

#6

HUMAN RESOURCES COMMITTEE  
MEETING MINUTES  
January 17, 2012 @ 8:30am  
Jefferson County Courthouse, Room 202

1. Call to Order. Meeting called to order at 8:32am by J. Braugher.
2. Roll Call. Present: J. Braugher, M. Delany, D. Schultz and L. Zastrow. Absent: C. Peterson. Quorum established. Also Present: G. Petre, T. Palm, J. Molinaro, M. Burrow, P. Ristow, J. Parker, S. Hoffman, C. Robinson, B. Frank, A. Jenswold, B. Block, J. Garity, E. Sadlowski (AFSCME 40 representative)
3. Certification of compliance with the Open Meetings Law. Verification of notice of meeting by G. Petre.
4. Review of Agenda. Move items concerning the Sheriff's department, #10 and #13 on the agenda, ahead.
5. Citizen Comments. Jim Garity spoke against the draft policy addressing employment at will.
6. Approval of minutes. Motion by D. Schultz, second by L. Zastrow, to approve the November 30, 2011 minutes, as presented. Motion carried 4:0.
7. Chief Deputy Parker reviewed alternatives the Civil Service Commission considered regarding the qualifications/selection for promotions in the Sheriff's Office, including "if less than three qualified internal candidates apply, then the County would also consider outside candidates". HR Committee recommends that filling the position of Chief Deputy should include applicants from *any sheriff's department*, agreeing that municipal police departments are not the same. Chief Deputy Parker will relay this information to the Civil Service Commission and report back to the HR Committee in February.
8. Discussion of continuing the Patrol Sergeants trial work schedule. Chief Deputy reported that, in general, the new schedule did not generate any more or any less overtime; however, 2011 presented unusual circumstances of turnover that would contribute to some of the overtime. Committee's consensus is to continue the schedule through 2012, and will address the entire ordinance in agenda #15.
9. Communications:
  - a. Read by T. Palm. Letter from National Insurance Services indicating that Long Term Disability Rates will not increase for 2012.
  - b. Read by T. Palm. Email from employee thanking committee for their efforts in providing employees with a one-time payment in 2011.
10. Request from County Administrator Gary Petre to Motion by D. Schultz, second by M. Delany, to recommend a resolution to County Board to reclassify the current Custodian I in Central Services, to a Custodian II, and provide the ability to fill any future Central Services Custodian in either the I or II position. Motion carried 4:0.

11. Corporation Counsel, P. Ristow, provided a review of the HR Committee's role as the designated grievance committee for discipline under the Civil Service process by statute and union contract. Issue was raised that it has occurred that the discipline was served before the HR Committee hears the grievance. Committee would prefer to not have discipline be implemented until it has been before the HR Committee. HR Director T. Palm will communicate this to the Chief Deputy and Sheriff.
12. Discussion of wages and benefits for the constitutional elected officials positions of County Clerk, Register of Deeds and Treasurer. Committee requested comparable information to discuss at next meeting.
13. Discussion regarding an ordinance to address negotiating benefits and compensation when a current employee makes some form of a job changes. Committee expressed that these decisions should have the County Administrator's final approval. Item will be addressed in future meeting.
14. Discussion and consideration of ordinance creations/eliminations/amendments addressing progressive discipline and/or Employment at Will. Discussion continued on the draft of the Progressive Discipline and Employment at Will ordinance, with suggested changes to reinforce that the County and employees will work together to create a pleasant work environment and to include insubordination in the list of conduct that may not follow progressive discipline.

BREAK: 10:45am – 11:00am. HR Director prepared a revised draft with suggested changes.

- a. Progressive Discipline and Employment at Will Ordinance. Motion by D. Schultz, to adopt the 1-17-12 revised draft, amending section G by striking "no cause" and replace with "justifiable cause". No second.  
Motion by M. Delany, second by D. Schultz, to recommend to Board an ordinance creating Progressive Discipline and Employment at Will, as presented in the revised 1-17-12 draft, with the amendment of striking "no cause" in section G. Motion carried 3:1 (J. Braughler).
  - b. Motion by D. Schultz, second by L. Zastrow, to eliminate Ordinance HR0510, Employee Discipline, Motion carried 4:0. Note: sections eliminated are either in conflict with Progressive Discipline/Employment at Will or incorporated into the Progressive Discipline/Employment at Will ordinance.
  - c. Motion by L. Zastrow, second by M. Delany, to amend HR0390, Terminal Pay, to delete sections in conflict with proposed Progressive Discipline/Employment at Will ordinance. Motion carried 4:0.
  - d. Motion by D. Schultz, second by L. Zastrow, to amend HR0560, Rights of Employees, to delete section in conflict with proposed Progressive Discipline/Employment at Will ordinance. Motion carried 4:0.
15. Review of Personnel Ordinance sections HR0100s and HR0200s
    - a. Motion by L. Zastrow, second by M. Delany, to recommend amendment to HR0110, Definitions of Terms, as amended with the terminology, "any cause". Motion carried, 4:0.

- b. Motion by L. Zastrow, second by M. Delany, to recommend amendment to HR0120, Differences for Sworn, Non-Represented, Law Enforcement Employees, to conform to new regulations and extend the Patrol Sgts' schedule. Motion carried 4:0.
- c. Motion by D. Schultz, second by M. Delany, to recommend amendment to HR0145, Human Resources Committee Authority, to conform with new regulations and previous changes to ordinance HR0690, Vacation with Pay. Motion carried 4:0.
- d. Motion by D. Schultz, second by M. Delaney, to recommend amendment to HR0220, Application Procedure, as amended in section B, "prior to advertising to the outside.", to conform to practice. Motion carried 4:0.
- e. Motion by D. Schultz, second by M. Delany, to recommend amendment to HR0250, Exempt Service, to update with current positions. Motion carried 4:0.
- f. Motion by M. Delany, second by L. Zastrow, to recommend amendment to HR0260, Notice of Terminations, to conform with recommended Progressive Discipline/Employment at Will Ordinance. Motion carried 4:0.
- g. Motion by L. Zastrow, second by D. Schultz, to recommend amendment to HR0265, Part-Time Employment, as grammatically amended, to comply with new regulations and address benefits for employees switching between full and part-time status. Motion carried 4:0.

16. Human Resources Director submitted report regarding two hires in fourth quarter of 2011 that started above minimum in compensation and/or benefits.

17. Next meeting is scheduled for Tuesday, February 21, 2012 at 8:30am. Next agenda to include review of Civil Service Ordinance recruiting requirements; ongoing review of the Personnel Ordinance; and establishing compensation and benefits for the Constitutional Elected Officials.

18. Motion by D. Schultz, second by L. Zastrow, to adjourn. Meeting adjourned at 11:30am.

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Human Resources Committee Secretary

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Date

# 8

**(e) HUMAN RESOURCES COMMITTEE** - Five members. The Human Resources Committee shall assist in the administration of the Personnel and Salary Ordinance. The Committee shall hear grievances unless other provisions are made by union contracts, ~~or~~ the Civil Service Ordinance, or as described in Personnel Ordinance HR0520 (Grievance Resolution Process). The Committee may review job descriptions and evaluate the allocation of positions to the various departments. This Committee shall also review the statutory requirements and make recommendations to the Board concerning benefits, pay classifications and employment law policies, as well as make recommendations to the County Board concerning union negotiations. [Amended 03/12/02, Ord. No. 2001-34; amended 05/14/02, Ord. No. 2002-07; amended 03/14/06, Ord. No. 2005-48e; am. 03/11/08, Ord. 2007-40]



#9

**ORDINANCE NO. 2010-\_\_\_\_\_**

**Recreating the Civil Service Ordinance for full-time deputy sheriffs**

THE COUNTY BOARD OF SUPERVISORS OF JEFFERSON COUNTY DOES HEREBY ORDAIN AS FOLLOWS:

The Civil Service Ordinance (Ordinance No. 2000-18) is hereby repealed and recreated as follows:

**SECTION 1. PURPOSE.** This ordinance is intended to bring qualified persons into county law enforcement work by a system of competitive examinations and to ensure continuity in county law enforcement work by virtue of a permanent appointment as deputy sheriff under a civil service ordinance as set forth in sec. 59.26(8) and Chapter 63, Wisconsin Statutes.

**SECTION 2. COMMISSION.** (a) There is hereby established a County Civil Service Commission with the duties, functions and authority set forth in sec. 59.26 and Chapter 63 of the Wisconsin Statutes.

(b) Such Commission shall consist of five (5) members, all of whom shall be legal residents of Jefferson County. Appointments shall be made on the basis of recognized and demonstrated interest in, and knowledge of the problems of civil service. No person holding any elected or appointed public position or office of any sort in Jefferson County government shall be appointed thereon.

(c) The Jefferson County Administrator shall appoint members of the Commission, subject to confirmation by the County Board. The office of a commissioner shall be deemed vacant upon the happening of any of the following events:

- (1) Death of the incumbent.
- (2) Resignation of the incumbent in writing.
- (3) Removal of the incumbent by the County Board.
- (4) Ceasing to be a resident of Jefferson County.

(d) In the month of December of each year immediately preceding the expiration of the term of office of any such commissioner, the County Administrator shall appoint one member of such Commission to hold office for the term of five (5) years from the first day of January next

succeeding the appointment and until a successor is elected and is qualified. Appointment to vacant positions shall be for the remainder of the original term.

(e) Each member of the Commission shall take and file the official oath.

(f) Each member of the Commission shall receive such compensation as the County Board shall determine.

(g) The Commission shall organize and elect a chairperson whose term of office shall be one (1) year and shall elect a secretary whose term of office shall be one (1) year. Such chairperson and secretary shall serve until election of a successor. The secretary shall cause the minutes of the proceedings of the Commission to be preserved in a proper record book.

(h) Nothing herein shall be construed as to affect the appointment or terms of the present commissioners.

**SECTION 3. DUTIES OF THE COMMISSION.** It shall be the duty of the Commission:

(a) To prepare and publish such rules and regulations to carry out the provisions of this ordinance as may be necessary to secure the best law enforcement service for the County.

(b) To receive applications and conduct examinations of applicants for positions in the Sheriff's Office of Jefferson County with such frequency as may be necessary to maintain an eligibility list sufficient to meet the needs of the Sheriff's Office.

**SECTION 4. APPLICATIONS.** (a) All candidates for full-time positions in the classifications of Chief Deputy, Captain, Sergeant, Detective, and Deputy Sheriff shall file a written application with the Jefferson County Human Resources Department upon forms designated. Vacancies in classifications other than those set forth hereinabove shall be filled pursuant to the Jefferson County Personnel Ordinance and shall not be covered by this ordinance.

(b) No person shall be eligible to apply for or be appointed to the positions covered by this ordinance after November 1, 2010, unless:

(1) The applicant is a citizen of the United States.

(2) The applicant has a minimum of sixty (60) college credits or has three (3) years experience as a paid full-time law enforcement officer (civilian or military).

(3) The applicant is at least eighteen (18) years of age.

(4) There is no specific measurement set for height and weight relationships. They shall be in proportion and shall be considered by the medical examiners in determining the applicant's physical fitness for the position.

(5) The applicant shall not have been convicted at any time or any place of a felony, unless the judgment or conviction has been reversed or a complete pardon has been granted.

(6) Visual acuity must be corrected to 20/20.

(7) The applicant must possess a valid Wisconsin driver's license at the time of appointment.

**SECTION 5. EXAMINATION.** (a) The Commission shall conduct competitive examinations, written, oral, **as well as a physical agility test for new hire candidates, if deemed necessary for candidates who apply for positions covered by this ordinance, including persons who are currently deputy sheriffs but who wish to compete for higher classification.** The Commission shall establish passing grades for each phase of examination prior to each phase thereof.

(b) The first stage of the testing procedure will be a written examination, administered and proctored by the Commission or its designee. The test used shall be the current test certified for use by the Commission or its designee. The tests used must be validated and job-related.

(c) The Sheriff's Office shall, upon request of the Commission, conduct a background investigation and to determine the character and reputation of applicants. This will be done by the Sheriff's Office Detective Bureau for new hire applicants.

(d) The Commission may refuse to examine a candidate or, after examination, to certify a candidate as eligible who (1) is found to lack any of the established requirements for the position for which that person has applied, or (2) has intentionally made a false statement in any material fact, or (3) is addicted to the habitual use of intoxicating beverages, narcotics or dangerous drugs, or (4) has ever been convicted of a felony without a full pardon, or (5) any other sufficient fact which, because of business necessity, would be a detriment to holding the position of Deputy Sheriff.

(e) The Commission shall establish a certified eligibility list of candidates who meet the prerequisites of the position, and who have scored a passing grade on the written and oral examinations. The Commission may invite representatives of other law enforcement agencies to participate in the oral interview process. Invitees' scores will be given to the Civil Service Commission for discussion and consideration in accordance with the Commission's rules. Invited law enforcement guests are neutral third parties chosen by their respective departments to participate in the process at the request of the Jefferson County Civil Service Commission. Invitees should be individuals that by rank or assignment have a level of expertise that is beneficial in the final scoring process.

(f) Placement on the certified eligibility list for initial appointment shall be by overall score, weighing the scores on the written and oral examinations, 40 percent each, with the remaining 20 percent taken from the applicants file information. For promotional factor weights, see Section 6 (b). Preference points shall be given to veterans of any wars of the United States as provided by sec. 63.08(1)(f) and 230.16 (7), Wisconsin Statutes.

(g) Every candidate on the eligibility list must, prior to appointment, submit to and pass a medical and physical test to be conducted by such physician or physicians as may be designated by the Commission. Such physician shall submit a statement that the applicant is of sound health and has the physical ability to perform the duties of the position to which he seeks appointment. Cost of such examination shall be borne by Jefferson County. The Commission may implement a physical abilities test for prospective new hires.

(h) Notice of the date, time and place for conducting written examinations and notice as to the open Deputy Sheriff positions, the necessary qualifications and where applications may be filed shall be published in a newspaper of county-wide circulation. Such notice shall also be given to schools within this state which confer police science degrees.

**SECTION 6. PROMOTIONS.** (a) Promotions and divisional reassignment shall be made according to this ordinance.

(b) The process to consider a Sergeant for assignment to a different division or for the promotions to the positions of Chief Deputy, Captain, Sergeant and Detective will be scored as follows. The written test and the oral test shall be given thirty (30) percent weight each. Twenty (20) percent of the final grade shall be based on the job evaluations and other material contained within the employee's personnel file, and another twenty (20) percent of the final score shall be from the "Applicant Profile Questionnaire." The Jefferson County Human Resources Department will score the objective questionnaire according to pre-determined guidelines. A member of the Sheriff's Office Administration will be present during this scoring to answer any questions that Human Resources staff may have.

(c) Written examinations for the position of Sergeant will be specific for the patrol, detective, support services, and jail divisions. If an individual already holding the rank of Sergeant desires to be eligible for a Sergeant's position in another division, that Sergeant must take the written examination for the Sergeant's vacancy in that division. The number of applicants advancing from the written test to the Civil Service Commission interview is unlimited, as long as a passing score has been received.

(d) Written test scores will be valid for a period of 6 months. Test scores kept on file during this time period are division specific (patrol, detective, support services and jail). If a Sergeant's position becomes available in another division, an existing Sergeant must take the written test for that specific division.



(e) Written test scores and the scored "Applicant Profile Questionnaire" will not be available to the Commission prior to oral interviews. The Commission shall notify applicants of their respective scores by mail.

**(f) Promotion Eligibility.** Those eligible for promotion shall be limited as follows:

(1) Chief Deputy. To take the examination for promotion to Chief Deputy, the candidate must have not less than ten (10) years of service with the Sheriff's Office, and not less than five (5) years supervisory experience therein. The candidate must have a Bachelor's degree or the equivalency of 120 college credits.

(2) The Sheriff's Office will make every attempt to promote "qualified" supervisors from within the Sheriff's Office. Consideration to go outside of the Sheriff's Office to fill the position of Chief Deputy will only be done if the Civil Service Commission indicates that no inter-department candidates are deemed suitable qualified for the position of Chief Deputy. The Sheriff's Office must minimally have three (3) qualified individuals internally for the process to continue without beginning a search for outside applicants.

(3) If less than three (3) qualified candidates apply for promotion to Chief Deputy, the hiring process will be made available to other law enforcement supervisors outside of the Jefferson County Sheriff's Office. Any outside candidates for this position **MUST** have previous employment background and supervisory experience working in another sheriff's office.

(4) Outside candidates will meet the same internal qualifications; ten (10) years of service with a sheriff's office and not less than five (5) years supervisory experience therein. Outside candidates also must have a Bachelor's degree or the equivalency of 120 college credits.

(5) Captain. To take the examination for promotion to Captain, the candidate must have not less than seven (7) years of service with the Sheriff's Office and not less than three (3) years supervisory experience therein.

(6) Sergeant. To take the examination for promotion to Sergeant, a candidate must have not less than five (5) years of service with the Sheriff's Office.

(7) Detective. To take the examination for promotion to Detective, the candidate must have not less than three and one-half (3-1/2) years of service with the Sheriff's Office.

**(g) Education – Experience Credit.** (1) An Associate's degree from an accredited college/university shall be deemed the equivalent of six (6) months of service.

(1) A Bachelor's degree from an accredited college/university shall be deemed the equivalent of 18 months (1-1/2 years) of service.

- (2) These equivalents may be used for a successful promotion to a position enumerated in (3) (1), (2) or (3) of Section (d). Only one equivalent may be used on a one time basis only.

(h) At least fourteen (14) days prior to the commencement of the examination process, the Sheriff shall post a notice on the bulletin board, which notice shall identify the supervisory and/or administrative opening and classification, along with the salary range. Such notice shall contain the names of those persons within the Sheriff's Office eligible to write the examination. Eligible sworn staff intending to participate in the examination process shall so indicate in writing by placing their signatures next to their names on the eligibility list.

- (1) Chief Deputy Position – In the event that no internal candidates are qualified or deemed suitable "qualified" the Sheriff shall publish a notice to hire in the county's official newspaper (Daily Union), other state and regional newspapers, as well as law enforcement websites designed for advertising openings/hiring processes for law enforcement personnel (WILENET and IACP).

**SECTION 7. APPOINTMENTS.** (a) Whenever a vacancy is to be filled, the Sheriff shall make appointments to the position from the list of applicants who are certified as eligible by the Commission. The Commission shall certify to the Sheriff the names of all persons with the three highest scores on the eligibility list, from which the Sheriff shall make his selection. If more than one vacancy is to be filled, the Commission may certify the names of all persons at the next highest score if the Commission concludes that the three highest scores do not provide a sufficiently large field of eligibles.

(b) The Sheriff, in his or her discretion, may employ an assessment center process as an additional tool for evaluation of the top candidates as certified by the Commission.

(c) Appointments by the Sheriff shall be made within twenty (20) days after receipt of the certified list from the Commission.

(d) Deputy Sheriffs appointed according to the provisions of this ordinance shall hold office on good behavior and shall not be dismissed from such office or demoted or suspended except as provided in this ordinance.

(e) All full-time Deputy Sheriffs whose classifications are covered by this ordinance are granted civil service status which shall continue without further examination or appointment, except examination will be required when said Deputy Sheriff seeks a position which constitutes a promotion to a higher classification.

(f) The number of full-time Deputy Sheriffs in the classification covered by this ordinance shall be determined annually by the Jefferson County Board.

(g) Appointments made pursuant to this ordinance shall be probationary for a period of twelve (12) months and may be terminated by the Sheriff and the Commission acting jointly at any time during such probationary period.

**SECTION 8. DISCIPLINARY PROVISIONS.** (a) Any member of the Jefferson County Sheriff's Office covered by this ordinance may be suspended, demoted or discharged in accordance with sec. 59.26(8)(b) Wisconsin Statutes.

(b) The grievance committee required by sec. 59.26(8)(b), Wis. Stats. shall consist of the members of the Human Resources Committee of the Jefferson County Board.

