sexual orientation, membership in the military reserve or use or nonuse of lawful products away from work.

**Bullying:** Actions that are considered "mean-spirited" and which create an intimidating, hostile or offensive work environment may rise to the level of harassment.

**Sexual Harassment:** Sexual harassment is a form of sexual discrimination and means unwelcome sexual advances, requests for sexual favors and other verbal, non-verbal, or physical conduct of a sexual nature when:

- Submission to that conduct is made either explicitly or implicitly a term or condition of employment (hiring, termination, etc.) or
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions (promotion, pay increase, performance appraisal, etc.) or
- The conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Examples of prohibited sexual harassment conduct under this policy include, but are not limited to, the following:

- Verbal harassment includes sexual innuendoes, sexual comments, jokes of a sexual nature, sexual propositions, and sexual threats.
- Non-verbal harassment includes sexually suggestive objects or pictures, graphic commentaries, suggestive or insulting sounds, leering, whistling, and obscene

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- gestures.
- Physical harassment includes unwanted physical contact, including touching, patting, pinching, hugging or intentionally brushing the body, coerced sexual intercourse, and assault.

It is illegal and against the policy of the County for any worker to harass another worker by:

- making unwelcome sexual advances or other verbal or physical conduct of a sexual nature a condition of any worker's employment;
- using a worker's submission to or rejection of such conduct as the basis for or as a factor in any employment decision affecting the individual;
- or otherwise creating an intimidating, hostile or offensive working environment by such conduct.

The creation of an intimidating, hostile or offensive working environment may include such actions as persistent comments on a worker's sexual preferences or the display of obscene or sexually oriented photographs or drawings.

## PROCEDURES:

### A. REPORTING:

1. **By Employee:** Any employee who believes he or she has experienced discrimination or harassment is encouraged to inform the harasser directly that the conduct is unwelcome and must stop, as long as the employee feels comfortable doing so.

Employees who believe they have experienced or witnessed discrimination or harassment, or become aware of any act or threat of harassment should report the alleged act immediately, preferably within 48 hours, to any one of the following individuals:

- Human Resources Director
- Immediate Supervisor
- Department Head

2. **By Non-Employee:** Any person who believes he or she has experienced or witnessed discrimination or harassment while interacting with a County employee or an individual performing services on behalf of the County should report the alleged act immediately, preferably within 48 hours, to the head of the Department to whom the employee or third party service provider reports.

If a complaint cannot be satisfactorily resolved by the County, a formal complaint can be filed with the appropriate State or Federal agency, as listed in the "Process for filing a complaint" section of the County's Affirmative Action and Equal Employment Opportunity Policy.

### B. INVESTIGATION:

1. **Investigator:** All reports of harassment or discrimination will be promptly and immediately investigated by the Human Resources Director or designee, in conjunction with another impartial representative of the County, who may be a management employee of the County or outside representative chosen by the County, i.e., attorney. Persons involved in conducting the review will be objective and non-judgmental and obtain the necessary facts prior to reaching any conclusions. The primary investigator will assure that documentation is maintained during the investigation including the necessary statements, documents, notes, and other relevant information.

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2. **Investigation Process:** An investigation of all complaints will be undertaken as soon as reasonably possible. Upon the completion of the investigation process the investigative team will apprise the County Administrator or designee of their findings and recommendation. The County Administrator will either concur with the recommendation or make an alternative determination.
3. **Interviews:** Investigation of a complaint will normally involve conferring with the parties involved and any named or apparent witnesses. All persons interviewed will be advised of requirements regarding confidentiality and non-retaliation. Both the employee who has allegedly been discriminated against or harassed and the employee who is accused of such action(s) will be advised of the determination made following the investigation process and subsequent deliberation. If an employee is interviewed, they may request another employee/witness present.
  - a. Interviewing Subject of Alleged Harassment Who is an Employee: Whenever possible, the investigation process will begin with an interview of the person who was allegedly harassed. The objective of the interview will be to obtain a clear and complete statement of the alleged acts of harassment including factual data concerning dates, times and witnesses as best as can be recalled. If the person who was allegedly harassed is reluctant to provide information, it is the responsibility of the County to continue the investigation in the best manner possible so as to determine whether it is likely that harassment or discrimination took place, and determine any appropriate action that should be taken. Note that this may occur when the individual who has reported the alleged discrimination or harassment is not the person who was allegedly discriminated against or harassed.
  - b. Interviewing Subject of Alleged Harassment Who is a Non-employee: An interview will be conducted in the same fashion as described for an employee of the County. If the non-employee works for a vendor or other entity that does business with the County the entity or employer with whom the non-employee is associated will be advised that an investigation is being undertaken and that the non-employee will be considered to have privacy rights that prevent any disclosure by the County relating to the matter.
  - c. Interviewing Potential Witnesses: Individuals who have been identified as potential witnesses will be interviewed separately in order to elicit information that may corroborate or refute the account given by the persons previously interviewed. The interview process will be conducted in the same fashion as described for an employee who was allegedly harassed.
  - d. Interviewing Alleged Harasser Who is an Employee: At the time that it is determined that an investigation needs to be conducted, the County will meet with the employee who has been identified as the alleged harasser. The County will not disclose significant details of the complaint at this meeting, but rather will advise the individual that further information will be discussed at the time of his/her interview. The alleged harasser will generally be the final person interviewed unless it is determined at that time that other persons should be interviewed or re-interviewed.

The Human Resources Director or his/her designee may determine that the circumstances of the case warrant that the individual accused of the

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discriminatory or harassing conduct be placed on an unpaid administrative leave during the investigation process. If the allegations prove not to constitute discrimination or harassment, the employee will return to work with pay, retroactive to the date the administrative leave began.

- e. *When Alleged Harasser is a Non-employee:* If the person who is alleged to have engaged in discrimination or harassment is not an employee of the County, the investigator will request a meeting with the individual to explain that a complaint has been filed, and advise the individual that at a later time a request will be made for an interview. If the individual decides to decline either of these requests the County may determine what appropriate action it may take regarding the non-employee's relationship with the County, i.e., restricted access or non-access to certain departments or buildings.

## C. FINDINGS:

### 1. Finding of Harassment – Consequences:

The County views discrimination, harassment and sexual harassment to be serious misconduct in the workplace. Consequently, appropriate disciplinary or corrective action, with penalties up to and including termination, can be expected. The determination of the action to be taken, including termination, will be based on the facts on a case-by-case basis. If the corrective action involves a disciplinary suspension any time spent by the employee on unpaid administrative leave will be considered a part of the suspension period. The investigative team will meet with the employee who was alleged to have committed the discrimination/harassment and explain their findings and the corrective action that will be taken. In a similar manner the investigative team will meet with the employee who was allegedly discriminated against or harassed to explain their findings and the corrective action that will be taken.

### 2. Finding That Harassment Not Substantiated:

If the investigative team determines that the charge of discrimination or harassment is not substantiated, they will meet with the employee who was alleged to have committed the discrimination harassment and explain their findings. In a similar manner the investigative team will meet with the employee who was allegedly discriminated against or harassed to explain their findings.

### 3. Finding of Negative Behavior Other Than Illegal Harassment:

The investigative team may reach a conclusion that conduct that constitutes discrimination or harassment has occurred but does not rise to a level that would cause it to be considered illegal according to relevant Federal or State statutes. The conduct, however, may still be of a nature that the County would consider serious, and therefore intolerable and requiring corrective action which may include discipline. The investigative team will advise the principal parties of their findings and the corrective action to be taken.

### 4. Finding of Frivolous Complaint (False Allegation) – Consequences:

A false allegation of harassment of any kind is a serious violation of this policy and is itself subject to disciplinary action. To constitute such a violation, however, the complaint would ordinarily need to be false as to a specific allegation of fact. That an investigating party or committee should, while agreeing on factual matters alleged, nevertheless differ in judgment or interpretation of the incident and conclude that it did not constitute harassment, would not make the complaint a violation apart from

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evidence of conscious and willful intent to distort or exaggerate the allegation and damage the accused party. False accusations may result in severe disciplinary action, up to and including termination.

## **D. CONFIDENTIALITY:**

All information disclosed in the complaint and the investigation procedure will be held in the strictest confidence and only disclosed during the investigation when necessary to investigate and resolve the matter. Individuals involved in a harassment investigation will be advised that they will be required to treat the allegations and information disclosed in the investigation as confidential and that the County, to the extent possible, will do the same. Following the completion of the investigation, records created during the process may be subject to release under the Wisconsin Open Records Law. A determination as to release of these records will be done on a case by case basis and in accordance with the Open Records Law.

## **E. NON-RETALIATION:**

Retaliation/reprisal against anyone for reporting discrimination or harassment, assisting in making a discrimination or harassment complaint, or cooperating in an investigation is in violation of this policy and state and federal law. If an employee feels retaliated against, the employee should notify the Human Resources Director, the department head or the supervisor, and an investigation into the matter will be undertaken immediately.

Anyone who is found to have engaged in or assisted in such retaliatory actions will be subject to disciplinary action up to and including the termination of employment.

Create subsection addressing harassment/bullying by co-workers outside of work.

Date Created: 12/31/2019

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# HR-2100 Discipline and Termination

## **SUMMARY/POLICY STATEMENT:**

The County expects its employees to deliver high quality services that represent the efficient and effective use of resources. The expectation is that all employees perform their jobs at a level that meets or exceeds the expectations of our citizens, and the County will employ individuals who are committed to and capable of providing quality services. The inability to work as a member of a team, having apathy or behavioral issues, or having marginal or unacceptable work performance are inconsistent with the interests and expectations of the County and the public.

It is the policy of the County that all employees are required to comply with county and department policies, procedures and work rules which define standards of behavior and performance and that any noncompliance must be remedied.

The County generally endorses a policy of progressive discipline in which it attempts to notify employees of performance or conduct deficiencies and provide an opportunity to improve. However, the County retains the right to administer discipline as management deems appropriate, including the right to discharge for a first offense.

## **PURPOSE:**

It is the intent of Jefferson County to provide a structured corrective action process to improve and prevent a recurrence of undesirable employee behavior and performance issues.

## **C. AT WILL EMPLOYMENT STATUS:**

Employment is governed by the common law doctrine of "at-will" employment. An employee may be dismissed at any time, with or without notice, for reasons that are not capricious or arbitrary. *Employees dismissed or disciplined have the right to grieve the decision up to the County Board, per HR 2200, Grievance Procedure.* A capricious and arbitrary decision means a decision that was made without reasonable grounds or adequate consideration of the circumstances.

This doctrine may not apply when it conflicts with Federal or State statutory restrictions or employment agreement provisions.

The contents of this Policy and Procedure document are for informational purposes only, and are not intended to create, or to be construed as to constitute, a contract between the County and any or all of its employees, or a guarantee of continued employment.

## **D. BASIS FOR DISCIPLINARY ACTIONS:**

Employee disciplinary includes all levels of progressive discipline.

### **1. Possible Reasons for Discipline:**

The list is not to be considered or construed as all inclusive. Other circumstances

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may warrant disciplinary action up to and including dismissal: **Violations of Work Rules, Section 1600**

- a. Unacceptable work productivity, quality, wasting time or horseplay
- b. Dishonesty or falsifying any client records, work reports, employee records, or other official documents.
- c. Insubordination (includes refusal to carry out a reasonable order, disrespectful/rudeness, talking back, arguing, verbal abuse or assault of a supervisor, co-worker or member of the general public)
- d. Theft or misappropriation of County property
- e. Destruction or negligent use of County equipment or property
- f. Use of illegal drugs, controlled substances, or intoxicants (alcohol) while on duty or closely preceding duty to the extent that alcohol or illegal drugs remain in the employee's system while at work. This includes non-prescribed medications
- g. Possession of illegal drugs or non-prescribed controlled substances while at work or on County property
- h. Use of prescriptions or other medications while on duty or closely preceding duty to the extent that work performance is impaired or compromising safety of the employee or others
- i. Fighting with, threatening, intimidating, bullying or inflicting harm to fellow employees or creating a disturbance among co-workers resulting in an adverse effect upon employees' morale, production and the work environment
- j. An employee shall not interfere with the productivity of other employees nor cause any interruption of work
- k. Absence without authorized leave, misrepresenting the purpose of an authorized leave or failure to report an absence
- l. Habitual tardiness or abuse of sick leave privileges
- m. Use of official position or authority for personal profit or gain or sexual favors
- n. Engagement in discriminatory or abusive conduct with respect to employees protected by equal employment opportunity laws
- o. Extending break time and lunch period limits
- p. Violation of safety rules, regulations or procedures
- q. Sleeping or inattentiveness on duty
- r. Failure of an employee to maintain current and accurate personal contact and emergency contact information with their supervisor and/or the Human Resources Department
- s. Failure to properly report an injury or accident during work hours or while on County property
- t. Failure to obey all safety rules, regulations or procedures, including the use of protective equipment and clothing or in operation of vehicles and equipment.
- u. Unauthorized possession of weapons or explosives on County property without County authorization in accordance with the County's Ordinance on Concealed Carry **Please reference Weapons policy, HR1600.**
- v. Deliberate reduction of work output
- w. Unethical conduct or behavior in the performance of duties
- x. Negligence of job duties or responsibilities
- y. Violation of any county or departmental policy, regulation, procedure or work rule
- z. Performance of personal work or services for pay while on duty
- aa. Making false or malicious statements about other employees or officials of the County
- bb. Acceptance of gifts, gratuities, favors or services in the discharge of official duties as prohibited by the **Ethics code**
- cc. Racial, ethnic or sexual harassment of any person. **See HR2000, Harassment in the Workplace**

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- dd. Conviction of a serious crime that is related or prohibits an employee from performing their essential duties or that brings shame or discredits Jefferson County
- ee. Unavailability for work due to incarceration
- ff. Discourteous treatment of the general public or use of profanity or threatening language or any other activity not compatible with good public service
- gg. regulations
- hh. Failure to comply with all State and Federal confidentially laws and regulations, and access, use or disclosure of clients protected health information without proper authorization is prohibited
- ~~ii. Use of a cell phone while driving for county.~~
- ~~jj. Unacceptable use of social media.~~