**SECTION 9. GENERAL PROVISIONS.** (a) No person holding the position of Deputy Sheriff under this ordinance shall, during the hours when he is on duty, engage in any form of political activity calculated to favor or improve the chances of any political party or any person seeking or attempting to hold political office, nor shall he engage in or appear at any political activity, gathering or profit-making function while off duty and in uniform. This provision is not intended to abridge or interfere with the rights of deputies to engage in political activities during off duty hours, but rather is designed to avoid the appearance of the support of the Jefferson County Sheriff's Office for any political candidate, position or cause.

(b) In the event a Deputy Sheriff is elected Jefferson County Sheriff, his appointment as a Deputy Sheriff shall terminate upon his executing and filing the official bond and official oath as Sheriff, unless prior thereto, he requests in writing from the Commission a leave of absence during his term of office as Sheriff. If such leave of absence is granted, such deputy shall be reinstated in the classification of Deputy Sheriff upon his completion of his duties as Sheriff.

(c) Policies, rules, regulations and duties of the personnel in the Department shall be established by the Sheriff and incorporated in the Department's policy manual.

(d) The Sheriff shall prepare Department rules for the general administration and efficient operation of the Department. Such rules shall be known as the "Department Rules", and Deputy Sheriffs shall be required to conduct themselves in accordance with such rules. Failure so to do shall be cause for discipline.

(e) The following classifications are created within the Jefferson County Sheriff's Office: Chief Deputy, Captain, Sergeant, Detective, and Deputy Sheriff.

(f) No person employed by the Jefferson County Sheriff's Office, nor any person seeking admission thereto, shall be discriminated against contrary to the provisions of Ch. 111, Wisconsin Statutes.

(g) The rights of a Deputy Sheriff in military service of the United States government shall be governed by applicable federal and state laws.

(h) Pursuant to sec. 59.26(8)(d), Wisconsin Statutes, the County Board has the power to repeal this ordinance at any time by a vote of three-fourths of the members elect.

(i) Persons employed in the classifications subject to this ordinance shall meet the training standards set by the Wisconsin Law Enforcement Standards Board.

**SECTION 10. SEVERABILITY.** The provisions of this ordinance are severable and provisions or sections which may hereinafter be declared to be illegal or unconstitutional shall be declared repealed and the remainder shall not be affected thereby.

**SECTION 11.** All other ordinances in conflict with this ordinance are hereby repealed.

**SECTION 12.** The pay range previously applicable to the position of Lieutenant shall be applicable to the position of Captain.

**SECTION 13. EFFECTIVE DATE.** This ordinance shall be effective after passage and publication as provided by law.

AYES \_\_\_\_\_  
NOES \_\_\_\_\_  
ABSTAIN \_\_\_\_\_  
ABSENT \_\_\_\_\_  
VACANT \_\_\_\_\_

Requested by  
Law Enforcement Committee/\_\_\_\_\_

Date of County Board Meeting

Philip C. Ristow, Chief Deputy Jeff Parker: 10-1-10; 11-1-10



REQUEST TO FILL A VACATED or NEW POSITION

#10

1. Position to be filled: Deputy Veterans Service Officer

Department: Veterans Services Hours: M-F 8am - 4:30pm

Union  Non Union Grade and Pay Range: \_\_\_\_\_

Cost: \_\_\_\_\_ Benefits:  Yes  No

Fiscal Note (how is position funded): Replaces Veterans Benefits Specialist

2. Please indicate how many other full-time, part-time (benefited) and part-time (non-benefited) positions are currently allocated to this classification. Please include how many of these are vacant.

The Veterans Service Office currently has one full-time County Veterans Service Officer and a 10-19/hour/week (non-benefitted) Veterans Clerk. The Veterans Benefits Specialist Position is currently vacant and proposed to be unfunded in favor of filling the Deputy Veterans Service Officer position.

3. Why is the position vacant?

Due to the retirement of the Veterans Benefits Specialist, Phyllis Vehlow.

4. What efforts have you made to change the position?

The Deputy Veterans Service Officer position description has been revised to reflect changes in technology and workload and has been submitted for review.

5. What would happen if the position is not filled?

The mission of the Veterans Service Office would be severely compromised. Staff time will be insufficient to monitor claims and veterans will experience delays in gaining access to CVSO's services. Delays in filing claims may result in veterans losing monetary benefits.

6. Your recommendation, including anticipated date to fill?

I propose leaving the Veterans Benefit Specialist position vacant and filling the Deputy Veterans Service Officer position by April 1<sup>st</sup>, 2012.

Submitted by: *Yvonne R. Duesterhaef* Date: 2-14-2012

**RECLASSIFICATION COVER FORM**

This is a request for a reclassification.

Employee Name (s): \_\_\_\_\_ Position Vacant \_\_\_\_\_

Department/Facility: Veterans Services \_\_\_\_\_

Subdepartment/Unit: \_\_\_\_\_

Current Job Title: Veterans Benefits Specialist

New Job Title: Deputy Veterans Service Officer

Reclassification Requested by: CSVO, Yvonne Duesterhoeft \_\_\_\_\_

**Why is this position being requested for a reclassification?**

The decision to reinstate and fund the Deputy Veterans Service Officer position while leaving the Veterans Benefits Specialist position vacant is a strategic response to the changing workload in the Veterans Service Office. Ten+ years of war in Iraq and Afghanistan, the aging populations of WWII and Korea veterans, as well as legislative changes concerning the Agent-Orange related health issues of Vietnam Veterans--has caused an unprecedented increase the numbers of veterans applying for disability claims, non-service-connected pensions, education benefits and other programs. It is necessary to have staff accredited and trained to help with this workload as opposed to general administrative tasks.

**Please state the position or person previously responsible for the duties listed above.**

Phyllis Vehlow occupied the Veterans Benefits Specialist position until her retirement effective February 2<sup>nd</sup>, 2012. Her official retirement date is March 2<sup>nd</sup>, 2012.

**Briefly list the duties that are no longer relevant and new tasks being assigned.**

We no longer schedule Veterans for appointments/transportation to VA Hospitals and clinics, nor do we operate the hospital equipment loan program. It is rare that the CVSO would require her assistant to type memos or correspondence since those tasks have been automated through the use of the VetraSpec case-management software.

Instead, the Deputy Veterans Service Officer's responsibilities will largely mirror the duties of the CVSO. The Deputy will maintain State and Federal accreditations and be capable of preparing claims under the supervision of the CVSO.

**Please state the person or position now responsible for these tasks.**

Deputy Veterans Service Officer position to be filled by approximately April 1, 2012.

#11

## NEW POSITION COVER FORM

This is a request for a new position.

**Department/Facility:** Highway

**Subdepartment/Unit:** Highway Operations

**Proposed Job Title:** Highway Worker

**Requested by:** Highway Commissioner

**Please provide a brief summary of the purpose and duties of the new position.**

This is the equivalent of a change in position title, the new position of Highway Worker will replace the old position of Custodian. The Highway Department uses the Custodian position to not only complete building maintenance and custodial work, but also to do general highway maintenance work and snowplowing as needed. Because of the requirements of the position, the position is required to hold a CDL license like all the other field staff. Both positions are at the same salary scale, and there is no plan on changing the typical use of the position, so there should be no fiscal impact regarding the change.

**What are the consequences if this position is not approved?**

The Highway Department would have one less full-time position for handling building maintenance, custodial duties, and general/winter maintenance work. The Highway Department over the last 8 years has eliminated numerous full-time positions and this position is needed to keep up with the workload of the department.

**How would this position be funded?**

Transportation aids, county levy, WisDOT funds.

**Please state the position or person previously responsible for the duties being performed by the new position, and the degree of involvement/responsibility this position will still have.**

The previous person in the position retired and there is not expected to be any major changes to the duties of the position. The Highway Department will have more flexibility in how it handles some of the building maintenance and custodial duties along with meeting all the highway maintenance needs – the ability to utilize the Highway Worker class of employees to handle various duties within the department allows more cross-training and improved efficiency of operations.

#12

**NEW POSITION COVER FORM**

This is a request for a new position.

Department/Facility: Clerk of Court's Office

Subdepartment/Unit: \_\_\_\_\_

Proposed Job Title: Deputy Court Clerk II – General

Requested by: Carla Robinson, Clerk of Court

**Please provide a brief summary of the purpose and duties of the new position.**

See current Deputy Court Clerk II – General Job Description attached

**What are the consequences if this position is not approved?**

We are out of storage space and need to have staffing levels to address archive scanning.

The Creation of a FT position will allow us to have sufficient staff time to dedicate to "archive scanning". With the current staffing levels we are able to scan most of the current long-term retention case types as we go, so that the scanned documents are useable during the pendency of the case and any post judgment matters. But, we've been unable to accomplish any archive scanning, therefore we are not able to clear up any storage space. By creating the full time position and eliminating the 2 – 19 hour positions we will be able to accomplish archive scanning AND fill a FT position vs. having the revolving door of a part time position.

**How would this position be funded?**

There are currently budgeted funds for one –nineteen hour position that is newly vacant. The remaining funds necessary come from the savings generated via two long term employee positions becoming vacant and filled with new hires. (See attached sheet)

**Please state the position or person previously responsible for the duties being performed by the new position, and the degree of involvement/responsibility this position will still have.**

The currently filled 19 hour position provides clerical support to the Family Court Services office, as well as Deputy Clerk duties – the additional hours will be focused on archive scanning so as to address storage space issues.

Terri Heinz position	Top of scale w/contingency, Longevity & Family Ins	\$ 61,705.85
Kasey Strike - new hire	Bottom of scale w/o contingency or longevity	\$ 48,484.00
	Savings difference:	\$ 13,221.85

Hope Gudgeon position	Top of scale w/contingency, longevity & Family ins	\$ 61,633.78
Amanda Bowman - new hire	Bottom of scale w/o contingency or longevity SINGLE ins	\$ 42,256.00
	Savings difference:	\$ 19,377.78

**TOTAL SAVINGS DIFFERENCE \$ 32,599.63**

Cost to fund a new hire in a Deputy Clerk II - General w/ family ins	\$ 48,484.00	
Budgeted Funds - 19 hour position	\$ 21,130.00	
	Difference needed:	\$ 27,354.00

#13

COUNTY CLERK

	2009	2010	2011	2012		2013	2014	2015	2016
Chippewa	\$ 60,051.00	\$ 61,091.00	\$ 61,091.00	\$ 61,091.00					
Dodge	\$ 55,105.00	\$ 56,758.00	\$ 58,461.00	\$ 60,215.00		\$ 60,965.00	\$ 61,715.00	\$ 62,465.00	\$ 63,215.00
Eau Claire	\$ 53,280.00	\$ 54,612.00	\$ 55,977.00	\$ 57,376.00					
Fon du Lac	\$ 62,739.00	\$ 64,308.00	\$ 66,237.00	\$ 68,224.00					
Jefferson	\$ 64,596.48	\$ 66,212.64	\$ 67,535.52	\$ 68,887.52					
Portage	\$ 57,931.22	\$ 59,553.30	\$ 61,220.79	\$ 62,934.97					
Sauk	\$ 61,192.00	\$ 63,028.00	\$ 64,289.00	\$ 65,574.00					
St Croix	\$ 61,000.00	\$ 61,000.00	\$ 61,000.00	\$ 61,000.00					
Walworth	\$ 61,005.00	\$ 62,835.00	\$ 64,720.00	\$ 66,662.00					
Wood	\$ 51,630.15	\$ 52,954.00	\$ 52,954.00	\$ 52,954.00					
Columbia	\$ 56,801.95	\$ 58,349.19	\$ 59,648.16	\$ 61,403.90					
Waupaca*	\$ 63,211.00	\$ 63,698.00	\$ 64,731.00	\$ 65,650.00					
Manitowoc	\$ 56,352.00	\$ 58,043.00	\$ 59,784.00	\$ 61,578.00	proposed	\$ 62,501.67	\$ 63,439.20	\$ 64,390.78	\$ 65,678.60
Average	\$ 58,838.06	\$ 60,187.86	\$ 61,357.57	\$ 62,580.80					

\* receives \$3000 annually for Administrative Coordinator

Programs elections

Passport

18

					total				
Chippewa	4.98%	1.73%	0.00%	0.00%	6.71%				
Dodge	2.90%	3.00%	3.00%	3.00%	11.90%	1.25%	1.23%	1.22%	1.20%
Eau Claire	2.50%	2.50%	2.50%	2.50%	10.00%				
Fon du Lac	2.50%	2.50%	3.00%	3.00%	11.00%				
Jefferson	2.50%	2.50%	2.00%	2.00%	9.00%				
Portage	1.99%	2.80%	2.80%	2.80%	10.39%				
Sauk	3.00%	3.00%	2.00%	2.00%	10.00%				
St Croix	15.83%	0.00%	0.00%	0.00%	15.83%				
Walworth	3.00%	3.00%	3.00%	3.00%	12.00%				
Wood	2.56%	2.56%	0.00%	0.00%	5.13%				
Columbia	8.44%	2.72%	2.23%	2.94%	16.34%				
Waupaca*	6.67%	0.77%	1.62%	1.42%	10.48%				
Manitowoc	3.00%	3.00%	3.00%	3.00%	12.00%	1.50%	1.50%	1.50%	2.00%
	4.61%	2.31%	1.93%	1.97%					

REG OF DEEDS	2009	2010	2011	2012	2013	2014	2015	2016
Chippewa	\$ 60,051.00	\$ 61,091.00	\$ 61,091.00	\$ 61,091.00				
Dodge	\$ 55,105.00	\$ 56,758.00	\$ 58,461.00	\$ 60,215.00	\$ 60,965.00	\$ 61,715.00	\$ 62,465.00	\$ 63,215.00
Eau Claire	\$ 53,280.00	\$ 54,612.00	\$ 55,977.00	\$ 57,376.00				
Fon du Lac	\$ 62,739.00	\$ 64,308.00	\$ 66,237.00	\$ 68,224.00				
Jefferson	\$ 51,342.72	\$ 52,628.16	\$ 53,680.64	\$ 54,753.92				
Portage	\$ 56,772.25	\$ 58,361.87	\$ 59,996.00	\$ 61,675.89				
Sauk	\$ 55,581.00	\$ 57,248.00	\$ 58,393.00	\$ 59,561.00				
St Croix	\$ 61,000.00	\$ 61,000.00	\$ 61,000.00	\$ 61,000.00				
Walworth	\$ 61,005.00	\$ 62,835.00	\$ 64,720.00	\$ 66,662.00				
Wood	\$ 50,981.78	\$ 52,289.00	\$ 52,289.00	\$ 52,289.00				
Columbia	\$ 56,801.95	\$ 58,286.52	\$ 59,515.04	\$ 61,182.58				
Waupaca	\$ 60,216.00	\$ 60,968.70	\$ 61,730.81	\$ 62,650.00				
Manitowoc	\$ 56,352.00	\$ 58,043.00	\$ 59,784.00	\$ 61,578.00	proposed \$ 62,501.67	\$ 63,439.20	\$ 64,390.78	\$ 65,678.60
Average	\$ 56,764.72	\$ 58,111.52	\$ 59,315.29	\$ 60,597.28				

	2009	2010	2011	2012	total				
Chippewa	1.97%	1.73%	0.00%	0.00%	3.70%				
Dodge	2.90%	3.00%	3.00%	3.00%	11.90%	1.25%	1.23%	1.22%	1.29%
Eau Claire	2.50%	2.50%	2.50%	2.50%	10.00%				
Fon du Lac	5.89%	2.50%	3.00%	3.00%	14.39%				
Jefferson	2.50%	2.50%	2.00%	2.00%	9.00%				
Portage	1.97%	2.80%	2.80%	2.80%	10.37%				
Sauk	-6.32%	3.00%	2.00%	2.00%	0.68%				
St Croix	15.83%	0.00%	0.00%	0.00%	15.83%				
Walworth	3.00%	3.00%	3.00%	3.00%	12.00%				
Wood	2.56%	2.56%	0.00%	0.00%	5.13%				
Columbia	8.27%	2.61%	2.11%	2.80%	15.79%				
Waupaca	1.62%	1.25%	1.25%	1.49%	5.61%				
Manitowoc	3.00%	3.00%	3.00%	3.00%	12.00%	1.50%	1.50%	1.50%	2.00%
Average	3.51%	2.34%	1.90%	1.97%					

TREASURER	2009	2010	2011	2012		2013	2014	2015	2016
Chippewa	\$ 60,051.00	\$ 61,091.00	\$ 61,091.00	\$ 61,091.00					
Dodge	\$ 55,105.00	\$ 56,758.00	\$ 58,461.00	\$ 60,215.00		\$ 60,965.00	\$ 61,715.00	\$ 62,465.00	\$ 63,215.00
Eau Claire	\$ 53,280.00	\$ 54,612.00	\$ 55,977.00	\$ 57,376.00					
Fon du Lac	\$ 62,739.00	\$ 64,308.00	\$ 66,237.00	\$ 68,224.00					
Jefferson	\$ 55,506.88	\$ 56,894.24	\$ 58,032.00	\$ 59,192.64					
Portage	\$ 56,772.25	\$ 58,361.87	\$ 59,996.00	\$ 61,675.89					
Sauk	\$ 61,099.00	\$ 62,932.00	\$ 64,190.00	\$ 65,474.00					
St Croix	\$ 61,000.00	\$ 61,000.00	\$ 61,000.00	\$ 61,000.00					
Walworth	\$ 61,005.00	\$ 62,835.00	\$ 64,720.00	\$ 66,662.00					
Wood	\$ 50,981.78	\$ 52,289.00	\$ 52,289.00	\$ 52,289.00					
Columbia	\$ 66,049.70	\$ 67,576.03	\$ 68,835.52	\$ 69,100.27					
Waupaca	\$ 60,216.00	\$ 60,968.70	\$ 61,730.81	\$ 62,650.00					
Manitowoc	\$ 56,352.00	\$ 58,043.00	\$ 59,784.00	\$ 61,578.00	proposed	\$ 62,501.67	\$ 63,439.20	\$ 64,390.78	\$ 65,678.60
Average	\$ 58,342.22	\$ 59,714.82	\$ 60,937.69	\$ 62,119.73					

	2009	2010	2011	2012	total				
Chippewa	1.76%	1.73%	0.00%	0.00%	3.49%				
Dodge	2.90%	3.00%	3.00%	3.00%	11.90%	1.25%	1.23%	1.22%	1.20% <sup>20</sup>
Eau Claire	2.50%	2.50%	2.50%	2.50%	10.00%				
Fon du Lac	5.89%	2.50%	3.00%	3.00%	14.39%				
Jefferson	2.50%	2.50%	2.00%	2.00%	9.00%				
Portage	1.97%	2.80%	2.80%	2.80%	10.37%				
Sauk	2.98%	3.00%	2.00%	2.00%	9.98%				
St Croix	15.83%	0.00%	0.00%	0.00%	15.83%				
Walworth	3.00%	3.00%	3.00%	3.00%	12.00%				
Wood	2.56%	2.56%	0.00%	0.00%	5.13%				
Columbia	8.07%	2.31%	1.86%	0.38%	12.63%				
Waupaca	1.62%	1.25%	1.25%	1.49%	5.61%				
Manitowoc	3.00%	3.00%	3.00%	3.00%	12.00%	1.50%	1.50%	1.50%	2.00%
Average	4.20%	2.32%	1.88%	1.78%					



Below demonstrates a scenario if a department head and elected official started at the exact same salary as of 12/31/08, what their salary would have been for the next four years. Please see assumptions, though, below:

	2009	2010	2011	2012*	Total
Non reps**	\$ 23,294.96	\$ 24,057.28	\$ 24,468.83	\$ 24,236.16	\$ 96,057.23
Elected	\$ 23,179.52	\$ 23,759.01	\$ 24,234.19	\$ 24,718.87	\$ 95,891.59

\*assumes 0% increase for 2012 for nonrep

\*\*does not take into consideration an employee in steps. 8 of the 18 department heads will be in steps in 2013. 80% of nonreps were in steps prior to 2013...many hit the top step in 2012. It is reasonable to assume 2 of the 3 elected officials would be at the top step, based on years in position

\*\*\*Steps average 2.5% (higher at the lower steps and lower at the higher steps)

\*\*\*\*does not include contributions to WRS. Effective August, 2011, employees (including elected officials) started contributing the employee share. The County pays 1.15% more for elected, but the elected pay 1.15% more than other nonreps. Prior to Aug 2011, the County paid 1.7% more for elected than nonrepresented

Comparable avg increases	2009	2010	2011	2012	2013	2014
Sheriff	2.55%	2.30%	2.01%	1.51%	2.62	1.54
Clerk of Courts	2.80%	2.68%	1.73%	1.13%	1.79	1.82
County Clerk	4.61%	2.31%	1.93%	1.97%		
Register of Deeds	3.51%	2.34%	1.90%	1.97%		
Treasurer	4.20%	2.32%	1.88%	1.78%		
Jeff Co. Nonreps	2.50%	3.28%	1.71%	-0.96%		
Jeff Co. Sheriff	2.50%	2.50%	2.00%	2.00%	2.00%	2.00%
Jeff Co. Clerk of Cts	4.47%	4.38%	3.00%	3.00%	2.00%	2.00%
Jeff Co. County Clerk	2.50%	2.50%	2.00%	2.00%		
Jeff Co. Reg of Deeds	2.50%	2.50%	2.00%	2.00%		
Jeff Co. Treasurer	2.50%	2.50%	2.00%	2.00%		

WISCONSIN  
COUNTIES  
ASSOCIATION

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MADISON, WI 53703  
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### MEMORANDUM

TO: County Board Chairs, Executives, Administrators, Administrative Coordinators, and Constitutional Officers

FROM: Andy Phillips, WCA Legal Counsel

DATE: February 15, 2012

SUBJECT: WRS Contributions and Other Benefits for Constitutional Officers

As many of you are aware, an Eau Claire County Circuit Court Judge recently issued a decision requiring Eau Claire County to pay the WRS contributions of its elected officials for the remainder of their terms. Eau Claire County had required its elected officials to begin paying their share of WRS contributions in accordance with Act 10. Our understanding of the decision is that the judge found that WRS contributions are considered "compensation" that cannot be increased or diminished during the official's term under Wis. Stat. sec. 59.22.