## **2. Discipline does not include the following items:**

- a. Performance evaluations or reviews
- b. Placing an employee on paid administrative leave pending an internal investigation
- c. Counseling, employee / management meetings or other pre-disciplinary action
- d. Use of a performance improvement plan or job targets or other actions taken to address work performance
- e. Non-disciplinary demotion, transfer or change in job assignment
- f. Non-disciplinary wage, benefit, or salary adjustments
- g. Documentation of employee acts or omissions
- h. Other personnel actions taken by the employer that are not a form of progressive discipline

## **E. DISCIPLINARY AND INVESTIGATORY MEETINGS:**

1. In the event an employee is called to a meeting with representatives of the County for the purpose of issuing discipline or discharge, or for the purpose of investigating circumstances which may lead to discipline or discharge, the employee may have another coworker present at the meeting. If legal representation is requested, it will be at the cost of the employee and advance notice must be provided to the County. Family members will not be allowed to participate in the meetings without approval and may be denied at the discretion of the County. The representative will have the right to consult with the employee but will not be entitled to disrupt or engage the management during the meeting.
2. In the event the employee chooses to have a representative present, the meeting may be delayed, at the discretion of the County, until the representative can be present. However, the meeting will not be unnecessarily delayed so that a particular representative be present and an alternate representative may be chosen.
3. Under normal circumstances, management will provide the employee written notice of the disciplinary/investigatory meeting. The notice may be a formal letter or email, and if due to the specific nature of the meeting, may be a verbal notice. The notice should explain the reason of the meeting to the extent possible; the date, time and location of the meeting; and a reference to the Employee's Rights section of the Discipline and Termination policy.

## **F. NON-RETALIATION:**

The County will not tolerate any form of retaliatory action taken against any employee

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who, in good faith, raises or reports a legitimate issue or concern or participates in a workplace investigation. An employee should immediately report any retaliation concerns to their supervisor, manager, department head or Human Resources Director. All allegations of retaliation will be investigated in a thorough and timely manner. Confidentiality will be maintained to the extent possible.

## **G. PROGRESSIVE DISCIPLINE:**

Jefferson County's goal is to provide a corrective action process to address performance problems, prevent recurrences and prepare employees for satisfactory service in the future. The progressive discipline policy and procedure outlined below will generally be followed. However, Jefferson County reserves the right to combine, repeat and skip progressive disciplinary steps depending upon the circumstances of each situation and the nature of the offense. Violations of different rules may be considered the same as repeated violations of the same rule for purposes of progressive action.

**Procedure:** As part of the disciplinary process, the County may conduct an investigation prior to making a disciplinary determination. The purpose of the investigation is to thoroughly review the allegations, documents, and conduct any necessary interviews. The action chosen by the County may involve varying degrees of disciplinary action up to and including immediate termination, if warranted. The County will normally adhere to the following progressive disciplinary process:

**Step 1: Verbal Warning.** An immediate supervisor meets with an employee to formally bring attention to the existing performance, conduct or other issue where the employee is not meeting expectations. The supervisor is expected to clearly outline expectations and steps the employee must take to improve performance or resolve the problem. The verbal warning is documented and placed in the employee's personnel file.

**Step 2: Written Warning.** A written warning involves a more formal documentation of performance, conduct or other problematic issue identified. The immediate supervisor and another manager or representative from Human Resources will meet with the employee and review any incidents or information about the performance, conduct or problematic issues as well as any prior disciplinary or performance improvement plans. Management will outline the consequences for the employee of his or her continued failure to meet performance and/or conduct expectations, as well as an additional performance improvement plan if appropriate. The written warning is documented and placed in the employee's personnel file.

**Step 3: Suspension without Pay.** Depending upon the seriousness of the infraction, the employee may be suspended. Disciplinary suspensions are without pay. Nonexempt/hourly employees may not substitute or use any accrued paid time in lieu of the unpaid suspension. Due to Fair Labor Standards Act (FLSA) compliance issues, unpaid suspensions for salaried/exempt employees may be served for serious workplace safety or policy issues. Exempt employee suspensions are in weekly increments. Human Resources will provide guidance so that the discipline is administered without jeopardizing the FLSA exemption status.

**Step 4: Demotion or Transfer.** An employee who continues to exhibit poor performance may be demoted or transferred to a vacant position for which the employee is qualified and the County believes the employee will be successful. Demotions and transfers are subject to recommendation from the Department Head

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and Human Resources Director, and approval of the County Administrator.

**Step 5: Termination of Employment.** The last and most serious step in the progressive discipline procedure is a recommendation by the department head and Human Resources Director to terminate employment. The recommendation to terminate employment requires the County Administrator's final approval.

Persons administering discipline shall document each incident. The documentation shall include the employee's name, date and type of infraction, names and statements of witnesses, description of action taken, and other relevant details. Copies of all disciplinary actions shall be maintained in the employee's permanent personnel file in the Human Resources Department, and shall be provided to the employee.

An employee disciplined, including suspended, demoted or dismissed may appeal such action as outlined in [Section 2200 Employee Grievance Process](#).

## H. TERMINATION:

When the department head determines circumstances that warrant immediate separation from the work place, the department head may place an employee on administrative leave and then must contact the Human Resources Director. Supervisor, manager and/or department head shall not terminate an employment relationship prior to consulting with the Human Resources Director. The County Administrator will make the final decision on all suspensions, involuntary transfers and involuntary terminations.

### 1. Voluntary Termination:

The County may allow an employee to separate employment with a greater degree of dignity by allowing voluntary resignation instead of discharging the employee. This option is most appropriate when no gross misconduct or violation of a major company policy is involved and when the employee is being terminated because of failure to meet performance or productivity standards. The exiting employee may prefer this option because he or she can then tell future employers that the separation was voluntary. Resignation in lieu of termination, however, will not always remove the employer's obligations for unemployment and individual circumstances will govern according to Unemployment Law.

A resignation received and accepted by a management representative will be considered final and irrevocable. An employee may in writing, and prior to the effective date of the resignation, make a request to rescind the resignation, but the employee has no right to demand that the request be approved. The Department Head and the Human Resources Director will render a decision regarding the employee's request to rescind a resignation. Each instance of a request to rescind will be handled on a case-by-case basis and each decision will be without precedent.

### 2. Involuntary Termination:

Involuntary Termination is the involuntary separation of employment, which may be associated with the violation of a County or department general or specific work rule, policy, procedure, unsatisfactory work performance, acts of misconduct, or any other reason where it is determined that it is in the best interest of the County to end the employment relationship. Involuntary Termination does not include:

- Layoff or workforce reduction
- Position Elimination
- Reduction in hours or employment status

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- Transfer or demotion
- Voluntary resignation
- Retirement
- Job Abandonment or Failure to Report to Work with calling in/notification
- Loss of Required License or Certification
- Inability to perform the required functions due to a physical or mental limitation
- Contract non-renewal
- End of employment due to the completion of a temporary, contractual, seasonal, on call or limited term employment

Date Created: 12/31/2019

Last Updated: 12/31/2019

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# HR-2200 Grievance Procedure

## **SUMMARY/POLICY STATEMENT:**

Jefferson County will endeavor to treat all employees equitably within established County and department policies or procedures and state or federal guidelines affecting the workplace. The County provides an employee appeals process in order to address employment concerns and to help maintain harmonious employee-employer relationships. Supervisors and employees are expected to make every effort to resolve problems first on an informal basis. However, it is recognized that there will be issues which will be resolved only after a formal appeal and review.

A grievance under this section shall not include adverse benefit determinations made by a Third Party Administrator, which are addressed under other appeal processes.

## **PURPOSE:**

For issues of employee discipline, termination and workplace safety this procedure provides employees with an opportunity to address their individual concerns and to have those matters reviewed by an Impartial Hearing Officer, and if necessary to file a subsequent administrative appeal to the County Board. The Director of Human Resources, or designee, will supervise and administer the grievance process and is further charged with informing employees about the process. Supervisors and Department Heads should keep the Director of Human Resources informed of all grievances in process.

## **DEFINITIONS:**

**Calendar Days:** The time within which an action is to be taken under this policy shall be computed by excluding the first day and including the last day. If a grievance process deadline falls on a Saturday, Sunday, or Holiday, the deadline will be the next business day.

**Arbitrary and Capricious Standard:** The standard to be used by any reviewing entity in rendering recommendations on appeal is whether or not the action taken by the employer was appropriate or was made without reasonable grounds or adequate consideration of the circumstances. To recommend a change of the decision made by the employer, the reviewer must determine that the decision lacked any rational basis or was the result of unconsidered willful or irrational choice.

**At-Will Employment:** Employees may voluntarily resign County employment at any time. Likewise, employees who are not covered by a just cause standard due to a statutory requirement or a County policy are considered "employment at will" employees. At will employees may be terminated by the County at any time for any reason and without warning.

**Employee:** Any regular full or regular part-time employee, or part time non-benefited employee, or occasional part-time employee as defined in Section 200- Employment. For purposes of this grievance procedure policy "Employee" shall not include individuals who are:

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- subject to a collective bargaining agreement
- subject to the Civil Service ordinance
- appointed by the County Administrator
- appointed as a Chief Deputy by an elected official, review statutes if just one or all
- appointed by a judicial appointment
- seasonal, emergency help, limited term or project employee
- elected officials
- independent contractors

**Grievance:** A work-related complaint involving discipline, termination, workplace safety and alleged violations of county and department, policies, and administrative procedures.

**Discipline:** A formal documented and corrective action consisting of verbal or written warnings, suspension without pay, involuntary demotion, or involuntary termination of employment. As used in this policy, discipline shall not include the following:

- Counseling sessions, investigations or other pre-disciplinary action
- Actions taken to address work performance, including use of a plan of correction or performance improvement plan
- Performance evaluations or reviews
- Documentation of employee actions or behaviors placed in an employee file
- Paid administrative leave pending an investigation
- Wage, benefit or salary adjustments not related to discipline
- Layoffs, furloughs, reassignment of duties of position and other reductions in force due to operational needs

**Workplace safety:** A condition of employment related to the physical health and safety of an employee. It includes, but is not limited to, the safety of the physical work environment, provision of protective equipment, safety training, the safe operation of workplace equipment and tools, and accident risk and workplace violence prevention. For issues relating to work-related illness or injury, Workers' Compensation is the exclusive remedy per state statute and therefore is not a grievable matter under this policy.

**Involuntary Termination:** For purposes of this policy, Involuntary Termination has the same definition as found in [Section HR 2100, Discipline and Termination](#).

## A. GRIEVANCE PROCESS:

Employees must file their written grievance within ten (10) calendar days of when the employee knows, or should have known, of the events giving rise to the grievance. The written grievance must be filed with the immediate supervisor, department head, and a copy to Human Resources.

The written grievance must include: the name and position of the grievant; a clear and concise statement of the grievance; the issue involved; the relief sought; the date the incident or alleged violation took place; the specific County or department policy, procedure or rule; and the signature of the grievant and the date.

On matters involving discipline, termination, or workplace safety, the employee will follow the first three steps of the grievance procedure and if the matter is not resolved then the employee may appeal the decision and process their grievance under Steps 4 and 5 of the grievance process. All other types of grievances are limited to Steps 1 through 3.

Employees may have a [representative at any step of the grievance process](#).

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**Step 1: Discussion with Supervisor:** Any employee having a grievance should first discuss the problem with their immediate supervisor. Every reasonable effort should be made by supervisors and employees to resolve any questions, problems or misunderstandings that have arisen. The supervisor will provide a written response to the grievance within ten (10) calendar days of the discussion with a copy provided to Human Resources.

**Step 2: Discussion with Department Head:** In the event the immediate supervisor's decision does not resolve the problem, the employee may appeal their grievance to their Department Head. The appeal must be filed within ten (10) calendar days of the Step 1 response. The Department Head, or designee, shall meet with the employee and other management personnel involved to discuss the grievance. It is recommended that a representative from Human Resources also be present. The meeting will be scheduled within ten (10) calendar days of the appeal. The Department Head will issue a written response within ten (10) calendar days after the meeting with a copy provided to Human Resources.

**Step 3: Discussion of the Problem with the County Administrator:** In the event that the Department Head's decision does not satisfy the employee's grievance, the employee may, within ten (10) calendar days of the Department Head's response, file an appeal with the County Administrator. A copy of the appeal must also be sent to the Department Head and to Human Resources. The County Administrator shall hear the grievance within ten (10) calendar days after its receipt. If the grievance is not presented to the County Administrator within ten (10) calendar days of the Department Head's response at Step 2, it shall be considered settled. The County Administrator shall issue a written decision on the grievance. The decision shall be final and binding on both parties, unless the matter involves discipline, termination or workplace safety, in which case the employee may file an appeal under Step 4.

**Step 4: Independent Hearing Officer (IHO):** In the event that a grievance pertaining to discipline, termination, or workplace safety is not resolved under Step 3, the employee may file an appeal which will be considered by an IHO. This appeal must be filed with Human Resources within ten (10) calendar days of the County Administrator's response.

Human Resources will coordinate the hearing process for the IHO. Human Resources will contact the grievant, department head, and the IHO to schedule an initial hearing. The initial hearing will be held no later than thirty (30) calendar days from the date of the appeal.

The County will select the individual who will serve as the IHO. The IHO will not be a Jefferson County employee but may be an employee of another county or municipality, a retired human resources professional, a lawyer, a professional mediator/arbitrator or other qualified individual. The cost of the Impartial Hearing Officer will be the responsibility of the county. The Impartial Hearing Officer shall have the sole authority to determine whether the impartial hearing officer has jurisdiction, which may be subject to review by the governmental body.

The grievant shall have the burden of proof to support the grievance based on a preponderance of the evidence presented.