We have not issued a formal opinion on the requirements of Wis. Stat. sec. 59.22 as it applies to WRS contributions. Our reading of Act 10 is that it prohibits counties from paying the WRS contributions of elected officials beginning in (approximately) August 2011. Our reading of Wis. Stat. sec. 59.22 is that it only prevents the county board, not the legislature, from increasing or diminishing the compensation of elected officials during the official's term of office. Therefore, there is no conflict between the requirements of Act 10 and sec. 59.22 because it is the state, not the county, which is requiring elected officials to pay their WRS contribution (if, in fact, WRS contributions are considered "compensation" under sec. 59.22). Obviously, the Eau Claire County Judge had a different view of the interplay between Act 10 and sec. 59.22.

Please keep in mind that the judge's decision is only binding on Eau Claire County. Nonetheless, the Eau Claire County decision has significant implications if fringe benefits such as health insurance premiums and coverage are "frozen" for the duration of an elected official's term. For this reason, counties should carefully consider how they establish compensation for elected officials under Wis. Stat. sec. 59.22 and clarify the difference between the elected officials' compensation/salary, which cannot be increased or diminished during the official's term, and fringe benefits such as WRS contributions and health insurance. By clearly distinguishing between "total annual compensation" (i.e. salary) and fringe benefits, counties may be able to avoid a court decision similar to one in Eau Claire County.

A resolution template that counties can use to establish total annual compensation under sec. 59.22 can be accessed by clicking the link below. The resolution distinguishes between the elected official's total annual compensation and fringe benefits such as WRS contributions and health insurance. It does not guarantee that a court would find differently than the Eau Claire court, but it puts counties in a better position to argue that changes in fringe benefits do not implicate total annual compensation established pursuant to sec. 59.22.

**County Board Resolution No. \_\_\_\_\_**

**Establishing Total Annual Compensation For  
County Elected Officials Pursuant to Wis. Stat. § 59.22**

WHEREAS, 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 supervisors and circuit judges) prior to the earliest time for filing nomination papers for the county elective office; and

WHEREAS, the Board desires to establish the total annual compensation for county elected officials, which is separate and distinct from the fringe benefits offered by the County to elected officials, and which fringe benefits are subject to increase or decrease during the officer's term at the discretion of the Board and in accordance with state and federal law; and

WHEREAS, as part of the County's fringe benefit program, county elected officials may participate in the Wisconsin Retirement System in accordance with state law; and

WHEREAS, as part of the County's fringe benefit program, county elected officials may elect to receive health insurance coverage under the same terms and conditions as the health insurance coverage offered to non-represented managerial county employees who are not law enforcement managerial employees or non-represented managerial employees described in Wis. Stat. § 111.70(1)(mm)2;

NOW, THEREFORE, BE IT RESOLVED by the \_\_\_\_\_ County Board of Supervisors, that the total annual compensation for county elected officers under Wis. Stat. § 59.22(1) shall be as follows, effective on the first day of a term of office that begins after the date of this Resolution:

<u>Elected Official:</u>	<u>Total Annual Compensation:</u>
County Clerk	\$
Treasurer	\$
Register of Deeds	\$
Sheriff	\$
Clerk of Court	\$
Surveyor	\$
Coroner	\$

BE IT FURTHER RESOLVED that the aforementioned county elected officials are entitled to participate in the Wisconsin Retirement System in accordance with law and the County shall pay only its share of contributions required by law; and

BE IT FURTHER RESOLVED that the aforementioned county elected officials are entitled to participate in the County's health insurance program subject to the terms and conditions of the program, which may be modified from time to time, under the same terms and conditions as the health insurance coverage offered to non-represented managerial county employees who are not law enforcement managerial employees or non-represented managerial employees described in Wis. Stat. § 111.70(1)(mm)2.

Approved: \_\_\_\_\_, 2011.

**RESOLUTION # \_\_\_\_\_ - 12**

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TO: The Honorable Chairperson and Members of the Oconto County Board of Supervisors

RE: Establishing Total Annual Compensation for County Elected Officials Pursuant to Wis. Stat. § 59.22

WHEREAS, 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 supervisors and circuit judges) prior to the earliest time for filing nomination papers for the county elective office; and

WHEREAS, the Board desires to establish the total annual compensation for county elected officials, which is separate and distinct from the fringe benefits offered by the County to elected officials, and which fringe benefits are subject to increase or decrease during the officer's term at the discretion of the Board and in accordance with state and federal law; and

WHEREAS, as part of the County's fringe benefit program, county elected officials may participate in the Wisconsin Retirement System in accordance with state law; and

WHEREAS, as part of the County's fringe benefit program, county elected officials may elect to receive health insurance coverage under the same terms and conditions as the health insurance coverage offered to non-represented managerial county employees who are not law enforcement managerial employees or non-represented managerial employees described in Wis. Stat. § 111.70(1)(mm)2;

WHEREAS, the Personnel & Wages Committee has reviewed the current compensation of the elected officials, and are recommending a 1.0% increase for 2013, 2104, 2015 and 2016;

NOW, THEREFORE, BE IT RESOLVED by the Oconto County Board of Supervisors, that the total annual compensation for county elected officers under Wis. Stat. § 59.22(1) shall be as follows,

<b><u>OFFICIALS</u></b>	<b><u>2013</u></b>	<b><u>2014</u></b>	<b><u>2015</u></b>	<b><u>2016</u></b>
Treasurer	\$56,623	\$57,189	\$57,761	\$58,339
Register of Deeds	\$56,623	\$57,189	\$57,761	\$58,339
County Clerk	\$58,339	\$58,922	\$59,511	\$60,106

BE IT FURTHER RESOLVED that the aforementioned county elected officials are entitled to participate in the Wisconsin Retirement System in accordance with law and the County shall pay only its share of contributions required by law; and

BE IT FURTHER RESOLVED that the aforementioned county elected officials are entitled to participate in the County's health insurance program subject to the terms and conditions of the program, which may be modified from time to time, under the same terms and conditions as the health insurance coverage offered to non-represented managerial county employees who are not law enforcement managerial employees or non-represented managerial employees described in Wis. Stat. § 111.70(1)(mm)2.

1 BE IT FURTHER RESOLVED THAT the elected officials listed above shall be subject to  
2 the provision of the fringe benefit programs as set forth in the County Employee Handbook,  
3 except as otherwise required by State Law.

4  
5  
6 Submitted this 23rd day of February, 2012

7  
8 BY: PERSONNEL & WAGES COMMITTEE

9  
10 Gerald Beekman Ron Korzeniewski  
11 William Popp Elmer Ragen  
12 Marie Bartz

13  
14  
15 *Reviewed by Corporation Counsel:*

*Adopted by Vote:*

16  
17 *Ayes:\_\_\_\_\_ Nays:\_\_\_\_\_ Absent:\_\_\_\_\_*

18 \_\_\_\_\_  
19 *Initials of  
Corp. Counsel*

\_\_\_\_\_ *Date  
Reviewed*

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## II. OBJECTIVES AND SCOPE OF THE STUDY

Carlson Dettmann Associates, LLC (CDA) of Madison, Wisconsin, was retained by the County of Jefferson (County) in the summer of 2001 to conduct a comprehensive compensation plan for the non-represented employees including department heads, supervisory, professional, and some office and technical staff. The non-represented group covers 202 employees in 139 unique County job titles prior to CDA's recommendations. A substantial number of the County's employees are represented, meaning they are covered under one of seven labor agreements. These employees were outside the scope of the present study. In completing this study, a number of goals and objectives for the revised non-represented employee compensation plan were developed.

- Review and analyze relevant institutional values and visions, particularly as they relate to a compensation philosophy. Identify and articulate the desired components of a compensation philosophy. Determine current organizational needs in regard to a classification and compensation system.
- Use a highly structured and professionally administered job analysis and job evaluation process to establish an internally equitable hierarchy of position classifications.
- Conduct marketplace research to determine appropriate competitive compensation (base pay) for the different classifications.
- Allocate each position into the appropriate classification (one or more positions with highly similar duties, responsibilities and requirements), and then place each classification in the appropriate pay grade using the results of the job evaluation and market survey processes. Pay grade recommendations are based on appropriate internal equity and marketplace considerations.
- Determine appropriate number and range (minimum and maximum salaries) of pay grades as well as the appropriate overlap between successive pay grades.
- Discuss the issue of pay progression (that is, for what reasons should employees receive raises higher into their assigned pay grades) with the County and make recommendations based on the pay philosophy of the County, feasibility, and affordability.
- Establish a process for ongoing internal maintenance of the classification and compensation system using the current model of an internal job evaluation committee.
- Provide a preliminary and final report, and make a presentation to the County Board to explain our findings and recommendations.
- Administer the study process to include the following elements:
  - Meet with the Personnel Manager and the Personnel Committee during the "design" phase of the compensation plan,
  - Prepare a draft of findings and recommendations followed by a final written report,
  - Make a formal presentation to the County Board,



- Present report findings and recommendations to the County's non-represented employees, and
- Respond to all grade appeals following the plan adoption.

Given the size of the County budget and that a fairly substantial percentage of it is devoted to salaries and benefits, the development and use of an effective pay plan is an essential component of a well-functioning organization—a particular concern when accountability to taxpayers is an issue.

Ultimately, it was the desire of both the County and CDA that the compensation system resulting from this project would be:

1. Explainable to and understandable by employees and all levels of management and leadership,
2. Consistent with the principles of sound management of the *human resources asset* (the employees) within the County,
3. Flexible enough to deal with changing job responsibilities and new jobs of the future as well as other demands on positions likely to occur in the context of continually changing contextual factors (including demographics),
4. Based on the County's values of internal job worth and the most appropriate positioning of the County's pay rates in the labor market in which it competes,
5. Based on the appropriate classification and internal clustering of all current positions, and
6. Based on a fair and flexible salary/pay grade structure.

The intent of the current study was not to assess the *quality* of the performance of the employees, nor was it intended to study any *workload or staffing* issues that may be present in the County structure and operations. The study was intended to focus on developing a pay structure and salary recommendations for the County positions as they are currently structured and functioning.

Finally, the project was done in a number of phases highlighted below:

- Phase One: Position Analysis
- Phase Two: Job Evaluation
- Phase Three: Market Study
- Phase Four: Compensation Plan Design and Recommendations
- Phase Five: Report and Presentations on Findings and Recommendations
- Phase Six: Employee Appeals

With the inclusion of this report, CDA has completed all elements of Phases One through Five. The appeals process (Phase Six) will commence once the County Board adopts the recommended pay plan.

This project report describes our methods, findings, and recommendations in regard to these goals and objectives. While CDA was hired to provide our best possible recommendations based on our expertise and experience, the compensation plan was developed with considerable input from the County Administrator and Human Resources Manager department heads, and all employees who participated in the study. The outcome is a compensation plan based on the unique goals, needs, and concerns of the County.

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# PERSONNEL POLICY



**For**

**Employees**

**Of**

# Jefferson County

Revised

December

2011





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**HR0600 BENEFITS**

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**HR0100**

**INTRODUCTION.**

**SHORT TITLE.** This ordinance shall be known as the "Jefferson County Personnel Ordinance".



**HR0105**

**APPLICABILITY.** This ordinance applies to all County employees. Employees represented by labor unions shall be covered by this ordinance only to the extent that this ordinance does not conflict with the pertinent labor contract. In the event of conflict between the labor contract and this ordinance, the labor contract shall control. In the event of conflict between this ordinance and State or Federal law, State or Federal law shall control.

This ordinance does not create a contract of employment, and may be amended at any time by the County Board. Amendments shall supersede the sections modified or eliminated.

**DEFINITIONS OF TERMS.** The words and terms defined in this section shall have the following meanings in this ordinance and in any other ordinance classifying and fixing adjusting the salaries and compensation or authorizing the employment of personnel in any department or office of Jefferson County.

- A. "Allocation" means assigning a position or a class of positions to a specific pay grade.
- B. "Class" or "class of positions" means a specifically recognized and defined kind of employment in the County service designed to embrace all positions having duties and responsibilities sufficiently similar that the same title may be used, the same qualifications may be required and the same schedule of compensation may be made to apply with equity.
- C. "Classification" means the official determination of the class in which a position shall be deemed to exist and the assignment of an individual position to an appropriate class.
- D. "Classified service" means all positions in the County service except those specifically placed in the unclassified service. (Am. Ord. 85-10, 7-9-85.)
- E. "Compensation" means the salary, wage allowances and all other forms of valuable consideration earned by or paid to any employee by reason of service in any position, but does not include any allowances authorized and incurred as incident to employment, such as mileage reimbursement, registration fees, etc.
- F. "Continuous service" means employment with the County without break or interruption. In computing continuous service for the purpose of this ordinance neither vacation leave, sick leave, including absence for injury for which worker's compensation is paid; military leaves; approved leaves of absence, whether with or without pay, or regular seasonal/annual layoffs shall be construed as a break in employment or service. Unexcused absences totaling 2 consecutive work days, layoffs other than seasonal/annual and terminations or resignation of an employee shall be construed as breaking "continuous service". (Am. Ord. 85-10, 7-9-85, 12-14-04), (Am. Ord. 2007-50, 03/11/2008)
- G. "County service" or "service of the County" means all positions in all departments as herein defined that are subject to control and regulation by the board of supervisors of Jefferson County.
- H. "Employee" means a person legally occupying a position in the County service. This includes temporary, seasonal and occasional employees but not elected officials or independent contractors.
- I. "Exempt service" means all positions not subject to the Fair Labor Standards Act. Such positions may or may not be specifically designated by the Board of Supervisors to be exempt from the classification plan. (Am. Ord. 85-7, 6-11-85, 12-14-04.)
- J. "Full-time employee" means an employee in a **permanent** position whose normal assigned schedule of hours totals 1900 hours per year or more, or, on a monthly basis, totals 158.33 hours per month or more.
- K. "Independent contractor" is a person 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. Independent contractors are not employees and are not eligible for County benefits and are not subject to the classification plan.
- L. "Limited term employee" means an employee hired on a temporary or emergency basis, not to exceed one year, whose total number of hours worked per year shall not exceed 600 as calculated by WRS. Limited term employees shall not be eligible for fringe benefits. Limited term employees shall be paid at the minimum step of the salary range for the appropriate position, unless otherwise authorized by the County Administrator.
- M. "Occasional part-time employee" means an employee hired on an irregular basis whose total number of hours worked per year shall not exceed 600 calculated by WRS. Occasional part-time employees shall not be eligible for fringe benefits,

except Wisconsin Retirement System if qualified and will be paid at the minimum step of the salary range for the appropriate position and may progress through the step-system based on aggregate hours worked and acceptable performance.

- N. **“Regular Part-time employee”** means an employee in an allocated permanent position whose normal assigned schedule of hours totals less than 1900 hours per year or, on a monthly basis, less than 158.33 hours per month.
- O. **“Position”** means a group of current duties and responsibilities assigned or delegated by competent authority, requiring the full or part-time services of one person.
- P. **“Probationary Period”** means a six (6) calendar month trial period. Employees making a job change will also serve a six (6) calendar month trial period. During said period, employees shall be subject to dismissal without just cause or recourse to the grievance procedure. Employees making a job change do not typically need to serve an additional six (6) month waiting period for benefits unless the employee is changing from/to a non-benefited to benefited position. The County Administrator, Corporation Counsel, and department heads appointed by the County Administrator and confirmed by the Board shall not serve a probationary period. (Am. Ord. 2005-08, 6/21/05)
- Q. **“Project employee”** means employment which is supported by a grant and is not a permanent position. Project employees shall not be eligible for fringe benefits, except Wisconsin Retirement System if qualified. (cr. Ord. 84-16, 12-11-84.)
- R. **“Reallocation”** means reassigning a position or class of positions to a different pay grade.
- S. **“Reclassification”** means a change in classification of an individual position by raising it to a higher class, reducing it to a lower class, or moving it to another class at the same pay grade on the basis of substantial changes in the kind, difficulty or responsibility of duties performed in such position.
- T. **“Title”, “class title”, or “title of class”** means the designation given to or name applied to a class or to each position assigned to the class and to the legally appointed incumbent of each position assigned to the class. Its meaning is set forth in the corresponding class specification.
- U. **“Unclassified service”** means all positions of elected officials and those positions specifically designated by the Board of Supervisors as not subject to the classification plan. Where not contrary to law or other sections of this ordinance, positions in the unclassified service shall be subject to this ordinance. (cr. Ord. 85-7, 6-11-85.)



**DIFFERENCES FOR SWORN, NON-REPRESENTED, LAW ENFORCEMENT EMPLOYEES.**

- A. All sworn, non-represented law enforcement employees will be subject to the policies in the Personnel Ordinance, except as it relates to employee contribution to WRS, health insurance premium contributions in the State Health plan, and accruals for vacation, sick, holiday, shift differentials and hazardous pay, in which case the current LAW contract language shall apply. In addition, longevity pay and sick leave payout shall be converted into a Health Insurance benefit for retirees and shall be paid by the County to the Administrator of the Health Insurance Benefit Trust, with longevity being paid on the first business day after December 1<sup>st</sup> of each year and the sick leave payout being paid on the first pay period following the employees retirement date. Sergeants shall be granted compensatory time and receive uniform allowance as set forth in the current LAW union contract. (Am. Ord. 2006-35, 2/14/06; Am. Ord 2008-24, 11/10/2008, Am. Ord. 2008-33, 01/13/09)
- B. Notwithstanding any other provision of this ordinance, effective January 2, 2011, patrol sergeants shall be scheduled for 10.5 hour shifts in a 7 days on, 7 days off pattern. 6.5 hours of accrued vacation and holiday time will be used to supplement hours worked in a 14-day work cycle. Unless extended, this provision expires December 31, ~~2011~~ 2012. (Ord. 2010-22; 12-14-2010)

**HR0130**

**EFFECTIVE DATE.** This ordinance shall be effective upon passage and publication and shall be reviewed every January by the Human Resources Committee of the County Board. All ordinances and resolutions in conflict herewith are hereby repealed. (Am. Ord. 84-16, 12-11-81; Ord. 2004-26, 12-14-04)

History: Adopted March 9, 1982.