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This process does not involve a hearing before a court of law; thus, the rules of evidence will not be followed. Depending on the issue involved, the impartial hearing officer will determine whether a hearing is necessary, or whether the case may be decided based on a submission of written documents. If it is determined that a hearing is necessary, prior to the hearing, the Impartial Hearing Officer may require the parties to exchange lists of witnesses and the documentary evidence they intend to introduce at the proceedings. The impartial hearing officer may admit all evidence that he or she determines is relevant and may exclude immaterial, irrelevant or unduly repetitious testimony or evidence.

The Impartial Hearing Officer will create a record of the proceedings. In the event that the Impartial Hearing Officer determines that a formal transcript of the hearing is necessary, the cost associated with the creation of this record will be paid for by the County. If the employee wishes to obtain a copy of a record, the cost of obtaining that record is the responsibility of the employee.

The Impartial Hearing Officer shall prepare a written decision. The Impartial Hearing Officer must answer the following question: *Based on the preponderance of the evidence presented, has the Grievant proven the decision of the County Administrator was arbitrary or capricious?* The written decision will be issued within a reasonable time period based on the nature of the grievance and the complexity of the record. It should be the goal of the Impartial Hearing Officer to issue a decision within sixty (60) calendar days from the conclusion of the hearing.

The Impartial Hearing Officer shall have no power to issue any remedy but may recommend a remedy. Remedial authority shall be subject to the determination and approval of the County Board, and shall be addressed by the County Board in the event the grievance is sustained.

Following the issuance of a decision the Impartial Hearing Officer will provide all records created in the hearing, including and not limited to a copy of the decision, exhibits, transcripts, audio recordings, witness statements, and briefs to Human Resources. The records will be retained in accordance with the County record retention schedule.

**Step 5: Review by the Governing Body:** Either party may appeal an adverse determination received at step four to the County Board, by filing written notice appealing the decision of the IHO in the County Clerk's Office within ten (10) calendar days of the decision of the IHO, with a copy of the appeal given to the County Administrator and Human Resources.

The written notice of appeal shall contain a statement explaining the reasons for the appeal and a copy of the grievance, the County's response to the grievance, and the Impartial Hearing Officer's response. The written notice of appeal may not include information that was not presented at the Hearing.

The County Board shall within thirty (30) calendar days after submission of the appeal schedule the review of the IHO's decision. The review will be conducted by the Board during a closed session meeting unless an open session is requested by the employee. The Board shall not take testimony, accept additional evidence, accept briefing, accept oral argument or otherwise conduct a hearing of any sort in relation to an appeal.

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The Board may make its decision based on the written decision of the IHO or the Board may examine any records, evidence and testimony produced at the hearing before the IHO.

The findings and decision of the Impartial Hearing Officer shall not be overturned unless clearly arbitrary or capricious. In the event the County Board does not sustain the Impartial Hearing Officer, then the Board may render a new decision and remedy. A simple majority vote of the Board membership shall decide the appeal within twenty (20) calendar days following the last session scheduled for review. The Board will issue a final written decision which shall be binding on all parties.

## **B. REPRESENTATION:**

Employees may be represented at each of the steps in the grievance procedure by a representative of their choice and at their own cost. The employee must notify the County at least 24 hours ahead of the meeting that the representative will attend and who the representative will be. The representative shall not be a material witness to the dispute. Do we want to define who can limit. The representative will have the right to consult with the employee but will not be entitled to disrupt or engage the management during the meeting.

Employees may contact their representative to discuss their problem only during break periods, lunch periods, before or after work, or at any time when they are not on duty, unless the employee elects to use accrued paid time (vacation, comp time etc.) in order to be paid for time spent processing his/her grievance through the various steps of the grievance procedure.

Grievance meetings and hearings that are held during the employee's off-duty hours will not be compensated. The County is under no obligation to schedule meetings or hearings during an employee's work time.

## **C. EXCLUSIVE REMEDY:**

This procedure constitutes the exclusive process for the redress of any employee grievances as defined herein. However, nothing in this grievance procedure shall prevent any employee from addressing concerns regarding matters not subject to the grievance procedure with management, and employees are encouraged to do so. Matters not subject to the grievance procedure that are raised by employees shall be considered by County representatives who have final authority, subject to any applicable County policy or directive, to resolve the matter.

This grievance procedure shall not apply to individuals appointed by the County Administrator, Chief Deputies appointed by elected officials or judicial appointments, per [Wisconsin State statutes \(List them\)](#). This procedure will not be construed to grant job tenure to employees who are appointed by elected officials in accordance with Wisconsin statutes.

Date Created: 12/31/2019

Last Updated: 12/31/2019

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# HR-2300 County Constitutional Officers

## **SUMMARY/POLICY STATEMENT:**

Jefferson County has five state constitutional officers, elected by the constituents of Jefferson County, and representing the County Clerk, Register of Deeds, Treasurer, Clerk of Courts and Sheriff Offices. The duties of each position is defined by Wisconsin State Statutes. Pursuant to Wis. Stat. § 59.22(1), the Board must establish the total annual compensation for services to be paid to county elected officials, other than County Board Supervisors, prior to April 15, 2020 which is the earliest time for filing nomination papers for county elective offices.

## **PURPOSE:**

This purpose of this policy is to provide a process or guidelines for the County Board to establish annual compensation and benefits for the County Clerk, Register of Deeds, Treasurer, Clerk of Courts and Sheriff. This includes a process for employees who are elected to a constitutional officer position.

## **A. EXPECTATIONS:**

In addition to statutory requirements, each elected Constitutional Officer is responsible for managing their department. As such, it is the expectation that each Constitutional Officer have the responsibility of the role of Department Head, and thereby supporting and following County personnel policies when performing their duties.

## **B. COMPENSATION:**

1. The Human Resources Committee shall make a recommendation to the County Board on the total annual salary for each elective officer for the full term of the officer next elected. The County Board shall approve the total annual compensation for each elected officer prior to the date in which nomination papers are taken out for elective office.

The established salary use of the same evaluation process used for other employees, assigning all elected officials to the pay grade recommended by the County's Classification and Compensation consultant. The elected officials may request a salary grade review prior to the year of election for their office in the same manner as is applicable to other county employees requesting salary grade reviews.

The annual compensation is based on step 7 of the applicable grade, using the rate at step 7 as of the day before the earliest time for filing nomination papers for said office in each election cycle. The County Board may pre-establish an adjusted salary for each of the years of the four-year term based on several factors, including market comparables and fiscal constraints. Any adjustments during the four-year term must be established prior to nomination papers being taken out.

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2. The salary established for each elective office shall be in lieu of all fees, including all per diem and other forms of compensation for services rendered. The salary shall be established for each office and shall give no consideration to the longevity or experience of any current or prior office holder.
3. All fees collected by each elected officer shall be deposited with the county treasurer.

## **C. REIMBURSEMENT OF EXPENSES:**

Elected Officials are eligible for reimbursement from the county for expenses related to attendance at conventions, seminars, training and tours provided it is related to the official's job and approved in the Department's budget. If sufficient funds are not available in the Department's budget, approval must be obtained from the County Administrator.

See Section 800, Travel and Section 1200, Professional Development, for relevant policies.