Amended December 11, 1984; June 11, 1985; July 9, 1985; August 13, 1985; January 14, 1986; December 21, 2004.

HR 0140

**EQUAL OPPORTUNITY.** It is the policy of the County of Jefferson to not discriminate against any employee or applicant for employment because of age, race, sex, creed (religion), color, disability or association with a person with a disability, sexual orientation, marital status or pregnancy, political belief or affiliation, military participation, use or nonuse of lawful products during nonworking hours, national origin, ancestry, arrest record or conviction record, (except as authorized by law), genetic information (including improper acquisition of genetic information), or any other characteristic as prohibited by law. The aforesaid provision shall include, but not be limited to, employment, promotion, demotion, transfer, recruitment or recruitment advertising, layoff, termination, rates of pay or other forms of compensation, and selection for training. Notices shall be posted in conspicuous places, available to employees and applicants for employment, setting forth the provisions of the nondiscrimination clause. Jefferson County shall be an "equal opportunity employer" and employees may not be harassed in the workplace based on a protected status nor retaliated against for filing a complaint, for assisting with a complaint, or for opposing discrimination in the workplace. Nothing in this section shall be construed to prevent Jefferson County from exercising its right to determine bona fide occupational qualifications. (Ordinance 2003-44, 3/9/04; Am. Ord 2010-04, 4/10/10)

HR0145

**HUMAN RESOURCES COMMITTEE AUTHORITY.** In addition to other powers granted herein to the Human Resources Committee, the Committee may:

- A. Approve Memorandum of Understandings or interpretations of labor contract or personnel ordinance provisions necessary to resolve grievances, as recommended by the County Administrator, unless the grievance is for discipline, termination or workplace safety, which will follow the Grievance Resolution Process in HR0520.
- ~~B.~~ Authorize use of accumulated time off for exempt employees before such time is otherwise available.
- ~~C.~~ B Consider and decide appeals limited to the issue of whether a Third Party Administrator of employee benefits has followed the contractual appeals process. If the procedure has been completed according to the contract, the Third Party Administrator's decision shall be affirmed. No appeal shall be considered unless the employee has first provided the Human Resources Director with the details of the claim and an opportunity to review the issue with the Third Party Administrator and County Administrator. (Am. Ord. 2007-19, 09-11-07)
- ~~D.~~ C Authorize the County Administrator or designee to temporarily suspend attendance provisions of this ordinance as necessary to operate during times of national, state or local emergencies or pandemics, subject to the requirements of union contracts, state and federal laws and regulations. This may include allowing borrowing from sick or vacation banks, allowing flexible work schedules or working from home, or allowing other temporary accommodations that may be necessary to provide flexibility to the employees in order to fulfill the needs of the public. (Am. Ord 2009-16, 10-27-2009)
- ~~E.~~ D Upon inapplicability of any part or all of a collective bargaining agreement between the County and a labor organization, authorize the County Administrator or designee to temporarily administer those provisions of the collective bargaining agreements that are deemed necessary for the orderly administration of Jefferson County services. (Am. Ord 2011-04, 04-19-2011)

HR0150

**RIGHTS OF COUNTY.**

- A. The County retains the right to manage the affairs of government, to determine the number of positions, to make assignments of jobs and to determine the work to be performed by each employee.
- B. The County retains the right to hire, promote, and transfer, layoff, and terminate employees and to make promotions to supervisory positions in the manner most advantageous to the County.
- C. The County retains the right to contract for such work as it determines.
- D. The County retains the right to schedule overtime work when necessary.
- E. Copyrights or patents developed through use of the employee's time or facilities shall be the property of the employer. (Am. Ord. 84-16, 12-11-84.)



HR0200

EMPLOYMENT.

HR0210

**AMENDMENT AND MAINTENANCE OF THE CLASSIFICATION PLAN.** The annual budget, adopted in November, shall show all positions authorized for the various departments. Whenever one or more new positions are under consideration for possible establishment or whenever, because of any revision in organization or methods, a significant change of the duties or responsibilities of any existing position is to be made which may require the reclassification of such position, or whenever a new class is created to which any position may more appropriately be assigned, or whenever, because of the abolishment or combination of any existing positions or classes, an amendment to the classification plan is required, or whenever a position is vacant for more than one year, the following procedures shall be observed:

- A. The department head or the County Administrator shall report the significant facts relating to such possible changes in the classification plan in writing to the Human Resources Committee in the manner prescribed.
- B. The Human Resources Committee, upon written request of the County Administrator, upon written request of any employee, or upon its own initiative, may initiate an inquiry into the classification of any position. Written requests for changes in the classification plan shall be submitted to the Human Resources Department by April 1 of each year, with the exception of requests initiated by the County Administrator, which may be reviewed at any time. The County may use a consultant to consider such proposed changes and shall review the classification plan and present any recommended changes to the Human Resources Committee. These recommendations will be presented to the Board of Supervisors with the proposed County budget for the succeeding year. Reclassifications, grade reassignments or job title changes shall be effective January 1 of the succeeding year, unless otherwise recommended and approved by the Board of Supervisors. Employees requesting reclassification shall be informed of the consultant's recommendation and Human Resources Committee action by the Human Resources Department. (Am. Ord. 2008-14, 07-08-08)
- C. No change in the status of a current employee, or employment of a new employee (other than on an emergency help basis) ~~on a permanent basis~~, may be effected until the classification plan change has been approved by the Board of Supervisors. No change in the pay plan shall be made until the classification plan revision requiring a pay plan change has been approved by the Board.

**APPLICATION PROCEDURE.** To insure compliance with the provisions outlined in HR0270 the following procedure shall be followed in making appointments to the classified service:

- A. Department heads wishing to fill budget-authorized positions shall request approval from the County Administrator or designee. A report of the positions approved will be provided to the Human Resources Committee. Department heads wishing to fill positions that are not authorized in the budget shall request approval from the County Administrator or designee, subject to review by the Human Resources Committee and final approval of the County Board. (Am. Ord. 2007-46, 02-18-08)
- B. If the filling of the position is approved, the Human Resources Department shall prepare and advertise the job description, salary, and required qualifications for the position. For generalized positions applications will be accepted annually, or as needed. In addition to advertising, the Human Resources Department shall post any vacancies within county service in several conspicuous places. Qualified county employees may notify the Human Resources Department of the desire to be included as an applicant for the position. The Human Resources department, in concurrence with the hiring department head, may elect to first post a position internally prior to advertising to the outside. (Am.Ord.2007-15, 07-10-07.), (Am. Ord. 2007-46, 02-18-08)
- C. 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 will interview and select an employee. The EEO officer or designee will randomly participate in interviews as needed, or as requested. Reference checking will be completed on the selected recommended candidate and reviewed by Human Resources. Approval by the County Administrator or Human Resources Manager Director is needed prior to an offer of employment or job change. unless the appointment is dictated by union contract language. (Am. Ord. 2007-15, 07-10-07)
- D. The County Administrator shall appoint the Corporation Counsel and department heads pursuant to Section 59.18(2)(b), Stats., subject to confirmation by the Board. (Am. Ord. 2005-08, 6/21/05)
- E. In cases where a fully qualified person could not be found, the County Administrator or the Human Resources Manager Director and department head shall report to the Human Resources Committee the steps taken in attempting to locate such a qualified person, together with a statement that they wish to readvertise, or, in the alternative, that selection has been made from the applicants having less than appropriate qualifications. Human Resources Committee approval is required to select a person who has less than the appropriate qualifications.
- F. However, to meet the needs of the County in emergency situations, any department head, with the approval of the County Administrator or Human Resources Manager Director, may make immediate appointment of applicants on a temporary basis and delay official submission of the application as set forth in the preceding paragraphs for a period not to exceed 10 working days from the date of appointment. 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.
- G. The procedure set forth in this section shall also apply in the case of the promotion of any County employee.

**HR0225**

**ASSIGNMENT OF POSITIONS.** Each position shall be assigned to its appropriate class on the basis of duties and responsibilities by the Board of Supervisors. The County Administrator and the Human Resources Committee shall prepare recommendations for the Board of Supervisors pertaining to the assignment of a position to a class. Thereafter the Board of Supervisors shall consider the recommendation of the County Administrator and the Human Resources Committee and shall adopt, modify or reject such recommendation.

**HR0230**

**CLASSIFICATION OF POSITIONS.**

- A. The provisions of this ordinance pertaining to classification and pay plan shall apply to all County employees except those in unclassified service and those subjects covered differently by union contracts. (Am. Ord. 84-16, 12-11-84 and Ord. 85-10, 7-9-85.)
- B. The classification of positions and position descriptions shall be on file with the Human Resources Department.
- C. The Board of Supervisors at any meeting thereof and upon recommendation of the Human Resources Committee may, by resolution adopted by a majority vote, create new classes or divide, combine or abolish existing classes.

**ESTABLISHING POSITIONS.**

- A. The Board of Supervisors shall, in the budget adopted the previous year, authorize for each department the number of full-time and part-time positions for the succeeding year.
- B. Department heads seeking position changes as part of the annual requested budget shall review those requests with the department's parent committee and give a written notification to the Human Resources Director, preferably by June 1, in order to include the position changes in the Department Head's Requested Budget. The County Administrator will review the requested budgets with the department head. The position changes approved by the County Administrator will be evaluated for classification and grade placement, and presented to the Human Resources Committee for approval of the classification and grade placement. The Finance Committee will then review the County Administrator's recommended budget, make further recommendations accordingly, and forward the annual budget to the full County Board for adoption. Departments will be notified of the final approved position changes upon the adoption of the annual budget at the November County Board meeting. (Am. Ord 2008-24, 11-10-2008)
- C. A department head seeking position changes that are not part of the annual requested budget shall present in writing the need and reasons therefore to the County Administrator. Thereafter, the County Administrator, Human Resources Director and the Human Resources Committee shall investigate the need of such department and, in the event the Human Resources Committee determines that such need exists, an appropriate recommendation shall be made to the Board of Supervisors for decision. (Am. Ord 2008-24, 11-10-2008)
- D. The County Administrator or Human Resources ~~Manager~~ Director may employ limited term employees as may be required to fill temporary vacancies caused by vacation, sickness, leave of absence or emergency, provided funds are available for such purpose in the budget. A report summarizing any emergency help approved shall be made to the Human Resources Committee.
- E. Positions that are created for a specific grant program are authorized for the duration of that grant funding. Upon elimination or reduction of grant funding, the position shall not be continued unless authorized to do so by the Human Resources Committee. (Am. Ord. 2006-35, 2/14/06)
- F. Nothing contained in this ordinance shall be construed to require the County Administrator or the Human Resources Committee to fill all positions authorized by the Board of Supervisors, nor to prohibit the County Administrator or the Human Resources Committee from filling a position for up to 12 months at a lesser number of hours than budgeted. (Am. Ord. 2009-10, 7/14/09)

HR0250

**EXEMPT SERVICE.** The following positions shall be in the exempt service:

- A. All elected officers and department heads.
- B. In addition to elected officers and department heads:
  1. Courthouse: Assistant Corporation Counsels, District Attorney Office Manager, Fair Park Supervisor, Information Technology Manager, Systems and Applications Manager, ~~County Accounting Manager~~, Advanced Fund Accountant, Park Operations Supervisor, Family Court Commissioner, Family Court Commissioner/Guardian Ad Litem, Benefits Administrator, Human Resources Specialist, Senior Systems Analyst, Management Analyst. (Am. Ord. 2006-17, 10/10/06; 2007-19, 09/11/07; 2008-07, 04/15/08) (Am. Ord. 2007-19, 09-11-07) (Am. Ord 2008-35, 02/10/09) (Am. Ord 2009-12, 08/11/09)
  2. Highway Department: Superintendents, Assistant Superintendent, Accounting Manager, Highway Operations Manager, Highway Fleet Manager (Am. Ord. 85-10, 7-9-85; Am. Ord 2008-24, 11-10-2008)
  3. Human Services: ADRC Coordinator, Advanced Accountant, Aging and Disability Resources Division Manager, Administrative Services Manager, Behavioral Health Division Manager, Child and Family Resources Division Manager, Child Protective Services Supervisor, Community Support Program Supervisor, Comprehensive Community Services Supervisor, Intake and Juvenile Delinquency Supervisor, Early Intervention Program Supervisor, Mental Health/AODA Supervisor, W-2 Economic Support Supervisor, Personal Assistance Supervisors, Economic Support Specialist Supervisor, Office Manager, Maintenance Supervisor, Wraparound and Youth Services Supervisor. (Am. Ord. 2007-19, 09-11-07; 2008-07, 04/15/08; Am. Ord 2008-24, 11-10-2008) (Am. Ord 2008-35, 02/10/09)
  4. Sheriff Department: Chief Deputy, Captains, Jail Food Service Supervisor, Emergency Management Director. (Am. Ord. 2006-17, 10-10/06) (Am. Ord 2008-35, 02/10/09)
  5. Health Department: Public Health Program Manager. (Am. Ord. 2006-17, 10-10/06) (Am. Ord 2008-35, 02/10/09) (Am. Ord 2009-12, 08/11/09) (Am. Ord 2010-25, 02/08/11)

**HR0260**

**NOTICE OF TERMINATION.**

- A. An employee voluntarily terminating employment shall give at least 2 weeks written notice to the department head and the County Administrator, stating the last date of employment. (Am. Ord. 2005-52, 3/14/06.)
- B. In accordance with HR0510 (D), an employee may be terminated at any time upon written notice from the department head or County Administrator stating the last date of employment. The County Administrator shall approve any termination. (Am. Ord. 84-16, 12/11/84; Ord. 2006-35, 2/14/06)
- C. The County Administrator or designee shall be authorized to lay off employees.
- D. Unless otherwise specified in a negotiated agreement or prohibited by law, the termination date shall be the employee's last date physically worked. (Am. Ord. 2005-30, 11/8/05)



## PART-TIME EMPLOYMENT

- A. As defined in HR0110 (S), a normal assigned schedule of hours totaling less than 1900 hours per year or, on a monthly basis, less than 158.33 hours per month shall be considered part-time employment and the actual compensation therefore shall be determined by the relation that the actual number of hours of service bears to 2080 hours. All part-time positions except limited term, seasonal and occasional employment shall be classified and paid within the pay range assigned to the classification.
- B. At the time an employee is hired, the candidate's employment record shall disclose the anticipated FTE (full-time equivalent) status of the position whether the position is full-time, more than half-time, less than half-time, or less than 600 hours annually. Benefits for each status are as follows:
- Full-time (1900 hours annually) – all benefits and accruals illustrated within the Personnel Ordinance
  - More than half-time (1040 – 1899 hours annually) - health, dental, life and other insurances on the same basis as full-time employees. Accrued fringe benefits (vacation, sick, random and holiday) on a pro rata basis. However, if the employee has never worked for a Wisconsin Public employer that participates in WRS, the employee must initially be expected to work one year and 1200 hours to receive the benefits in this category. If the employee does not meet these two criteria, benefits shall be available as described in one of the two categories below.
  - Less than half-time (600 – 1039 hours annually) – random hours in accordance with HR0360 (A)(2) and all insurance benefits on the same basis as full-time employees, except NOT eligible for dental insurance or any other accrued fringe benefits. Employees working less than 1040 hours annually may be eligible for the State Health insurance, but the level of employer premium contribution is 25% of the lowest qualified plan, and the employee is responsible for the balance of the monthly premium. (Am. Ord. 2008-30, 12-09-2008) (Am. Ord 2009-17, 10-27-2009)
  - Less than 600 hours annually- not entitled to any insurance or other fringe benefits, except that an employee may become eligible for Wisconsin Retirement, State Health insurance and State life insurance if the employee later meets the requirements for the Wisconsin Retirement System, State Health Insurance, and State Life insurance. (Am. Ord. 84-16, 12-11-84; Am. Ord. 2008-30, 12-09-2008)
- C. In the event a county employee changes from a half-time or more position to a less-than-half-time position, the employee will be treated as a terminated employee for accrued benefit purposes. Vacation and sick leave will no longer accrue. Any vacation earned prior to becoming a less-than-half-time position will be paid out at the current rate of pay. Sick leave accrued shall be placed in escrow and paid out at time of termination providing qualifying retirement conditions are met. Payment will be made using the wage rate the individual was receiving at the time prior to accepting a non-benefited position. Should the employee return to a half-time or more position from the less-than-half-time position, sick pay held in escrow will be placed in the employee's sick bank and made available for use, the employee's vacation accrual rate will be credited with the length of time the employee previous held a more-than-half-time position, and the vacation hours the employee receives in January will be prorated based on only hours worked the previous year in the more-than-half time position, exclusive of overtime. (Am. Ord. 2007-02, 04-17-07.)

HR0270

**QUALIFICATIONS OF EMPLOYEES.**

- A. Officers and employees holding positions upon the taking effect of this ordinance are deemed to be qualified for the positions to which they are assigned, subject to the right of the County Administrator or the Board of Supervisors to dismiss any employee in accordance with law.
- B. Persons hereafter employed in or appointed to any position requiring full-time or part-time service and which position is included in the classification plan and for which a class description exists establishing appropriate qualifications should possess substantially the qualifications of education and experience prescribed for that class; provided, however, that if fully qualified persons cannot be recruited, the Human Resources Committee, upon recommendation of the County Administrator or Human Resources ~~Manager~~ Director, may authorize the appointment of persons having less than the appropriate qualifications (see HR0220).
- C. In the event the County has a current classification in a lower pay grade that matches the person's qualifications, the person shall be employed in that classification, notwithstanding positions in the current budget. (Am. Ord. 2007-15, 07-10-07)

**HR0280**

**USE OF CLASS TITLES.** The title of the class to which any position is assigned shall be used in all official personnel records and in all official personnel transactions of Jefferson County. No provisions of this ordinance, however, shall be deemed to prevent the use of a working title which differs from the official class title for any position, which working title, if employed, shall be designated by the head of the department in which the position exists.

HR0300

COMPENSATION.

**HR0310**

**APPLICABLE PAY RATES FOR NEW EMPLOYEES.** Whenever it is appropriate and possible, new employees in the non-represented classifications shall be hired at the minimum step of the pay range. If, because of remarkably higher levels of education, experience, or difficult market conditions (as may be evidenced by difficulty in recruiting), the candidate will require a salary beyond the minimum, the County Administrator or Human Resources Director may authorize an advanced starting salary and additional benefits, (such as immediate health insurance or additional vacation). A report to the Human Resources Committee will be given summarizing the exceptions. Consideration must be given to the current compensation of other employees in the same classification, 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. (Res. 2001-117, 3/12/02), (Am. Ord. 2007-19, 09-11-07)

**APPLICABLE PAY RATES FOLLOWING DEMOTION OR TRANSFER.** In the case of the demotion of any employee in the County service to a class with a lower maximum salary such employee shall be assigned to a pay step in the lower range which is:

- A.** If a disciplinary demotion or transfer, any designated step in the lower salary range which is at least one step less than the dollar amount received in the pay range for the class from which demoted. 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 approval of the County Administrator ~~and approval by the Human Resources Committee~~ where the quality and manner of work performance do not justify the pay being received. Pay reductions of this nature shall not be made without notice ~~and hearing pursuant to Section HR0510.~~ A new anniversary date shall be established as of the effective date of demotion.
- B.** An employee who is demoted or transferred for involuntary reasons not related to performance will retain the present salary if the salary exceeds the new range maximum for 90 days. Thereafter, the employee will be placed in the step in the new grade 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 below the new range maximum, the employee will be placed in the new range at the step that provides the least amount of decrease, closest to, but not less than, the current salary. 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. The previous anniversary date shall be retained.
- C.** 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 above the new range maximum. If the present salary 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, closest to, but not less than, the current salary. The previous anniversary date shall be retained.
- D.** In the case of the transfer of an employee from one position to another in the same class or in a different class to which the same pay range is applicable, the employee shall remain at the same pay step, and shall retain the original anniversary date.
- E.** The employee will maintain the employee's current anniversary date for purposes of eligibility for future step increases except as follows: Where the employee was at the maximum step and is now eligible for step increases following the demotion, a new anniversary date, effective the date of the demotion, shall be established for purposes of future step increases.