## **D. BENEFITS:**

A constitutional elected official, when first elected to office, is considered eligible to enroll in health, dental, life insurance and other voluntary benefit coverages on the same terms as available to non-represented employees, as such terms and required co-pays may change from time to time. If the newly elected official is transitioning from a benefited position with the county to the elected position, no new enrollment need occur, and no dependents may be added at that time. If the elected official does not choose to accept coverage, they will not be afforded a new opportunity until open enrollment or a qualifying event.

The County participates in the Wisconsin Retirement system in accordance with state law. The county pays any applicable employer portion of the Wisconsin Retirement System (WRS) benefit as established by the Employer Trust Funds Board for an elected officer's required retirement contribution, as prescribed by state law. Participation in this benefit is mandatory for elected officials.

## **E. TRANSITIONING FROM EMPLOYEE TO ELECTED CONSTITUTIONAL OFFICER:**

### **1. General Terms for all Constitutional Elected Officers:**

In the event a county employee should be appointed or elected to a county elected office, the employee will be treated as a terminated employee for accrued benefit purposes.

Participation in and eligibility for County health, dental, life insurance and WRS (retirement) benefits shall continue under the same terms and conditions as applied to the person as a classified, active employee. Elected Officials shall contribute 100% of the Wisconsin Retirement System employee contribution, as established annually by the Department of Employee Trust Fund for each applicable employment category.

Vacation and sick leave will no longer accrue. Any vacation earned prior to becoming an elected official will be paid out at the current rate of pay at the time prior to becoming an elected official. Sick leave accrued shall be placed in escrow and paid out at time of final separation of employment or end of term as an elected official (who does not return to county service) providing qualifying retirement conditions are met. Payment will be made using the wage rate the individual was receiving at the time prior to becoming an elected official.

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2. **Sheriff:**

Leave of absence to serve as sheriff or undersheriff shall be in accordance with the Civil Service Ordinance.

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# HR-2400 Separation of Employment

## **SUMMARY/POLICY STATEMENT:**

It is the policy of Jefferson County to ensure that employee separations, including voluntary and involuntary separations and separations due to death of an employee, are handled in an orderly and professional manner with minimal disruption to ongoing work functions.

## **PURPOSE:**

To ensure the exit, termination and separation of employees is managed efficiently and effectively, and in compliance with the provisions of County policy and other relevant State and Federal regulations

## **PROCEDURES:**

### **A. PERMENENT SEPARATION:**

A permanent severance of the employment relationship occurs through resignation, retirement, involuntary termination or death.

#### **1. Resignation:**

A resignation is a *voluntary separation* of an employee from County employment. Employees who resign are expected to give notice in writing to their immediate supervisor.

#### **2. Retirement:**

A retirement is a *voluntary separation* from regular County employment of an employee who meets one of the following criteria:

- Enrolled in the general employee portion of the Wisconsin Retirement System (WRS), has attained the age of 55 and has applied to receive retirement benefits under the WRS, or
- Enrolled in the protective service portion of the WRS, has attained the age of 50 and has applied to receive retirement benefits under the WRS, or
- Applies for and receives/will receive a disability retirement under the WRS.

For purposes of paying out certain benefits upon separation, employees must be eligible to retire, but are not required to actually collect their annuity from the WRS.

#### **3. Job Abandonment:**

Employees who fail to report to work for two (2) consecutive business days without notifying the County (Department Head, or his or her designee, or the Human Resources Department) of the absence will be considered as having *voluntarily resigned* as a result of job abandonment, unless a plausible reason can be demonstrated as to why the employee could not notify the County.

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## **4. Death:**

A separation of employment due to death of an employee will be made effective as of the date of death.

## **5. Other Non-Disciplinary Separation:**

There may be other reasons for separation of employment that are not disciplinary, including resignations due to medical condition, lack of qualification or license, nonrenewal of contract, completion of assignment, or other inability to perform job duties.

## **6. Permanent Layoff:**

A temporary layoff becomes a permanent separation of employment when an employee is on layoff for a period of 12 months and not having been recalled due to lack of work.

## **7. Involuntary Termination:**

Involuntary termination shall include action taken by the employer to end an individual's employment for disciplinary or quality of performance reasons.

The County Administrator is the approval authority for all involuntary terminations and the lay off and furloughs of all regular full time and regular part time employees. If a supervisor or department head desires to involuntarily terminate an employee from County employment, the department shall contact Human Resources to discuss the reasons for the action, as well as the process and procedure.

Any department head appointed by a County Administrator may be removed at the pleasure of the County Administrator unless the department head is appointed under a civil service system competitive examination procedure established under s. [59.52 \(8\)](#) or ch. [63](#)."

## **B. TEMPORARY SEPARATION/LAYOFF:**

A temporary severance of employment occurs through a layoff or furlough of the individual's employment with the County. It is anticipated that the employee will return to the County's employment at a future date, however an employee who has not been recalled to work within 12 months of the date of layoff will be permanently separated from employment due to lack of work.

### **1. Seasonal Layoff:**

An employee who works for a specific period of time and for a specific season will be placed on layoff following the end of the season. The employee may or may not be recalled the following season at the discretion of the department head. Typically a seasonal employee will work 120 days a year or less in a six-month period.

### **2. Reduction in Force:**

There may be times when a reduction in workforce is necessary. Reasons for reduction in staff may include, but are not limited to budget deficits, shortage of work, and/or organizational restructuring. The County maintains sole authority to exercise discretion as to what measures are necessary in order to sustain efficient operations of County services. The County may choose to solicit volunteers for the reduction in workforce. Advance notice of at least two weeks, whenever possible, will

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be given to the affected employee.

Employees who are affected by a reduction in force and for whom there is no anticipation of recall to a County position shall be permanently separated from employment. If there is anticipation to be recalled within 12 months, the employee will be placed on layoff or furlough.

### **3. Reinstatement from Layoff:**

An employee who has been placed on layoff status, other than permanent layoff, as a result of a reduction in force may be subject to recall within a twelve (12) month period. It is the responsibility of laid off employees to apprise their supervisors and the human resources department as to their current address and telephone number(s) so that reinstatement consideration may be efficiently handled. Employees failing to do so will be considered to have voluntarily resigned their employment.

When a job opportunity occurs, consideration will be given to employees on layoff status concurrently with other internal and external candidates. An employee on layoff who is given consideration for a job opening will make himself/herself available to discuss the position with the Department Head or his/her designee. An employee on layoff who is offered recall to the position must accept or decline the position within one week of the offer and must return to work within two weeks of having accepted the position, or at a later date as determined by management. An employee on layoff who declines an offer of employment without sufficient reason as determined by management is considered to have voluntarily resigned from their employment.

Employees on layoff who do not respond when contacted (generally within one week of contact) will be considered to have voluntarily resigned from their employment relationship with the County. When an employee is considered to have voluntarily terminated as described herein, a notification will be sent to the employee at his/her last known address. An employee on layoff who for good reason was unable to respond in a timely manner, whether due to severe illness, prolonged travel or similar type of reason, may appeal the voluntary termination to the Human Resources Director within a two-week period of the attempted contact. The decision of the Human Resources Director will be final and will not be considered a decision related to discipline.

### **C. SEPARATION NOTICE:**

Employees planning to leave employment with the County shall give a written notice of their separation of employment to their supervisor, manager and/or Department Head as early as possible. Employees shall provide the date of their final workday and future contact information if applicable.

#### **1. Voluntary Separation Notice:**

The County encourages employees who are resigning to provide at least two (2) weeks' notice whenever practicable and at least four (4) weeks' for supervisors/managers and department heads. Failure to provide notice will impact the payout of certain benefits. The notice period is intended to allow for a transition of work within the department. It is important that the employee be present at work during the notice period. Employees must receive pre-authorization from the County Administrator to utilize accrued benefit time toward their notice period.

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## **2. Involuntary Termination Notice:**

An employee may be involuntarily terminated at any time. The County Administrator shall approve any termination. Human Resources shall prepare the written notice of termination and, with the department representative shall meet with the employee. If the employee is unavailable to meet, the notice of termination shall be sent to the employee at the employee's last known address by certified and return-receipt mail.

## **3. Layoff Notice:**

Employees whose employment is temporarily separated due to layoff or furlough will be provided as much notice as is practicable by the County.

## **4. Failure to Provide Notice:**

An employee's failure to provide proper notice of voluntary separation, will result in forfeiting the payment of earned or accrued vacation, holiday pay, longevity pay and applicable sick pay.

## **D. LAST DAY OF WORK:**

An employee's last day of employment is normally the last day of actual work. The last day of employment for employees who separate due to layoff, involuntary termination, or inability to return due to leave of absence will be determined by the Human Resources Director.

An employee cannot extend his/her last day of employment by the use of any accrued benefit time, ie, vacation, compensatory time, etc. unless otherwise specified in a negotiated written agreement or prohibited by law.

## **E. ACCRUED BENEFITS UPON SEPARATION OF EMPLOYMENT:**

See Section 1300 – Benefits for related information.

### **1. Retirement:**

Employees will receive a payout of earned and accrued vacation, compensatory time and longevity pay. In addition, employees who are eligible for Wisconsin Retirement annuity or Social Security shall receive 65% percent of a maximum of 108 days of unused accumulated sick leave.

### **2. Death:**

For employees who pass away while employed, the County will pay to the employee's spouse, or to the estate if there is no surviving spouse, accrued vacation, and longevity pay, on a pro-rated basis from January 1<sup>st</sup> up to and including the last day of employment, plus 100 percent of the employee's sick leave accrual, to a maximum of 108 days. Any vacation and holidays used in excess of the ratio shall be paid back by the employee by reducing the payout of other accrued time accordingly.

### **3. Involuntary Separation:**

Employees who are involuntarily terminated shall not receive accrued vacation, holidays, sick leave, and longevity pay. No accrued benefit time is paid out.

### **4. Voluntary Separation:**

Employees who resign their employment voluntarily shall receive accrued vacation, compensatory time, and longevity pay. Payouts are contingent upon an employee

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providing proper notice prior to their last day of work.

**Exception:** Employees in the following groups are credited with 10 floating holidays at the beginning of the calendar year: Communications Operators, Cooks and the Food Service Supervisor in the Sheriff's Department, 9-month Seasonal Maintenance Workers in the Parks Department, and Intake/On-call Workers, Crisis Stabilization Workers and the Group Home Supervisor at Human Services.

When an employee voluntarily separates, to receive a holiday payout these employees must have been employed through the associated calendar holiday; eg., an employee gives proper notice effective July 10<sup>th</sup>, and not used/ been paid for any holidays as of this date, they would be paid out for 4 floating holidays, New Years, Spring Holiday, Memorial Day, and July 4<sup>th</sup>. If an employee has taken or been paid for more holiday time than would have been earned those hours must be repaid or the equivalent amount deducted from the employee's other payouts.

## 5. Extended layoff:

Employees on an extended layoff that is anticipated to last at least 12 continuous months, shall receive all accrued vacation, holidays, compensatory time, and longevity pay, payable on the next succeeding payday following the layoff. If the employee is eligible for WRS, the employee will also receive 65% of accrued sick time.

## F. RETURN OF COUNTY PROPERTY:

Upon separation from employment, an employee shall return all county property, including, but not limited to:

- keys,
- identification badge,
- cell phone,
- tablet and / or lap top,
- tools and equipment
- credit cards
- policy manuals and books

These items will be returned to the employee's supervisor no later than the employee's last day of work. Failure to return property or settle outstanding debts, such as reimbursement for personal phone calls, etc., will result in discontinuation of direct deposit of the employee's final paycheck and final paychecks must be obtained in the Finance Department during normal business hours.

## G. EXIT INTERVIEWS:

It can be beneficial for department heads and employees who are separating employment to meet and hold an exit interview. Topics that should be discussed include reasons for leaving, workplace and county policies, interactions with supervisors and other employees, and suggestions for improvement in the job and department. If the employee desires to have an exit interview but is uncomfortable meeting with the department head, they should be encouraged to schedule an appointment with Human Resources for the exit interview.

## H. EMPLOYMENT REFERENCES:

Employment references should only be given or coordinated through the Human Resources Department. Employees may be asked to sign an authorization prior to the

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release of information.

In the event a supervisor is asked to provide a professional reference, they should contact and coordinate the response with the Human Resources Department. Personal references are discouraged; individuals giving a personal reference may not use their County position, title or provide a work assessment when responding to the request.

## **I. ELIGIBILITY FOR REHIRE:**

An employee who has been terminated involuntarily, or who has voluntarily terminated his/her employment in lieu of an involuntary termination, or did not provide sufficient notice (including job abandonment), is not eligible for re-hire without the approval of the Human Resources Director.

Date Created: 12/31/2019

Last Updated: 12/31/2019

## **SUMMARY OF SECTIONS OF PERSONNEL POLICY PROPOSALS**

### **SECTION 100 – INTRODUCTION (p. 1)**

- Discusses concept of Administrative Manual
- Discusses policy verses procedural changes

### **SECTION 200 – EMPLOYMENT (p. 4)**

#### **200.1 – Employment Categories (p. 5)**

#### **200.2 – Employment Dates and Length of Service (p. 8)**

#### **200.3 – Conditions of Ongoing Employment Eligibility (p. 10)**

- New: Disclosures of pending and open charges and convictions (p. 10)
- Practice: Disclosure of Traffic Violations (p. 11)
- New: Ongoing Credit Background Checks (p. 11)
- Practice: Fingerprinting Background Checks (p. 12)

#### **200.4 – Recruitment and Selection (p. 14)**

- Practice: Applicant Travel and Relocation Expenses (p. 15)
- New: Employee Referral Incentive (p. 16)
- New: Hiring/Sign-On Bonus (p. 16)
- Practice: Criminal Background Checks (p. 17)
- Practice: Credit Background Checks. This policy is expanded to include additional positions. (p. 17)
- New: Drug Testing on all new hires