**APPLICABLE PAY RATES FOLLOWING PROMOTION OR ASSIGNMENT TO AN INTERIM POSITION.**

- A. In case of the promotion of any employee in the County service to a non-supervisory position in a class with a higher maximum salary, ~~or in the case of an assignment to an interim position,~~ such employee shall ~~be entitled to~~ receive the rate of compensation in the entrance step of the class to which the employee has been promoted ~~or designated by interim assignment.~~
- B. In the case of the promotion or assignment to an interim position to a supervisory or management position, such employee shall receive the rate of compensation in the entrance step of the class 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. In no case will a reclassification pay adjustment allow an employee's pay to exceed the established range maximum for the position.
- C. In cases where the pay range overlaps, a promotion or interim assignment shall be effected at the next higher step in the range of the new class above the rate being paid in the lower class. The employee will maintain the employee's current anniversary date for purposes of eligibility for future step increases except as follows. Where the employee was at the maximum step and will be eligible for steps following the promotion, a new anniversary date shall be established for purposes of future step increases.
- D. An "interim" title is used if an employee is assigned for a longer period of time, usually exceeding 30 calendar days but less than one year. If assigned to an interim position by the County Administrator, the assignment will not require confirmation by the Board as it is a temporary placement. An "acting" title is used if the position is being temporarily filled for a short period of time, usually 30 calendar days or less, and the employee will not ~~receive be entitled to~~ additional compensation. (Am. Ord. 2005-15, 8/09/05) (Am. Ord 2008-35, 02/10/09)

**APPLICABLE PAY RATES UPON RECLASSIFICATION OF POSITION.** A position may be reclassified as the result of changes in the organizational structure of a department or slow and gradual changes in the duties and responsibilities of the position.

- A. Employees whose positions are reclassified to a non-supervisory position in a higher pay grade shall ~~be entitled to~~ receive the rate of compensation in the entrance step of the class to which the employee has been reclassified promoted. In cases where the pay range overlaps, a reclassification promotion shall be effected at the next higher step in the range of the new class above the rate being paid in the lower class.
- B. ~~In the case of the reclassification to a supervisory or management position, such employee shall receive the rate of compensation in the entrance step of the class to which the employee has been reclassified, or into the next higher step that provides a minimum of a 5% increase. In no case will a reclassification pay adjustment allow an employee's pay to exceed the established range maximum for the position. The employee will maintain the employee's current anniversary date for purposes of eligibility for future step increases except as follows. Where the employee was at the maximum step and will be eligible for steps following the reclassification, a new anniversary date shall be established for purposes of future step increases. In no case will a reclassification pay adjustment allow an employee's pay to exceed the established range maximum for the position. (Am. Ord. 2005-15, 8/09/05)~~
- C. If a position is reclassified to a class in a lower salary range, and the salary of the employee exceeds the maximum of the new range, the employee will retain the employee's present salary if the salary exceeds the new range maximum for 90 days. Thereafter, the employee will be placed in the step in the new grade that provides the least amount of decrease. 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 present salary 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, which includes a step that may be equal to the current rate of pay closest to, but not less than, the current salary. ~~The previous anniversary date shall be maintained.~~
- D. ~~The employee will maintain the employee's current anniversary date for purposes of eligibility for future step increases except as follows. Where the employee was at the maximum step and will be eligible for steps following the reclassification, a new anniversary date shall be established effective the date of the reclassification for purposes of future step increases. (Am. Ord. 2005-15, 8/09/05)~~
- E. When the reclassified position is vacant or the incumbent employee has not performed satisfactorily in the position or does not possess the required licensure, certification, or registration, the position will be filled under County selection processes.



HR0335

**APPLICABLE PAY RATES FOLLOWING SALARY RANGE INCREASES AND DECREASES.**

- A. Where a pay range for a given class is revised upward or downward, the incumbents of positions in classes affected shall have the existing pay adjusted to the same relative step in the new pay range.
- B. In the event that a pay range change becomes effective on an employee's anniversary date, the employee shall first receive any within-range adjustment to which the employee is entitled and then receive the corresponding step adjustment.
- C. In the event that a pay range change becomes effective on the date an employee is promoted or reclassified to a higher class, the employee shall first receive any effective corresponding step adjustment to which the employee is entitled in the lower class and then the next higher step promotional adjustment as provided in pay rates following a promotion or reclassification.

**APPLICATION OF PAY PLAN TO POSITIONS.** The salary schedule for the respective classes of positions with such amendments as may be adopted by the Board of Supervisors from time to time by ordinance shall have the force and effect and shall be interpreted and applied as follows:

- A. The salaries or rates of compensation prescribed are fixed on the basis of full-time service in full-time positions unless otherwise designated.
- B. The rates of pay prescribed shall be deemed to include pay in every form, except for necessary expenses authorized and incurred incident to employment, except, ~~the employees of the Sheriffs, Parks, Fairgrounds, and Highway departments shall receive such~~ allotment for uniforms and/or other clothing allowance, as well as ~~the Highway and Parks department~~ for personal use of a County vehicle, as may be prescribed by the Board of Supervisors.
- C. Normally, and as a general rule, upon progress and productivity ~~regular~~ full-time employees may be considered eligible for increase in salary according to the current step-system plan. The minimum step shall be paid upon initial employment, accept as provided in HR0310. Employees shall advance to the next step upon satisfactory completion of 12 months and 1900 hours of service, until the employee reaches the maximum step.
- D. Normally, and as a general rule, upon progress and productivity ~~regular~~ part-time employees may be considered eligible for increase in salary according to the current step-system plan. The minimum step shall be paid upon initial employment, accept as provided in HR0310. Employees shall advance to the next step upon satisfactory completion of 12 months and 2080 hours of service, until the employee reaches the maximum step.
- E. No advance in the step system and corresponding pay increases shall be automatic upon completion of the periods of service and all step increases shall be made on the basis of merit as established by the employee's work performance and after written recommendation of the department head and approval by the Human Resources ~~Manager~~ Director. Employees shall be evaluated at least annually. Employees shall sign a copy of the evaluation form. A copy of said evaluation form shall be provided to the employee. Approximately 30 days before an employee becomes eligible for a step increase, the Human Resources Department shall notify the department head. The department head shall submit an evaluation form to the Human Resources Department no later than the employee's anniversary date. Such evaluation form shall be signed by the employee, with a copy given to the employee. Step pay increases shall be earned. No pay increase shall be granted until the department head notifies the Human Resources Department that the employee has satisfactorily completed service by indicating such on the performance evaluation. ~~Appropriate reasons to deny step pay increases may be inferior work, poor work attitude, lack of initiative, and abnormal absence from work, but these reasons are not exclusive.~~ Whenever an employee requests in writing the reasons for not receiving a pay increase or contingency rate for which the employee is eligible, the Human Resources ~~Manager~~ Director shall advise the employee of the reasons.
- F. Step increases 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 job change.
- G. If an applicant does not have the required license or certification or equivalent employment experience required of the class specification, the County Administrator and Human Resources Director ~~Human Resources Committee~~ may employ such person at an appropriate step below the assigned range for the classification until such person obtains the license, certification or employment

experience required, but in no event longer than one year. A report shall be provided to the Human Resources Committee indicating the details of the exception.

- H. ~~Employees shall be evaluated at least annually. Employees shall sign a copy of the evaluation form. A copy of said evaluation form shall be supplied to the employee.~~

DRAFT

HR0345

**DEDUCTIONS FOR MAINTENANCE.**

- A. Officers or employees furnished complete or partial maintenance as a condition of employment and solely for the convenience of the County shall be designated by resolution of the Board of Supervisors and furnished such maintenance as shall be specified therein for which no deductions shall be made.
- B. Personal use of County vehicles is not permitted unless mutually beneficial, as determined by the department's committee. Each committee authorizing such use shall review the determination every January and notify the Finance Department County Clerks Office for tax purposes.
- C. Employees who are furnished a County vehicle shall report personal use of said vehicle monthly to the Finance Department County Clerk on the form prescribed therefore. ~~General rules for personal use of County vehicles shall be promulgated by the Human Resources Committee. (Res. 2002-44)~~

DRAFT

**HR0350**

**EMPLOYEE COMPENSATION PLAN.** Each employee shall be paid in accordance with the compensation plan set forth in Resolution No.1995-24, July 11, 1995, as heretofore amended and as said compensation plan shall be from time to time hereafter amended by resolution of the Board of Supervisors. (Resolution 2001-117, 3/12/2002)



**HOURS OF WORK, OVERTIME, AND COMPENSATORY TIME.****A. Exempt Employees**

1. State and federal law do not require an employer to make overtime or compensatory time available to exempt employees, as defined by law. Compensatory time for exempt employees is not intended to provide any compensation in addition to established salaries. Rather, it is a means of providing greater flexibility in scheduling work hours for exempt, salaried employees.
2. In lieu of other compensation for work in excess of 40 hours per week, Emergency Management Director, Family Court Commissioners, Assistant Corporation Counsels, Chief Deputy, and department heads shall be entitled to 40 random hours off per year. Random hours not used by the end of a calendar year shall be forfeited. Random hours shall be prorated in the first and last year of employment based on actual time worked. Random hours for part time employees for a full year shall also be prorated based on the budgeted annual salary for the full year, converted to an equivalent number of hours. (Am. Ord. 2008-24, 11-10-2008) (Am. Ord 2008-35, 02/10/09) (Am. Ord 2009-17, 10-27-2009) (Am. Ord 2011-21, 12/13/2011)
  - a. Exempt employees are expected to work whatever hours are necessary beyond the **regular** workweek to assure that a complete and adequate job is done.
  - b. Full-time persons receiving random days shall work eight (8) hours a day, Monday through Friday, primarily during regular business hours. (Am. Ord. 2007-31, 01-11-08)
  - c. Full-time employees working less than four hours a day, Monday through Friday, shall supplement worked time with paid-leave time such as sick, vacation, random, personal holiday, bringing total hours up to eight per day. Full-time employees working less than eight hours a day, but more than four hours a day, Monday through Friday, may supplement time worked with paid-leave time, or may opt to flex the necessary time during the same Monday through Friday work week at their discretion. (Am. Ord. 2007-31, 01-11-08) (Am. Ord 2009-17, 10-27-2009)
  - d. Any altered daily work schedule for department heads will be at the discretion of the County Administrator, and may be granted if the needs of the county allow for such alteration.
  - e. 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, using 'exception notices' provided by the County.
3. Other classified exempt employees are eligible to use and accumulate compensatory time in accordance with the provisions of this policy.
  - a. Exempt employees are expected to work whatever hours are necessary beyond the **regular** workweek to assure that a complete and adequate job is done.
  - b. Exempt compensatory time is accrued on an hour-for-hour basis for time worked in excess of 40 hours in a workweek.
  - c. Any altered daily work schedule from the assigned **regular** 40 hours per week will be at the discretion of the employee's department head, and may be granted if the needs of the department allow for such alteration.
  - d. There shall be no cash compensation for accrued exempt compensatory time at the time of termination. Exempt

compensatory time may not be used to extend an employee's termination date.

- e. Non-represented, exempt employees may accrue up to 120 hours of compensatory time on an hour-for-hour basis for actual hours worked over 40 hours per week. This bank may be replenished, but must be used by November 30 of each year, or is forfeited. An extension may be requested by November 15 of each year, subject to approval of the County Administrator. A request to carry over any compensatory time earned between November 15 and November 30 must be made to the Human Resources Department by December 10 subject to the County Administrator's approval. Compensatory time approved for carryover must be used by March 1 of the succeeding year. The County Administrator shall report compensatory time carryover approvals to the Human Resources Committee. (Am. Ord. 2006-35, 2/14/06; Ord. 2006-30, 3/13/06)
- f. Notwithstanding the foregoing or the amount of hour for hour compensatory time accumulated, a department head may limit use of compensatory time to a specified number of hours annually based on the needs of the department, or deny its use altogether when deemed necessary. (Am. Ord 2008-24, 11-10-2008)
- g. All time worked shall be recorded and reported to the Human Resources Department with each payroll. This includes any use of paid-time off, as well to fulfill the County's need to be accountable to the public, using 'exception notices' provided by the County.

**B. Non-exempt Employees**

**1. Hours of work.**

- a. 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. The core business hours at the Courthouse shall be 8:00 a.m. – 4:30 p.m. Monday through Friday, excluding holidays. No employee shall be guaranteed a minimum of 8 hours per day or 40 hours per week, depending on the operational or business needs of the department or County. (Am. Ord 2011-21, 12/13/2011)
- b. Except for Communication Operators and full-time Cooks, employees scheduled to work 6 hours or more are allowed a one-half hour to an hour, unpaid lunch break, whenever feasible. (Am. Ord 2011-21, 12/13/2011)
- c. 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. (Am. Ord 2011-21, 12/13/2011)
- d. Rest breaks and lunch breaks shall not be used for late arrival or early departure purposes, nor shall they be combined in order to take longer break periods.
- e. If circumstances require, a department head may modify the hours of work for an employee. If a modification greater than one hour before and/or one hour after the core hours is needed in excess of a

- week, it shall be approved by the County Administrator, not less than an annual basis. (Am. Ord 2011-21, 12/13/2011)
- f. Highway Employees: The core hours for the Highway department will be as follows: 7:00 am – 3:30 pm, Monday through Friday, with summer hours from 6:00 am to 4:30 pm, Monday through Thursday, beginning the week after Memorial Day through the week prior to Labor Day. The department head or designee may flex work hours up to one hour before and/or one hour after the core hours of work. In addition, the department head may adjust the core hours of work based on operational needs by posting the changes for employees, no less than 72 hours in advance. (Am. Ord 2011-21, 12/13/2011)
  - g. Communication Operators. In lieu of the typical 40-hour work week, Communication Operators shall work 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. This rotation shall then repeat. (Am. Ord 2011-21, 12/13/2011)
2. Classified employees who are subject to the provisions of the Fair Labor Standards Act shall receive overtime compensation at the rate of one and one-half times the employee's regular hourly rate or accrue compensatory time at the rate of one and one-half hours for all hours actually worked over forty (40) hours in a workweek in accordance with the provisions of this policy. Except as follows, no employee may receive overtime compensation or accrue compensatory time during a work week in which compensatory time off, vacation, holiday or sick leave was used, unless actual work time is greater than 40 hours in a workweek. (Am. Ord 2011-21, 12/13/2011)
- a. Maintenance Workers, including 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 (1½) times the hourly rate, unless the call in 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. (Am. Ord 2011-21, 12/13/2011)
  - b. Highway Employees. Any time worked outside of the employee's scheduled 8 hours of work (10-hours during the summer schedule), shall be paid at one and one-half (1½) times the hourly rate. (Am. Ord 2011-21, 12/13/2011)
  - c. 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. (Am. Ord 2011-21, 12/13/2011)
  - d. Communication Operators. Any time worked outside of the employee's scheduled hours of work shall be paid at one and one-half (1½) times the hourly rate of pay. In addition, Communication Operators 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. (Am. Ord 2011-21, 12/13/2011)

3. 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. 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. Overtime shall be assigned within departments reasonably equally among the employees who normally do the work during their regular work day, whenever feasible. (Am. Ord 2011-21, 12/13/2011)
4. Employees must receive permission from the employee's immediate supervisor to work unscheduled additional hours, overtime or accrue compensatory time. Advance written 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. (Am. Ord 2011-21, 12/13/2011)
5. When accrual of compensatory time is authorized, the following provisions shall apply:
  - a. Department heads shall have full responsibility and discretion for limiting the amount of compensatory time earned, providing it is equal to or less than the maximum established below. (Am. Ord 2011-21, 12/13/2011)
  - b. An employee must have the appropriate department head's prior approval to use accumulated compensatory time. The dates when compensatory time off shall be granted shall be determined by agreement between the employee and the employee's department head.
  - c. Whenever possible, compensatory time is to be taken within thirty (30) days of the date it is earned, and taken with the prior approval of the department head. The use of compensatory time must not conflict with the needs of the department. 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.
  - d. The maximum amount of compensatory time which may be accumulated is 160 hours of overtime worked or 240 hours of compensatory time. Any compensatory time not used by November 30 shall be paid on the next regular pay check in December. An employee who has accrued the maximum number of hours of compensatory time may reduce the hours below the maximum by the use of time off and resume accrual of compensatory time. (Am. Ord. 2006-30, 3/13/06). (Am. Ord 2011-21, 12/13/2011)
  - e. 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. (Am. Ord 2011-21, 12/13/2011)
- f. The department head or designee is responsible for completing permanent time records for all non-exempt staff and ensuring that appropriate records for paid time off are provided to Human Resources for both non-exempt and exempt staff.
6. **On-Call Duty:** An employee shall be on-call when given a cell phone or pager and being told they are on-call. An employee who is on-call 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. (Am. Ord 2011-21, 12/13/2011)
7. **Call-out:** Any employee called into work at a time other than his/her scheduled hours of work, except where such hours are consecutively prior to or subsequent to the employee's scheduled hours of work, shall receive a minimum of two (2) hours pay at the regular rate of pay, unless otherwise required by law or ordinance, including HR0360 B.2.a above. (Am. Ord 2011-21, 12/13/2011)
8. **Shift Differentials and Premium Pay:**
- a. 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. Dispatchers working in a Field Training Officer (FTO) capacity for four (4) hours or more will receive a thirty-five (\$.35) cents per hour shift differential for those hours. (Am. Ord 2011-21, 12/13/2011)
- b. **Public Health.** Full-time Public Health Technicians working in the jail receive seventy-five cents (\$.75) per hour in addition to their regular rate of pay. Public Health Nurses or WIC Project Director assigned to work as Clinical Instructors for nursing students shall receive a one-dollar (\$1.00) per hour premium, for all hours spent by the employee with the student nurse.(Am. Ord 2011-21, 12/13/2011)
- c. Highway Workers working in any one shift in a higher paid position for four hours or more shall receive the higher rate of pay while working in such position. Whenever employees are assigned to work as 'temporary lead', such employees shall, for the duration of the assignment, receive an additional five percent (5%) of the employee's regular rate, with the final rate not to exceed the rate in step H24D. All work assignments will be approved by a department supervisor prior to receiving the additional compensation. (Am. Ord 2011-21, 12/13/2011)
- d. Highway workers assigned to work on roads where the speed limit is 65 MPH shall receive hazardous duty pay equal to five percent (5%) of their regular rate of pay for actual hours worked. (Am. Ord 2011-21, 12/13/2011)

HR0365

**INCLEMENT WEATHER.** ~~Employees unable to attend work due to severe weather may elect to take such time without pay, or use random, vacation, or compensatory time off. 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 may be charged to unused vacation, random or accrued compensatory time or the employee may request that the time off be without pay. Wherein inclement weather or some other emergent condition requires the County Administrator or designee, in concurrence with the County Board Chair, First Chair or Seond Chair, to close a building or temporarily cease providing non-essential public service, the resulting work time lost may be covered as above 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.~~

HR0370

**JURY AND COURT DUTY**

- A. Employees required to serve on a jury shall be entitled to the employee's regular pay upon surrender of the juror's fee to the Finance Department County Clerk. No pay shall be allowed when such service falls on an employee's day off.
- B. Employees subpoenaed to appear on a matter relating to employment with Jefferson County shall be entitled to the employee's regular pay upon surrender of the witness fee to the Finance Department County Clerk. No pay shall be allowed when such day falls on an employee's day off. Employees subpoenaed on matters not related to employment with Jefferson County shall use vacation or compensatory time off at the employee's discretion, and shall keep any witness fee received.