#### **200.5 – Employee Orientation (p. 23)**

#### **200.6 – Non-Standard Working Arrangements (p. 25)**

#### **200.7 – Nepotism (p. 30)**

### **SECTION 300 – EQUAL EMPLOYMENT (Reserved)**

### **SECTION 400 – AMERICANS WITH DISABILITIES ACT (ADA) (Reserved)**

### **SECTION 500 – EMPLOYEE FILES AND RECORDS (p. 31)**

### **SECTION 600 – HOURS OF WORK, SCHEDULING, AND CLOSURES (p. 34)**

#### **600.1 – Hours of Work, Non-Exempt (Hourly) Employees (p. 35)**

#### **600.2 – Hours of Work, Exempt (Salaried) Employees (p. 37)**

- Change in Practice: Recommending allowing exempt employees to adjust/flex schedule within two-week pay period (current must be within one-week work week). (p. 37)
- Change in Practice: Certain exempt employees currently receive hour for hour comp time. This is NOT required under Law, unlike non-exempt, hourly employees. At times, employees currently use this as extra vacation time which is not in accordance with policy and allows employees to take up to six weeks off annually, in addition to taking up to five weeks of vacation, two weeks of holiday and sick time. Proposed to eliminate hour-for-hour comp time for these exempt employees and

implement a system to allow adjustment/flex of hours within the two-week pay period as well as occasional, minor adjustments in other pay periods in recognition of extra hours worked. This will not be based on hour-for-hour accrual, though. (p. 38)

**600.3 – Work Schedules (p. 38)**

- Current practice not necessarily captured in current ordinance

**600.4 – Volunteering and Secondary Employment (p. 41)**

- New: Secondary Employment section

**600.5 – County Facility Closings (p. 42)**

**SECTION 700 – POSITION CLASSIFICATION PLAN (p. 44)**

**SECTION 800 – TRAVEL (p. 48)**

- New Policy. Achieves consistency throughout departments.

**SECTION 900 – PROMOTION, DEMOTION AND TRANSFER (p. 54)**

**SECTION 1000 – COMPENSATION (p. 60)**

**1000.1 – Pay Plan Administration (p. 61)**

**1000.2 – Job Change Implementation (p. 64)**

- Change: Promotion – a minimum of 2% increase for non-supervisory to non-supervisory position (p. 64)

**1000.3 – Pay During Inclement Weather, Emergencies, and Closures (p. 67)**

**1000.4 – Additional Pay for Non-Exempt (Hourly) Positions (p. 68)**

- Change: Overtime - Currently most employees follow the Fair Labor Standards Act (FLSA), with the exception of Highway employees. Proposal is to maintain the FLSA standard for all County employees, thereby supporting the County's strategic mission and treat employees fairly and consistently. Recognition for duties performed still exists under premiums, differentials, etc. in this section. (p. 68)
- Current Practice: Bonus Pay (p. 71)
- Change: Public Service Emergency Call-in – Currently employees paid a minimum of two hours at regular rate. Recommending minimum of two hours at 1 ½ times the hourly rate. (p. 71)
- Under Review: On-Call Pay. (p. 72)

**1000.5 – Compensation for Exempt Positions (p. 74)**

- Change in Practice: Department Heads/Attorneys-Recommending allowing exempt employees to adjust/flex schedule within two-week pay period (current must be within one-week work week). (p. 74)
- Change in Practice: Exempt Employees-certain exempt employees currently receive hour for hour comp time. This is NOT required under law, unlike non-exempt, hourly employees. At times, employees currently use this as extra vacation time which is not in accordance with policy and allows employees to take up to six weeks off annually, in addition to taking up to five weeks of vacation, two weeks of holiday

and sick time. Proposed to eliminate hour-for-hour comp time for these exempt employees and implement a system to allow adjustment/flex of hours within the two-week pay period as well as occasional, minor adjustments in other pay periods in recognition of extra hours worked. This will not be based on hour-for-hour accrual, though. (p. 74-75)

**1000.6 – Payroll Policies (p. 77)**

**SECTION 1100 – PERFORMANCE EVALUATION PROGRAM (p. 80)**

**SECTION 1200 – PROFESSIONAL DEVELOPMENT, TRAINING, AND LICENSING (p. 84)**

- New: Civic Memberships (p. 85)
- New: Emergency Volunteer (p. 86)
- Practice: Licenses and Certifications (p. 86)

**SECTION 1300 – BENEFITS (Reserved)**

**SECTION 1400 – HIPAA (Reserved)**

**SECTION 1500 – LEAVES OF ABSENCES (Reserved)**

**SECTION 1600 – EMPLOYEE CONDUCT AND WORK RULES (p. 88)**

**1600.1 – Attendance (p. 90)**

**1600.2 – Employee Communication (p. 93)**

**1600.3 – Disclosure and Confidentiality (p. 95)**

- New section

**1600.4 – Ethics Code (p. 96)**

- New section

**1600.5 – Fraternization (p. 97)**

- New section

**1600.6 – Dress Attire, Appearance, and Demeanor (p. 100)**

- New section

**1600.7 – Political Activity (p. 103)**

**1600.8 – Secondary Employment (p. 106)**

- New section

**1600.9 – Smoke Free, Vape Free and Tobacco Free Workplace (p. 107)**

- Modified to include Vaping

**1600.10 – Solicitation (p. 109)**

- New section

**1600.11 – Weapons in the Workplace (p. 110)**

- Section under review with Sheriff's Department

**1600.12 – Whistleblower Policy (p. 113)**

- Slight modifications

**SECTION 1700 – WORKPLACE VIOLENCE (P. 115)**

- New section. Section under review with Sheriff's Department

**SECTION 1800 – SAFETY AND SECURITY (Reserved)**

**SECTION 1900 – ALCOHOL AND OTHER DRUG ABUSE POLICY (p. 119)**

- New section

**SECTION 2000 – HARASSMENT (p. 124)**

- Slight modifications. Addresses bullying.
- Need to address a sub-section of bullying/harassment by co-workers outside of work

**SECTION 2100 – DISCIPLINE AND TERMINATION (p. 129)**

- Change: Currently most employees have “Just Cause” employment status. It is proposed to have all employees have “At Will” employment status. It is important to remember that this does NOT mean that employees can or will be disciplined or terminated for absolutely no reason. The County has procedures in place to ensure that employee discipline is not arbitrary and capricious and ensures that there are reasonable grounds or adequate consideration of the circumstances before imposing employee discipline. If an employee feels action was taken without reasonable grounds or adequate consideration, they have the RIGHT under the County Grievance Policy, to have the full County Board review the discipline. (p. 129)
- Modification: This policy highlights the ability for the employee to have a representative at any point in the process, not just at the grievance process. (p. 131)

**SECTION 2200 – GRIEVANCE PROCEDURE (p. 135)**

- The policy has all the components as required by Statute. No significant modifications are being recommended from current policy.
- Policy is under review for sections pertaining to deputies appointed by elected officials and how the policy may or may not apply, by statute, to those positions.

**SECTION 2300 – COUNTY CONSTITUTIONAL OFFICERS (p. 140)**

- New: added the expectation of constitutional officer to operate as department head
- New: added language from ordinance 2013-26, establishing elected official salaries

**SECTION 2400 – SEPARATION OF EMPLOYMENT (p. 143)**

- New: Includes layoff and recall language.