**PAY PLAN, PAY DATES AND PAY RECORDS**

- A. Job titles and job descriptions adopted by Resolution 1995-24, July 11, 1995, and modified by Resolution 2001-117, 3/12/02, and subsequently amended, are hereby made a part of this ordinance.
- B. The most recent pay plan adopted by the Board of Supervisors is incorporated herein by reference as part of this ordinance, and shall be available in the Human Resources Department.
- C. All classifications, excluding unclassified or contract employees, shall be assigned to a salary range. ~~The Human Resources Committee shall annually determine and list those positions which are unclassified.~~ (Am. Ord. 85-19, 7-9-85.)
- D. Pay Dates. Pay periods are fourteen (14) days commencing on a Sunday and ending on a Saturday, with paydays being the second Thursday following the end of each pay period. If a payday falls on a County, State or Bank holiday, The County shall pay on the day prior to the normal payday.
- E. Pay Method. The County will pay by electronic direct deposit to the account designated by the employee, subject to such rules as established by the Finance Committee. Employees will be charged \$25.00 if the Finance Department Clerk's office must reissue a payment due to the employee's failure to notify the Finance Department County Clerk's office of changes to the account designated for deposit. Employees with a county email address will receive an email check remittance notice. Other employees may receive a check remittance notice by email, if requested, or a paper copy. (Res. 2003-125; Finance Committee 8/12/2004; Am. Ord. 2006-30, 3/13/06).
- F. 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. (Am. Ord. 2006-30, 3/13/06).

**HR0380**

**PERIODIC SALARY REVIEW.** Prior to budget preparation each year, Human Resources Department may conduct a survey of appropriate competitive employment markets and, when the results of such survey indicate, the Human Resources Committee may make specific recommendations of changes in pay rates, fringe benefits and other conditions of employment to the Board of Supervisors for action.



**TERMINAL PAY.**

- A. Employees not terminated for just cause shall receive all accrued vacation, holidays and longevity pay, on a pro-rated basis from January 1<sup>st</sup> up to and including the last day of employment. 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. Any and all amounts payable to the employee shall be paid on the regular payday covering the last day of employment. Employees may not use any accrued time or compensatory time to extend a termination date. Unless otherwise specified in a negotiated agreement or prohibited by law, the termination date shall be the employee's last date physically worked. (Am. Ord. 2005-30, 11/8/05) (Am. Ord 2011-21, 12/13/2011)
- B. In addition, employees who retire and are eligible for Wisconsin Retirement annuity or Social Security shall receive 65 percent of a maximum of 108 days of unused accumulated sick leave. Employees not eligible for Wisconsin Retirement annuity or Social Security will not receive any unused accumulated sick, regardless of the reason for separation of employment. (Am. Ord. 2006-35, 2/14/06; 2008-09, 5/13/08)
- C. An employee whose employment is terminated by death shall be paid the benefits set forth in Paragraph (a), two weeks pay, and 100 percent of a maximum of 108 days of unused accumulated sick leave. (Am. Ord. 2008-09, 5/13/08).
- D. Employees terminated for cause shall NOT receive accrued vacation, holidays, sick and longevity pay. A termination for cause is effective on the date the employee last physically worked.
- E. Employees on extended layoff shall receive all accrued vacation, holidays 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. (Am. Ord 2009-25; 2/16/2010)
- F. Upon separation from employment, an employee shall return all County property, including, but not limited to, keys, identification badge, cell phone and lap top, by the employee's last day of work. Failure to return property or settle outstanding debts, such as reimbursement for personal phone calls, will result in discontinuation of direct deposit of the employee's final paycheck. Final paychecks may be obtained in the County Clerk's office during normal business hours. (Am. Ord. 2006-06, 6/13/06).
- G. Upon termination, the County Administrator, Corporation Counsel and department heads appointed by the County Administrator shall be covered by the provisions of this section except (D). (Am. Ord. 2005-08, 6/21/05)

HR0400

POLICIES AND PROCEDURES.



HR0410

**COMPUTER, INTERNET, AND TELEPHONE USE.**

Jefferson County provides employees, board members and other authorized Users access to, and the use of, a variety of information technology resources. These resources are provided to employees in an effort to allow employees to be more efficient, productive, and to have access to information that is necessary to carry out their responsibilities on behalf of the County. Users are expected and required to use information technology resources in a manner consistent with the user's position and work responsibilities with the County, in a professional, lawful and ethical manner. Employees not assigned direct use of information technology resources are expected to review and acknowledge with signature the same policies as those who have been assigned direct use.

MIS shall establish and maintain the documentation required to satisfy industry and professional standards for electronic data security, including HIPAA requirements in covered entity departments as determined by the HIPAA Officer. This documentation shall include the: Personnel Ordinance; Computer, Internet and Telephone Use Policy; Departmental Summaries for employee and other users; Policies and Procedures outlining detailed instructions on security for specific technology; and acknowledgment forms to be signed by employees and other authorized Users.

A copy of the entire Computer, Internet and Telephone Use Policy can be accessed on the Employee website. In addition, a copy will be provided to each department head and made available to staff upon request. Employees are responsible for maintaining compliance with the most current policy. (Am. Ord. No. 2009-25; 2/16/2010)

HR0420

**COUNTY EMPLOYEE TO ELECTED OFFICIAL.** 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. County benefits such as health, dental, and life insurance shall continue as if the person was 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. Sick leave accrued shall be placed in escrow and paid out at time of termination 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. (Personnel Committee 1/31/97).

**DRUG-FREE WORKPLACE.**

- A. **NOTICE:** To all department and all individual employees of Jefferson County. Employees should be aware that drug violations in the workplace are illegal, as well as violating County policy, and may lead to criminal penalties as well as job discipline.
- B. **POLICY:** It is the policy of Jefferson County to provide a drug-free workplace for all its employees. Employees are prohibited from the unlawful manufacture, distribution, dispensing, possession or use of controlled substances in any workplace of County employment. It is the policy of Jefferson County to provide an Employee Assistance Program for employees with a dependency problem. It is also the policy of Jefferson County to discipline employees for violation of the drug-free workplace policy. Such discipline may include termination from employment.
- C. **RESPONSIBILITIES:**
  - 1. **County Administrator**
    - a. Sign drug-free workplace policy certificates for any federal grant or contract.
    - b. Notify any appropriate federal agency concerning of any employee convicted of a violation.
    - c. Take appropriate disciplinary action against convicted employees.
    - d. Supervise the Employee Assistance Program.
  - 2. **Department Head, Manager or Supervisor**
    - a. Counsel all employees under their supervision concerning this policy.
    - b. Counsel all employees under their supervision concerning the deleterious effects of the abuse of controlled substances.
  - 3. **Each Individual Employee.** Notify the employee's supervisor within five days of a conviction for illegal manufacture, distribution, dispensing or use of a controlled substance in the workplace. **This is a condition of employment with Jefferson County.**
- D. **STATUTORY AUTHORITY:** Title 41, Sections 701 to 707 of the United States Code. This is a matter of Federal Law.

**EMPLOYEE ASSISTANCE PROGRAM (EAP).**

It is the policy of Jefferson County to provide a practical, constructive mechanism for assisting employees with personal problems which may affect the work situation, or to aid those employees and family members who voluntarily wish to use the program to resolve a personal problem.

The Employee Assistance Program (EAP) is being offered to all employees, dependents, and other members of the employee's household. The philosophy and purpose of this program is as follows:

- A. Jefferson County will encourage employees and family members who are experiencing personal problems to take advantage of the assessment, counseling and referral services available on a voluntary basis through the EAP. Problems may include emotional and mental issues, family concerns, alcohol and drug problems, and questions related to financial and legal concerns. Early intervention and assistance minimizes the adverse impact on an employee's personal/family life and job performance.
- B. Jefferson County believes that an employee's job performance may also be affected when a family member is experiencing personal issues. For this reason, Jefferson County extends the same offer of referral to any member of the employee's household.
- C. Employees or family members who seek assistance voluntarily will be able to do so with complete anonymity and confidentiality within the limits of state and federal law. It is understood that federal and state laws require the disclosure of certain information when an EAP clinician or consultant has reasonable suspicion that physical or sexual abuse or neglect of a child or vulnerable adult has occurred, or when there is a threat of harm to oneself or another person by an employee or family member seeking EAP services, or when client records are subpoenaed by a court of law.
- D. Referrals for assessment, counseling and referral to outside EAP resources should be only at the employee's request and/or on the basis of job-related behavior.
- E. Implementation of this policy will not require or result in any special privileges or exemption from the job performance requirements and standards.
- F. Management and supervisory personnel will inform employees with personal problems that job security or opportunities for promotion will not be jeopardized by a request and/or referral to the EAP.
- G. An employee's acceptance, rejection, or failure to respond to treatment does not diminish the employee's responsibility to meet required job performance standards.
- H. It is not the EAP's role to provide diagnosis and/or recommendations regarding an employee's ability to perform assigned job tasks. However, the EAP will assist supervisors with referring the employee to an appropriate medical professional to diagnose and determine the employee's fitness for duty.
- I. EAP records are the property of the contracted agency NEAS, Inc. and will be confidentially preserved in the same manner as medical records. Personal information gathered after supervisory referrals will not be revealed to management or to the supervisor without consent of the employee, and will not be part of the employee's health records.
- J. All EAP services (assessment, referral, short-term counseling, if available, and follow-up) are free of charge. In some instances, referrals to service providers outside the EAP may be recommended. Any costs for services outside of the EAP are the employee's responsibility. The employee is also responsible for determining if the outside services recommended by the EAP are covered under an eligible health benefit plan. (Am. Ord. 2005-14, 8/09/05)

## HR0430 FAMILY MEDICAL LEAVE ACT AND MILITARY FAMILY LEAVE ACT

### A. General Provisions

It is the policy of Jefferson County to grant from two to twenty-six weeks of leave for reasons listed under Section C of this policy during a 12-month period to eligible employees, in accordance with the Family and Medical Leave Act of 1993 and the Military Family Leave Act. These leaves may be paid, unpaid, or a combination of paid and unpaid, depending on the circumstances and as specified in this policy. Wisconsin State FMLA, Worker's Comp and County Leaves of Absence run concurrently with the Federal Leave.

### B. Eligibility

In order to qualify for both State and Federal Leave, both of the following conditions must be met:

1. Jefferson County must have employed the employee for at least 12 months (52 consecutive weeks for State). The 12 months of employment need not have been consecutive under Federal FMLA, but must not have a break in service within the previous seven years.
2. The employee must have worked at least 1,250 hours for Federal leave and 1,000 paid hours for Wisconsin leave during the 12 month period immediately before the date when the leave would begin.

### C. Type of Leave Covered

In order to be eligible for leave under this policy, the employee must be taking the leave for one of the following reasons:

1. The birth of a child, or placement of a child with the employee for adoption
2. Placement with the employee of a son or daughter for foster care
3. The employee's own serious health condition;
4. The employee is needed to care for the employee's spouse; child; parent due to his/her serious health condition.
5. The employee needs to care for the employee's Parent-in-Law; domestic partner (as defined in §40.02 (21d) or 770.01, Wis. Stats.); or domestic partner's parent, due to his/her serious health condition (State Leave Only) (Am. Ord 2009-15, 10-27-2009)
6. A qualifying exigency arising out of the fact that the employee's spouse; son/daughter; parent is on active duty or called to active duty in a foreign country. (Exigency: Non-Medical; Non-Routine) (Am. Ord. 2009-21, 12-08-2009)
7. The employee is the spouse, son/daughter, parent or next of kin of a covered service member with a serious injury or illness, or a covered veteran receiving treatment, recuperation or therapy for a serious injury or illness. The veteran must have been other than dishonorably discharged and must have served in the military at some point within the five preceding years. (Military Caregiver Leave) (Am. Ord. 2009-21, 12-08-2009)
8. The employee is called to active duty in the Military

**A serious health condition under Federal Law** is defined as a condition that requires that an individual must be incapacitated for more than 3 full calendar days and the individual must have had at least 2 in-person visits to the health care provider within 30 days of each other. Treatment requires an in-person visit with the health care provider for examination, evaluation or specific treatment; a phone call, letter, fax, e-mail or text message is not sufficient.

For chronic conditions, including intermittent and reduced scheduled leaves, the individual must have at least two in-person visits to the health care provider for medical treatment/examination every year to qualify. Recertification will be required every 6 months for chronic conditions resulting in intermittent and reduced schedule leaves.

**A serious health condition under State Law** is defined as a disabling physical or mental illness, injury, impairment or condition involving inpatient care in a hospital, nursing home or hospice, or out-patient care that requires continuing treatment or supervision by a health care provider.

A qualified employee can take up to 26 weeks of leave under this policy for military caregiver leave during a single 12-month period. For military caregiver leave, the 12-month period begins on the first day the employee takes FMLA leave and ends 12 months after that date.

If a husband and wife both work for Jefferson County, and each wishes to take leave for the birth of a child, adoption or placement of a child for foster care, the husband and wife may take a combined total of 12 weeks of leave. Leave granted for the birth of a child, or placement of a child for adoption or foster care must be concluded within a 12-month period beginning from the date of the event for Federal Leave. State Leave requires leave to be taken within the period from 16 weeks prior to the birth/adoption to 16 weeks after the birth/adoption of the child.

For all other types of FMLA leave, Jefferson County measures the 12-month period on a calendar year basis, beginning January 1 of each year.

#### **D. Substitution of Pay**

The leave may be paid, unpaid, or a combination of paid and unpaid, depending on the circumstances and as specified in this policy, by electing to use appropriate accrued balances.

#### **E. Intermittent Leave**

Intermittent Leave will be allowed as required by law; or, if not required by law, as determined by the department head and Human Resources Department that the intermittent leave would not result in hardship for the department or Jefferson County. Benefits will accrue on a pro-rated basis, in accordance with any other unpaid leave rules.

#### **F. Employee Benefits During Leave**

An employee may continue medical and dental benefits under the same conditions and at the same cost, if any, as if the employee had continued to work. If the employee chooses not to return to work for reasons other than a continued serious health condition, Jefferson County will require the employee to reimburse the County the amount charged to the employee's department for the employee's health insurance during the leave.

Employees whose FMLA leave runs concurrently with the exhaustion of paid leave time will continue to have premiums payroll deducted, if applicable. Benefit premiums, if any, due during unpaid FMLA leave time will be billed to the employee. Employees choosing not to retain medical and or dental coverage during FMLA leave will have benefits reinstated on the same terms as prior to taking the leave without any qualifying period.

**Holiday and Vacation will accrue as if the employee was actually working for all hours under FMLA, paid and unpaid. Sick accruals, however, will be run in accordance with other unpaid leaves and will not accrue on unpaid FMLA hours.**

Employees taking unpaid FMLA will be responsible for all benefit premiums that are payroll deducted including, but not limited to, health and dental insurance premium contributions, 125B and life insurance deductions.

#### **G. Employee Status after Leave**

An employee, who is not a "key" employee, who takes a leave under this policy will be returned to the same or an equivalent position with the same benefits and terms of employment.

#### **H. Certification**

Jefferson County may ask for sufficient certification to support the employee's request for FMLA leave, sufficient documentation to establish the required relationship between the employee and their family member, proof of exigency or any other information needed to determine whether or not the employee qualifies for the leave. Failure to provide this information may result in a denial of the leave.

Certification forms and other requested documentation must be filled out completely and returned within 15 days in order to determine whether or not the employee qualifies for FMLA or MFLA. If forms are not returned within 15 days, unless it is not practicable under the particular circumstances despite diligent good faith efforts FMLA may be denied and the time off will not be designated or protected under the FMLA or MFLA.

Jefferson County has the right to ask for a second opinion (at its own expense). If it becomes necessary to resolve a conflict between the original and the second opinion, Jefferson County may require the opinion of a third doctor (again, at its own expense). This third opinion will be considered final.



The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of employees or their family members. Jefferson County will comply with this law by informing healthcare providers responding to requests for medical information to not provide genetic information. Genetic information, as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services. (Am. Ord 2010-25, 02-08-11)

#### **I. Procedure for Requesting Leave**

Except where leave is not foreseeable, all employees requesting leave under this policy should submit the request to the Human Resources Department or immediate supervisor.

When a leave under this policy is foreseeable, the employee must give the County 30 days notice. If it is not possible to give 30 days notice, the employee must give as much notice as is feasible. An employee undergoing planned medical treatment is required to make a reasonable effort to schedule the treatment to minimize disruptions to County operations. If an employee fails to provide 30 days notice for foreseeable leave with no reasonable excuse for the delay, the leave request may be denied until at least 30 days from the date the employer receives notice. While on leave, employees may be requested by the Human Resources Department to report periodically the status of the medical condition and intent to return to work.

#### **J. Return to Work**

Where an absence is caused by the employee's serious health condition, the employee is required to present a certification of fitness to return to work to the Human Resources Department. No employee may return to work without such a certification. The fitness to return to work certification must be signed by a physician or health care provider as defined by applicable law. Employees are expected to return to work when released by the employee's health care provider (or when the family member is released). Failure to return to work after the employee's release or family member's release will be considered cause for disciplinary action in accordance with Jefferson County Discipline policy and labor union contracts.

If the employee returns to work within the time frame allowed for the requested type of leave, the employee will be returned to the same or a substantially similar position, unless notified that the employee is a "key" employee. A substantially similar position is defined as a job of similar job duties, job classification, work hours, and salary as that which the employee held at the time the leave began. An employee, however, has no greater right to reinstatement or to other conditions of employment than if the employee had been continuously employed during the FMLA leave period.

If the employee is not released to return to work within the approved qualified time, the employee may request a personal leave of absence in accordance with applicable contracts and policies. While on a personal leave of absence, employees must exhaust all of their accrued time (vacation, sick, holiday, random, compensatory time) prior to taking time off without pay, or according to current-HR0450, Leave of Absence without Pay policy. Once the employee is on unpaid leave for the 30-day grace period, Jefferson County will no longer pay the employer share of benefits, and some benefits may be cancelled altogether. After the 30-day grace period the employee will be sent COBRA notification which allows them to purchase health insurance at the current active rate. It is important to remember that the 30-day grace period runs concurrently with FMLA, so employees requesting a personal leave may have benefits affected immediately upon expiration of FMLA.

#### **K. Enforcement:**

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer; 1-866-487-9243; TTY 1-877-889-5627 or [www.wagehour.dol.gov](http://www.wagehour.dol.gov) or the State of Wisconsin, Department of Workforce Development, Equal Rights Division, Civil Rights Bureau; 1-608-266-6860 (Madison); 1-414-227-74384 (Milwaukee) or [www.dwd.state.wi.us](http://www.dwd.state.wi.us). [www.dwd.wisconsin.gov](http://www.dwd.wisconsin.gov).

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

HR0440

**HIPAA/NOTICE OF PRIVACY PRACTICES.** Under the Health Insurance Portability and Accountability Act (HIPAA), and as further enhanced under the American Recovery and Reinvestment Act of 2009 (ARRA), Jefferson County will maintain the privacy of employee's protected health information. This applies to the health, dental and long term care policies, and the Employee Assistance Program (EAP), offered by Jefferson County. The County only uses and discloses health information about employees for purposes of payment functions and health care operations. If an employee wants more information about County privacy practice, contact the Human Resources Department. Or, if the employee believes Jefferson County may have violated any privacy rights, or if the employee disagrees with a decision made about any of the rights, the employee may file a complaint with Jefferson County's HIPAA (Privacy) Officer. The employee may also file a complaint with the Secretary of U.S. Department of Health and Human Services. Jefferson County supports the employees' right to have health information treated in a private fashion, and will not retaliate in any way if an employee chooses to file a complaint. (Am. Ord. 2005-30, 11/8/05; Am. Ord. 2009-25, 2/16/2010)



**IDENTIFICATION BADGE POLICY**

- A. **PURPOSE.** The purpose of this policy is to establish a system that provides constant and immediate identification of staff to customers, clients, residents, visitors and other employees. In addition, the system provides a tool for the security of County facilities.
- B. **POLICY.** It is the policy of Jefferson County to issue identification (ID) badge to each employee, volunteer, elected official of the County or State and to all temporary agency and contractor personnel. ID badges must be worn in a highly visible manner while on property owned or under the control of the County. Only the horizontal (landscape) ID badge is authorized. ID badges may not be loaned or otherwise transferred to another individual or department.

This policy applies to all employees regardless of status or classification to include students, volunteers, interns, temporary agency workers and contractor personnel. It will be effective immediately upon passage for the Sheriff's Department and Courthouse employees, and implemented in stages for the remaining employees at other locations.

Sworn Law Enforcement in "plain clothes" shall be required to wear the departmental picture identification badge in a clear plastic holder on the outside of the clothing when present within the courthouse, and will not be required to obtain the County ID badge as described herein.

C. **DEFINITIONS.**

1. **Badge Request Form.** This form is necessary to obtain a new or replacement badge. It requires name, department, and ID Number completed by the employee; verification of reason for badge and payment requirements, as well as verification of identification and badge issuance completed by the Human Resources Department.
2. **Identification Badge.** A plastic card displaying an employee's photograph, name, five-digit ID number and credentials, if applicable. A preferred first name may be used in lieu of the individual's legal first name. No fee or deposit is required for initial issue. Employees who sever their employment with the County must return their ID badge to their department head on their final day of work. The department head will return the badges to the Human Resources Department within 48 hours.
3. **Credentials.** Standard acronyms indicating licensure, registration, certification, or graduate degree required by the employee's position or pertinent to the work performed. Due to space limitations, no more than three acronyms may be listed on an ID badge.
4. **Temporary ID Badge.** A paper card indicating "VISITOR" that expires after 24 hours.
5. **Photo ID 'Office'.** Photo IDs will be taken at the Human Resources Department at the Courthouse. Badge issuing personnel can be reached by calling Extension 8634 or 674-8634.

D. **PROCEDURE.**1. **OBTAINING BADGES**

- a. **New Employees.** Each individual must present a valid picture I.D. along with the Badge Request Form for identity verification. A Photo I.D. badge will be issued at no cost to the new employee at this time. If the employee is unable to have the permanent badge processed on the first day of

employment, a temporary ID badge will be issued until the permanent badge is received.

- b. **Lost/Stolen Badge Replacement.**
  - (1) Any employee who has lost or had stolen their ID badge must go the County Human Resources Department to get a new Badge Request Form. The individual must pay the actual replacement fee, which includes the applicable sales tax, to the Human Resources Department. Checks shall be made payable to the Jefferson County Treasurer and a receipt will be issued upon request. The individual must have a valid photo ID for identity verification prior to receiving a replacement badge.
  - (2) Any employee who has proof that their badge was stolen, i.e. police report number, will have the replacement fee waived.
- c. **Damaged Badge Replacement.**
  - (1) Due to Normal wear: Any individual who brings a damaged badge to the County Human Resources Department will have the badge replaced at no charge. The individual will need to complete a Badge Request form and follow the replacement/stolen procedure.
  - (2) Due to Negligence: An employee who brings a badge damaged due to negligence will follow the Replacement/Stolen badge procedure, including the replacement fee.
- d. **Change in Name or Credentials.** An employee needing a new badge to reflect a change in name or credentials must complete a new Badge Request Form at the County Human Resources Department and follow the replacement/stolen procedure. There is no charge for this badge reissue.
- e. **Temporary Badges.** Temporary badges are authorized by the Human Resources Department or Courthouse security for short term guests, vendors or visitors, temporary employees for less than 30 days, or employees waiting for their permanent badge.

2. **BADGE DISPLAY.**

- a. Only ID badges approved for use by the County Human Resources Department may be used to comply with this policy.
- b. ID badge holders must wear the ID badge at all times while on property owned or under the control of Jefferson County.
- c. The ID badge is to be clearly visible to someone facing the wearer. The ID badge may be worn attached to a clip, in a clear plastic card holder, on a lanyard or other device leaving the card clearly visible. The ID badge must be worn horizontally so that it can be easily read.
- d. ID badges must be free of decoration. The ID badge holder may display small items such as recognition pins or professional affiliation pins; but, such items must not restrict the view of the ID badge picture, name, department or credentials, or its use as a key or time-keeping card, if applicable.

- e. The plastic ID badge holder may include other cards (e.g. emergency cards, timekeeping card). Such cards may not restrict the view of the ID badge and must not contain a magnetic strip (i.e. credit card) if the Photo ID badge also has a magnetic strip.
- f. Keys or other means of entry into County facilities or areas of security (i.e. computers, filing cabinets, etc) shall not be worn with or attached to the ID badge or lanyard.

3. **SECURITY.**

- a. Employees assigned at a County facility secured by electronic doors shall be issued a proximity ID badge. Employees may be granted access to the Courthouse from 6:30am to 6:30pm, Monday through Friday (excluding Holidays), with the exception of second shift Custodial staff, who will be granted access 2:00pm – midnight, and Department heads, departmental Elected officials, County Board Chair, MIS staff, Courthouse Maintenance staff, and State Court Reporters and District Attorney staff, who may be granted unlimited access. To otherwise obtain access to a secured building, the department head should notify the Human Resources Department in advance with the name(s) of employees authorized to work outside of normal business hours. The Human Resources Director, or designee, will then grant additional access as appropriate.
- b. Employees shall not allow unknown persons to enter the facilities with them. If unknown persons are at the door waiting for entry, employees shall advise them of the hours the County is open to the public. Electronic access control doors shall not be left propped open or unattended at any time. They shall not be tampered with in any manner to bypass security.
- c. In order to prevent unauthorized entrance to a building using an employee's ID badge, employees are responsible for reporting a lost or stolen ID badge immediately to the Human Resources Department. In addition, Department Heads are responsible for notifying Human Resources immediately of an employee's termination.

4. **MONITORING.** Failure to comply with this policy will subject the violator to disciplinary action. Any employee encountering an unknown person without proper identification in a nonpublic area should offer assistance. If the employee has any doubt as to the person's response or demeanor, Security should be notified.

This policy not only serves as assistance to the public but is also a security measure for employees and will be taken seriously. No excuses will be accepted for not wearing the proper ID badge. (Replaced Ord. No. 2011-07, June 14, 2011)

**LEAVE OF ABSENCE WITHOUT PAY.**

- A. ~~Unless otherwise required by law, and as described below, unpaid leave shall only be granted after all applicable accrued time has been used, including applicable holidays, vacation, sick, random and compensatory time.~~
- B. ~~A. — Department heads may grant leave of absence to an employee for a period not to exceed 4 calendar months. Department heads may grant voluntary Unpaid leaves may be granted~~ in increments of 4 or 8-hours (or 5 or 10-hours if working four 10-hour days) and shall be limited to five (5) days or 40 hours in a calendar year. Additional unpaid leave may be granted in smaller increments only after all applicable accrued time has been used, unless otherwise provided under State or Federal Regulations. Approval of any voluntary unpaid leave of absence shall be at the sole discretion of the department head subject to the provisions of this policy. Department heads shall ensure that an approved voluntary unpaid leave of absence will not result in overtime work for the employee upon return from leave or overtime work for remaining staff during leave. When considering departmental staffing requirements, department heads shall give preference to employee vacation requests before considering employee requests for voluntary unpaid leave of absence. If a holiday occurs during a voluntary leave without pay, the employee will receive holiday pay if eligible. Once the employee has requested the time off and it has been approved by the Department Head, the leave cannot be rescinded by the employee unless required by law. The department head may rescind the approved time off if necessitated by business need. Once the leave has been taken, there can be no rescission or retroactive substitution of accrued time. Department heads shall file the appropriate form with the Human Resources Department indicating the beginning date and ending date of such leave. ~~The Human Resources Committee may grant a leave of absence of up to 1 year to an employee. Such 1-year leave may be extended by the Human Resources Committee in its sole discretion. Only the first 30 days taken during the anniversary year of the employee shall be allowed without affecting the employee's anniversary date when used in computing the length of time between salary step increases and in computing other fringe benefits. The employee's position may or may not be protected during a leave, unless otherwise required by law. (Am. Ord. 2007-15, 07-10-07; Am. Ord 2009-08, 06-09-09; Am Ord. 2010-25, 02-08-11)~~
- C. ~~Department heads may grant leave of absence to an employee for a period not to exceed 4 calendar months, inclusive of State and Federal FMLA.~~
- D. ~~The Human Resources Committee may grant a leave of absence of up to 1 year to an employee, inclusive of any approved time authorized by the department head and State and Federal FMLA. Such 1-year leave may be extended by the Human Resources Committee in its sole discretion.~~
- E. ~~Only the first 30 calendar days, or 173.33 intermittent hours, of unpaid leave taken during the calendar anniversary year of the employee shall be allowed without affecting the employee's anniversary date when used in computing the length of time between salary step increases and in computing other fringe benefits. These 30 calendar days or 173.33 intermittent hours run concurrently with State and Federal FMLA.~~
- F. ~~The employee's position may or may not be protected during a leave, unless otherwise required by law. (Am. Ord. 2007-15, 07-10-07; Am. Ord 2009-08, 06-09-09; Am Ord. 2010-25, 02-08-11)~~
- G. ~~B. — Salaries for exempt employees electing unpaid leave, or placed on a furlough, shall be reduced in accordance with provision of 29CFR541.710, Employees of Public Agencies.~~
- H. ~~C. — In the event an employee is on leave of absence covered by State or Federal Family Medical Leave Act and was eligible for group health and/or dental insurance, or flexible spending accounts at the commencement of such leave of absence, the employee shall be entitled to continue coverage and will continue to be responsible for making the specified premium contribution, if any.~~
- I. ~~D. — In the event an employee is on leave of absence not covered by State or Federal Family Medical Leave Act and was eligible for group health insurance at the~~

commencement of such leave of absence the employee shall be entitled to ~~continuation of coverage for 36 months and~~ COBRA coverage ~~for 36 months~~ according to Federal COBRA regulations, Wisconsin Public Employer's Group Health Insurance Plan. The employee is also eligible to continue group dental insurance and flexible spending coverage under federal COBRA regulations. (Am. Ord 2008-35, 02/10/09)

- J. ~~E.~~—— An employee on any leave of absence shall be entitled to continue all other group benefits at the employee's expense during the leave of absence, as permitted per the relevant insurance policy.
- K. ~~F.~~—— An employee on leave of absence shall give the employee's department head a minimum of 1-week notice of the expected return date so necessary adjustments to the work force can be made.
- L. ~~G.~~—— Any employee who gives false information to obtain a leave shall be subject to disciplinary proceedings.

**HR0460**

**MILITARY LEAVE DONATION.** Under the Military Leave Donation program, a Leave Bank is available to provide additional paid days for employees who have exhausted all accumulated vacation, compensatory time and banked holidays and who have been called to active duty for a minimum of six months. Donation and Recipient requests can be made through the Human Resources Department.



**MILITARY LEAVE PROCEDURE****A. Requests**

1. An employee of the uniformed services, or an appropriate officer of said employee, shall provide notice to the Human Resources Department that the employee intends to leave the employment position to perform service in the uniformed services, in accordance with 20 CFR, Part 1002.85. Whenever possible, notice should be given within 30 days of the start of the anticipated leave.
2. Although notice may be given in either verbal or written format, to best coordinate the leave, it is preferred that If at all possible, the employee should present an application or letter indicating the change to active military status, including the expected length of time the employee will be gone.
- ~~2. The County Human Resources Department should be notified as soon as possible, whether it is a copy of the letter from the employee, or a letter from the supervisor confirming the above information.~~
3. Service in the uniformed services means the performance of duty on a voluntary or involuntary basis in a uniformed service under competent authority, as defined in 20 CFR Part 1002.5

**B. Seniority and Benefits**

1. Seniority will continue to accrue while on military leave. Seniority, for purposes of this section, is consistent with USERRA, meaning longevity in employment together with any benefits of employment that accrue with, or are determined by, longevity in employment.
2. Continuation of Health insurance will be offered under the group plan for 36 months in accordance with the Wisconsin Public Employer's Group Health Insurance Plan, which also covers requirements under USERRA. The employee will be required to pay the "active" employee contribution for the first 18 months. For the next 18 months the employee will be required to pay 100% of the premium, which is due by the 20<sup>th</sup> of the month *prior* to the month of coverage. If the employee does not return to work within 36 months, the employee will be offered an additional ~~18~~ 36 months of continuation of coverages as required under Federal COBRA regulations coverage as required under the Wisconsin Public Employer's Group Health Insurance Plan. The employee will be required to pay ~~100~~ 102% of the full premium for COBRA coverage. [Amended Ordinance No. 2004-35, 03/08/05; Ordinance 2008-33, 01/13/2009].
3. Continuation of Dental insurance will be offered under the group plan for 24 months in accordance with COBRA and USERRA requirements. The COBRA and USERRA coverage will run concurrently. For COBRA or USERRA coverage, the employee will be required to pay the "active" employee contribution for the first 18 months. For the next 6 months under USERRA, and thereafter, if additional COBRA coverage is offered, the employee will be required to pay 102% of the full premium. [Am. Ord. 2008-33, 01/13/2009].
4. WRS
  - a. If an employee is covered by a collective bargaining agreement under which the County will pay the total WRS employee-required contributions, the employee will receive contributions and service credit for the time he or she was on a military leave of absence.
  - b. If an employee is not covered by a collective bargaining agreement under which the County will pay the WRS employee-required contributions, when the employee returns to employment, the employee will have the choice whether to make up all, some or none of the total WRS employee-required contributions dating to



the employee's military leave of absence. The employee-required contributions are to be made beginning with the date of reemployment, and ending on the earlier of: (1) three times the period of military service, or; (2) five years.

- c. The employer is required to make employer-required contributions to match the contributions made by the employee.
- d. In order to ensure that an employee receives his or her rights under USERRA, the employee should provide Human Resources with the following information upon return from Military leave: 1) How much, if any, of the employee-contributions the employee intends to make up and 2) a copy of the employee's DD-214, or if the employee did not receive a DD-214 based on the length of service, a copy of his or her military orders.
- e. With respect to service credit, an employee will generally receive WRS service credit for up to five years of eligible military service whether the employee chooses to make up all, some or none of the employee-required make-up contributions. There are Federal and State exceptions to the years of WRS service credit.

4.5. Life insurance will continue under the group plan for a minimum of 30 days of unpaid leave. Once the insurance would normally end with the group plan, the employee may continue by paying premiums to Jefferson County until the employee returns to work. The County will continue to pay the employer's required portion of the premium for the first 18 months, after which, the employee will be required to pay the additional required contribution. [Amended Ordinance 2008-33, 01/13/2009]

5.6. Vacation accrual rate will continue as if employee was not on military leave. Beginning in 2004, employees will receive the total vacation ~~they~~ the employee would have earned as if any time on Military leave during the previous year was actual time worked. Any donated time counts toward this total time.

6.7. Sick or Holiday pay is not based on seniority and will, therefore, be handled in the same manner as any other leave of absence. Thereby, sick will not accrue while on Military leave, and Holiday pay will be distributed as if ~~they~~ the employee was were actively working. In addition, if an employee does not return to work after discharge, the employee will be responsible for returning any overpayment of holiday pay ~~they may have~~ received

8. Contingency and Longevity. Military leave will count as hours worked for longevity and contingency purposes, providing the employee is eligible for the benefit as determined in HR0620 and HR0655.

C. **Wages**

- 1. Military Leave is unpaid. An employee has the choice to use vacation, holiday, random or compensatory time, but can not be forced to do so. However, any carryovers into the next calendar year will be limited in accordance with applicable ordinances.
- 2. Employees on Military leave will continue to receive any 'across-the-board' wage adjustment approved by County Board. ~~the annual increase at the beginning of the year.~~
- 3. Employees shall receive any step increase they reasonably would have been afforded if they had been actively working. Step increases, however, are not seniority-based and will not continue while on leave.
- 4. Upon return from Military Leave, eEmployees shall be promoted to positions that they reasonably would have been promoted to if they had been actively working and based on seniority. must also be given any promotions their seniority would have brought.

D. **Return from Military Leave**

1. If employee is gone 1 – 30 days, the employee should report to work the next scheduled workday. Usually 8 hours is given to rest before returning to work.
2. If employee is gone 31 – 180 days, the employee has 14 days to reapply and return to work.
3. If employee is gone 181+ days, the employee has 90 days to reapply and return to work.
4. It is not reasonable to assume an employee will necessarily pass a probationary period, as defined in a union contract, without sufficient time to observe the employee's work. Therefore, if an employee is in a probationary period when military leave begins, called-to active duty, the remainder of the probationary time must be completed upon return.
5. An employee returning from military leave shall be reemployed in a position according to USERRA regulations. This may include being promoted, reclassified, demoted, transferred, placed on layoff or terminated if circumstances changed as to make reemployment impossible or unreasonable. Examples: a reclassification of the pre-service position that the employee held; a reduction in the workforce that would have included that employee. The employer must protect the position, status and pay of an employee for up to 5 years. If the leave is 90 days or less, the employee must be returned to the same job the employee would have had if the employee had continued work. If the leave is more than 90 days, the same job, or a different job with same pay, status and seniority must be made available.
6. If military leave lasts more than 30 days, Federal law gives employees certain job protection for 6 – 12 months after return.

HR0465

**NEPOTISM.**

- A. It has been well accepted that employment of relatives in the same area of an organization can cause serious conflicts involving favoritism and employee morale. 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 be carried into day to day working relationships.
- B. 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 be working directly for or 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.
- C. 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 separated 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 Committee will decide the employee to be transferred or separated, with final approval by the County Administrator. This policy does not affect the occasional supervisory relationship of an immediate family member that may occur due to overlapping shifts, overtime shifts, or any other sporadic or irregular situation that may occur to ensure necessary staffing coverage. (Human Resources Committee, 11/25/03) (Am. Ord 2010-25, 02-08-11).



HR0466

**NURSING MOTHERS SUPPORT POLICY.** Jefferson County recognizes a mother's responsibility to both her job and her child when she returns to work. Because of the many health benefits associated with breast feeding, more women are electing to continue breast feeding their infants upon return to work. Jefferson County supports this decision and is committed to enabling employees to maintain the breast feeding relationship.

In keeping with this philosophy and in compliance with certain provisions of Section 7 of the Fair Labor Standards Act, Jefferson County will provide space, reasonable break time and support to employees needing to express milk for breast feeding for up to one year after the child's birth and subscribes to the following policy:

- A. **Employees shall be provided a place to breastfeed or express their milk.** Arrangements will be made to provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, and is sanitary for breastfeeding employees to express their milk during work hours. This room ideally will provide an electrical outlet, comfortable chair, and nearby access to running water. Employees may, of course, use their private office area for breastfeeding or milk expression, if they prefer. Employees in need of an appropriate space should contact the Human Resources Department or their supervisor.
- B. **Employees shall be provided flexible breaks to accommodate breastfeeding or milk expression.** A breastfeeding employee shall be provided a flexible schedule for breastfeeding or pumping to provide breast milk for her child. The time would not exceed normal time allowed for lunch and breaks. For time above and beyond normal lunch and breaks, appropriate accrued time must be used, or the employee may flex their time, with supervisor approval, and can come in a little early or leave a little later to make up the time.
- C. **Employees shall be provided support.**
  - 1. **A refrigerator will be made available for safe storage of expressed breast milk, when possible.** Employees may use their own cooler packs to store expressed breast milk, or may store milk in a designated refrigerator/freezer. Employees should provide their own containers, clearly labeled with name and date. Those using the refrigerator are responsible for keeping it clean. Please contact Human Resources for the location of a refrigerator/freezer that may be available for use.
  - 2. **Employees will be notified about the County's Nursing Mothers Support/Breastfeeding policy.** The company's Nursing Mothers Support policy will be communicated to staff, including methods such as the employee website, bulletin board postings, orientation sessions, etc.
  - 3. **Breastfeeding Information.** Staff members in the County Health Department (X7186) are available to provide information and assistance regarding breast feeding questions and concerns. (Created Ord. No. 2011-07; 06/14/2011)

**HR0470**

**PERSONNEL RECORDS.** Under the authority of the County Administrator, the Human Resources Department shall maintain such employee records as are necessary to maintain a roster of employees and positions, which roster shall include the record of employment of each employee in County service, including dates of service, positions held, salaries or wages received, vacation and sick leave earned and taken, and such other information as may be deemed appropriate. An employee may, upon request, review the contents of the employee's personnel file. Unless the employer is provided with a release from the affected employee, the only information released to third parties from the employee's personnel file shall be the dates of employment, position held at time of termination and the pay rate at termination. (Am. Ord. 84-16, 12-11-84.)

**HR0475 HR0435SEXUAL HARASSMENT AND HARASSMENT POLICY, INCLUDING SEXUAL HARASSMENT.**

It is the belief of Jefferson County that all employees should be able to enjoy a work environment free from all forms of discrimination and harassing conduct, including sexual harassment. Harassment on the basis of an employee's race, color, creed, ancestry, national origin, age (40 and over), disability, sex, arrest or conviction record, marital status, sexual orientation, membership in the military reserve or use or nonuse of lawful products away from work is expressly prohibited under this policy. Therefore, the policy and procedure of Jefferson County shall be as follows:

**A.** Jefferson County will not tolerate harassment of employees, or of employees performing services for Jefferson County, by anyone, including any supervisor, co-worker, vendor, client, or customer of Jefferson County or any third party employee.

**B.** In general, harassment means persistent and unwelcome conduct or actions on any of the factors above.

**1.** Sexual harassment is one type of harassment and includes is identified as unwelcome sexual advances, requests for sexual favors, or other unwelcome verbal, visual or physical conduct of a sexual nature. Unwelcome verbal, physical or visual conduct of a sexual nature includes, but is not limited to the repeated making of unsolicited, inappropriate gestures or comments or the display of offensive sexually graphic materials, when one of the following occurs:

**2.** Harassment on any basis (race, sex, age, disability, etc.) exists whenever:

**1-a.** Submission to such conduct is made explicitly or implicitly a condition of an employee's continued employment;

**2.b.** Submission to or rejection of such conduct is the basis for employment decisions affecting the employee, such as promotions or job transfers;

**3.c.** Such conduct has the purpose or effect of unreasonably interfering with a reasonable individual's work performance or of creating an intimidating, hostile or offensive working environment.

**3.** Harassment may be subtle, manipulative and is not always evident. It does not refer to occasional compliments of a socially acceptable nature. It refers to behavior that is not welcome and is personally offensive. All forms of gender harassment are covered, including sexual harassment. Men can be harassed by either women or other men; women can be harassed by either men or other women; offenders can be managers, supervisors, co-workers, and non-employees such as clients or vendors

**4.** Some examples of verbal harassment include jokes, insults and innuendoes (based on race, sex, age, disability, etc.), degrading remarks, referring to someone as a stud, hunk or babe; whistling; cat calls; comments on a person's body or sex life. Some examples of non-verbal harassment include gestures, staring, touching, hugging, patting, blocking a person's movement, brushing against a person's body, display of sexually suggestive or degrading pictures or emails, racist or other derogatory cartoons or drawings.

**B.C.** Any employee who believes to have experienced or witnessed sexual harassment should report the alleged act immediately, preferably within 48 hours, to any one of the following individuals:

1. Human Resources **Manager Director**
2. Immediate Supervisor
3. Department Head

- C. An investigation of all complaints will be undertaken immediately. All information disclosed in the complaint and the investigation procedure will be held in the strictest confidence and only disclosed when necessary to investigate and resolve the matter. ~~Anyone who has been found by Jefferson County, after appropriate investigation, to have sexually harassed an employee will be subject to appropriate disciplinary action which may include, depending on the circumstances, a written warning, suspension or discharge.~~
- D. The County forbids retaliation against anyone for reporting harassment, assisting in making a harassment complaint, or cooperating in a harassment investigation. If an employee feels retaliated against, the employee should notify the Human Resources ~~Manager~~ Director, the department head or the supervisor, and an investigation will also be undertaken immediately.
- E. A false allegation of ~~sexual~~ harassment of any kind is a 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 ~~sexual~~ harassment, would not make the complaint a violation apart from evidence of conscious and willful intent to distort or exaggerate the allegation and damage the accused party. ~~We trust that all employees of Jefferson County will continue to act responsibly to establish a pleasant working environment free of discrimination.~~
- F. The County trusts that all employees will continue to act responsibly to establish a pleasant working environment free of discrimination and harassment. The County views harassment, retaliation and false allegations to be serious misconduct in the work place. Consequently, appropriate disciplinary or corrective action, ranging from a warning to termination, can be expected.



HR0480

**SMOKING POLICY.** "Smoking" as the term is used in this Ordinance means burning or holding, or inhaling or exhaling smoke from a lighted cigar, cigarette, pipe or any other lighted smoking item or equipment.

- A. No person may smoke indoors at any time in any county-owned, rented or leased building, including the Fair Park grandstand, park shelters or bathrooms, maintenance buildings or the Dog Park.
- ~~B.~~ No person may 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.
- ~~B.C~~ No person may smoke at any time inside of any county-owned, rented or leased vehicle.
- ~~C.D.~~ 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.E.~~ In the event of conflict between the provisions of this ordinance and Section 101.123, Stats., the more restrictive regulation shall apply.
- ~~E. 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.~~ Fair Park grandstand.
  - ~~3.2~~ Vehicles owned, rented or leased for use by the Jefferson County Sheriff's Department.
  - ~~3.~~ In the presence of a bailiff, jurors may smoke in the area immediately adjacent to courthouse entrance 13.
- F. 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. (Ord. 2003-06, 9/9/03).

**VOLUNTARY VACATION DONATION.** Under the Voluntary Vacation Donation program, a Vacation Leave Bank is available to provide additional paid days for employees who have exhausted all accumulated sick, vacation, random, compensatory time and banked holidays and who are, or who have a member of their immediate family who is, experiencing a life-threatening or catastrophic illness or injury or the employee is experiencing some other catastrophic life event. Immediate family member is defined, for this purpose, according to FMLA regulations. Donation and Recipient requests can be made through the Human Resources Department.

A. Donation Procedure:

An employee may voluntarily transfer accrued vacation time to either a pool to be used by any qualifying County employee or designated to a specific employee who has made known his or her request. Any hours donated for a specific employee, but not used, shall roll-over to the general pool. On an annual basis, the maximum amount of leave an employee may contribute is three (3) days, and donations must be in one-day increments (no partial days).

In order to establish participation in the pool the donating employee must have accrued enough leave days in order to retain a minimum balance of five (5) days for personal use. Thus the donating employee must have accrued a minimum of eight (8) days of vacation.

~~Any unused days that would be forfeited at the end of the year will not be allowed for donation. Therefore, no donations will be accepted from December 20 through the end of the calendar year. (Am. Ord. 2006-35, 2/14/06)~~

Any employee who wishes to transfer vacation days must sign a statement indicating the number of days to be transferred and if the donated hours should be added to the general pool or a specific employee. No transfer of funds will occur, but the contributing employee's leave balance will be reduced by the number of days contributed. The donation of vacation hours will be irrevocable.

Donations are not tax deductible, and donor identity will remain strictly confidential.

B. Recipient Eligibility Criteria:

To be eligible to receive leave from the pool, an employee must be experiencing a catastrophic illness or injury (either the employee or an immediate family member), or other catastrophic life event, which is expected to continue for at least two biweekly payroll periods following exhaustion of all accrued sick, vacation, random, compensatory time and banked holidays. Employees will not be eligible if receiving workers compensation or any other disability payments, such as Wisconsin Retirement.

The employee or a designee may apply for pool leave at least five (5) days before exhausting all accrued balances. A request form must be completed, and submitted to the County Human Resources Manager Director, with justification (physician's statement) for the request and the estimated number of days needed from the pool. The physician's statement must include the beginning date of the condition, a description of the illness or injury, and a prognosis for recovery. The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of employees or their family members. Jefferson County will comply with this law by informing healthcare providers responding to requests for medical information to not provide genetic information. Genetic information, as defined by GINA includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact



that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services. (Am. Ord 2010-25, 02-08-11)

The employee must have been employed at a status with benefits for a minimum of six months. An employee may apply for donated vacation leave from the pool only once per calendar year and only from either the general pool or from a created specific pool.

- the maximum number of hours an employee may receive from the general pool is 120 annually (three weeks) or one-third of the balance in the pool, whichever is less.
- Any hours not used from either the general or specific pool will be returned back to the general pool only
- In any pay period, recipients may use donated hours only up to their regular normal scheduled hours of work.

Applicants may not solicit others for donated hours and applicant requests will be strictly confidential.

Employees who use leave from the pool are not required to pay it back. Any balance of days approved but not required for the illness will remain the property of the general vacation leave pool. The estate of a deceased employee is not entitled to payment for unused pool leave and any balance will also remain the property of the vacation leave pool.

Recipient employees are deemed to be in leave without pay status for attendance and leave purposes while charging donated leave credits.

C. Administrative Issues:

Participation in the program, for donors and recipients, is entirely voluntary and will remain strictly confidential. If an employee applies for a specific pool leave, the Human Resources Director will notify all County employees via the County email system of the employee's name, the amount of hours requested and any information the employee desires to publicly share.

A life-threatening or catastrophic injury or illness is a serious debilitating illness or injury which incapacitates the employee, or a member of the employee's immediate family, and which creates a financial hardship because the employee has exhausted all eligible leave. A catastrophic life-event is an occurrence that causes detrimental life-changing consequences to the employee's emotional, physical or mental state of health. Employees who need to work a reduced schedule because of a catastrophic injury, illness or life-event will be granted donations on an individual basis, taking into consideration a number of factors such as the prognosis of the condition, the expected duration of the condition, the ability of the employee to continue to accrue sick and vacation time, the ability to maintain health insurance benefits, and any other factor that may contribute to creating an undue hardship for the employee.

No donations may be made from December 20 through the end of the current pay plan year. (Am. Ord. 2005-30, 11/8/05)

All accepted requests are contingent on the approval of the leave itself by the employee's supervisor, unless leave is otherwise mandated by state and/or federal law.

On a case-by-case basis, the County Human Resources **Manager Director** is responsible for verifying medical **and other** documentation, reviewing eligibility requirements, approving and processing donations, confirming employee acceptance of donations and transferring credits within five (5) working days after written receipt of the application. The amount, if any, of pool leave granted for each catastrophic illness or injury will be determined by the County Human Resources **Manager Director**.

An employee may appeal the County Human Resources **Manager Director**'s determination to the Human Resources Committee. The Human Resources Committee's decision is final. Application for leave is acceptance of the terms of this policy.

The Human Resources Committee is authorized to make administrative changes as necessary to successfully administer this policy. (Am. Ord. 2005-13, 8/09/05)

DRAFT

**WHISTLEBLOWER POLICY**

- A. **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.
- B. **POLICY.** 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.
- C. **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 Human Resources 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.
- D. **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.
- E. **DISCIPLINARY ACTION.** An investigation of all complaints will be undertaken immediately. All information disclosed in the complaint and the investigation procedure will be held in the 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. (Created Ord 2011-12, 09-13-11)



#16

ORDINANCE NO. 2011-\_\_\_\_\_

**Update sections of the Personnel Ordinance to clarify a progressive discipline/at-will employment standard, amend or eliminate sections in conflict with the progressive discipline/at-will employment standard, and amend sections that are contrary to current practice and/or changes in recent State and/or Federal law**

THE COUNTY BOARD OF SUPERVISORS OF JEFFERSON COUNTY DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Section HR0110, Definitions of Terms, of the Personnel Ordinance shall be amended as follows:

- HR0110**      **DEFINITIONS OF TERMS.** The words and terms defined in this section shall have the following meanings in this ordinance and in any other ordinance classifying and ~~fixing~~ adjusting the salaries and compensation or authorizing the employment of personnel in any department or office of Jefferson County.
- A. "Allocation" means assigning a position or a class of positions to a specific pay grade.
  - B. "At Will Employment". Wisconsin is considered an at-will state for purposes of employment which means that employment with the County is voluntarily entered into, and the employee is free to terminate their own employment at-will at any time, with or without cause. Similarly, the County may terminate the employment relationship at-will at any time, for any cause.
  - C. "Class" or "class of positions" means a specifically recognized and defined kind of employment in the County service designed to embrace all positions having duties and responsibilities sufficiently similar that the same title may be used, the same qualifications may be required and the same schedule of compensation may be made to apply with equity.
  - D. "Classification" means the official determination of the class in which a position shall be deemed to exist and the assignment of an individual position to an appropriate class.
  - E. "Classified service" means all positions in the County service except those specifically placed in the unclassified service. (Am. Ord. 85-10, 7-9-85.)
  - F. "Compensation" means the salary, wage allowances and all other forms of valuable consideration earned by or paid to any employee by reason of service in any position, but does not include any allowances authorized and incurred as incident to employment, such as mileage reimbursement, registration fees, etc.
  - G. "Continuous service" means employment with the County without break or interruption. In computing continuous service for the purpose of this ordinance neither vacation leave, sick leave, including absence for injury for which worker's compensation is paid; military leaves; approved leaves of absence, whether with or without pay, or regular seasonal/annual layoffs shall be construed as a break in employment or service. Unexcused absences totaling 2 consecutive work days, layoffs other than seasonal/annual and terminations or resignation of an employee shall be construed as breaking "continuous service". (Am. Ord. 85-10, 7-9-85, 12-14-04), (Am. Ord. 2007-50, 03/11/2008)
  - H. "County service" or "service of the County" means all positions in all departments as herein defined that are subject to control and regulation by the board of supervisors of Jefferson County.

- I. "Employee" means a person legally occupying a position in the County service. This includes temporary, seasonal and occasional employees but not elected officials or independent contractors.
- J. "Exempt service" means all positions not subject to the Fair Labor Standards Act. Such positions may or may not be specifically designated by the Board of Supervisors to be exempt from the classification plan. (Am. Ord. 85-7, 6-11-85, 12-14-04.)
- K. "Full-time employee" means an employee in a **permanent** position whose normal assigned schedule of hours totals 1900 hours per year or more, or, on a monthly basis, totals 158.33 hours per month or more.
- L. "Independent contractor" is a person 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. Independent contractors are not employees and are not eligible for County benefits and are not subject to the classification plan.
- M. "Limited term employee" means an employee hired on a temporary or emergency basis, not to exceed one year, whose total number of hours worked per year shall not exceed 600 as calculated by WRS. Limited term employees shall not be eligible for fringe benefits. Limited term employees shall be paid at the minimum step of the salary range for the appropriate position, unless otherwise authorized by the County Administrator.
- N. "Occasional part-time employee" means an employee hired on an irregular basis, whose total number of hours worked per year shall not exceed 600 calculated by WRS. Occasional part-time employees shall not be eligible for fringe benefits, except Wisconsin Retirement System if qualified and will be paid at the minimum step of the salary range for the appropriate position and may progress through the step-system based on aggregate hours worked and acceptable performance.
- O. "**Regular** Part-time employee" means an employee in an allocated permanent position whose normal assigned schedule of hours totals less than 1900 hours per year or, on a monthly basis, less than 158.33 hours per month.
- P. "Position" means a group of current duties and responsibilities assigned or delegated by competent authority, requiring the full or part-time services of one person.
- ~~Q. "Probationary Period" means a six (6) calendar month trial period. Employees making a job change will also serve a six (6) calendar month trial period. During said period, employees shall be subject to dismissal without just cause or recourse to the grievance procedure. Employees making a job change do not typically need to serve an additional six (6) month waiting period for benefits unless the employee is changing from/to a non-benefited to benefited position. The County Administrator, Corporation Counsel, and department heads appointed by the County Administrator and confirmed by the Board shall not serve a probationary period. (Am. Ord. 2005-08, 6/21/05)~~
- R. "Project employee" means employment which is supported by a grant and is not a permanent position. Project employees shall not be eligible for fringe benefits, except Wisconsin Retirement System if qualified. (cr. Ord. 84-16, 12-11-84.)
- S. "Reallocation" means reassigning a position or class of positions to a different pay grade.
- T. "Reclassification" means a change in classification of an individual position by raising it to a higher class, reducing it to a lower class, or moving it to another



class at the same pay grade on the basis of substantial changes in the kind, difficulty or responsibility of duties performed in such position.

- U. "Title", "class title", or "title of class" means the designation given to or name applied to a class or to each position assigned to the class and to the legally appointed incumbent of each position assigned to the class. Its meaning is set forth in the corresponding class specification.
- V. "Unclassified service" means all positions of elected officials and those positions specifically designated by the Board of Supervisors as not subject to the classification plan. Where not contrary to law or other sections of this ordinance, positions in the unclassified service shall be subject to this ordinance. (cr. Ord. 85-7, 6-11-85.)

Section 2. Section HR0120, Differences for Sworn, Non-represented, Law Enforcement Employees, of the Personnel Ordinance shall be amended as follows:

**HR0120                                      DIFFERENCES FOR SWORN, NON-REPRESENTED, LAW ENFORCEMENT EMPLOYEES.**

- A. All sworn, non-represented law enforcement employees will be subject to the policies in the Personnel Ordinance, except as it relates to employee contribution to WRS, health insurance premium contributions in the State Health plan, and accruals for vacation, sick, holiday, shift differentials and hazardous pay, in which case the current LAW contract language shall apply. In addition, longevity pay and sick leave payout shall be converted into a Health Insurance benefit for retirees and shall be paid by the County to the Administrator of the Health Insurance Benefit Trust, with longevity being paid on the first business day after December 1<sup>st</sup> of each year and the sick leave payout being paid on the first pay period following the employees retirement date. Sergeants shall be granted compensatory time and receive uniform allowance as set forth in the current LAW union contract. (Am. Ord. 2006-35, 2/14/06; Am. Ord 2008-24, 11/10/2008, Am. Ord. 2008-33, 01/13/09)
- B. Notwithstanding any other provision of this ordinance, effective January 2, 2011, patrol sergeants shall be scheduled for 10.5 hour shifts in a 7 days on, 7 days off pattern. 6.5 hours of accrued vacation and holiday time will be used to supplement hours worked in a 14-day work cycle. Unless extended, this provision expires December 31, ~~2011~~ 2012. (Ord. 2010-22; 12-14-2010)

Section 3. Section HR0145, Human Resources Committee Authority, of the Personnel Ordinance shall be amended as follows, and remaining sections renumbered B-D, accordingly.

**HR0145                                      HUMAN RESOURCES COMMITTEE AUTHORITY.** In addition to other powers granted herein to the Human Resources Committee, the Committee may:

- A. Approve Memorandum of Understandings or interpretations of labor contract or personnel ordinance provisions necessary to resolve grievances, as recommended by the County Administrator, unless the grievance is for discipline, termination or workplace safety, which will follow the Grievance Resolution Process in HR0520.
- ~~B. Authorize use of accumulated time off for exempt employees before such time is otherwise available.~~

Section 4. Section HR0220, Application Procedure, of the Personnel Ordinance shall be amended as follows:

**HR0220**

**APPLICATION PROCEDURE.** To insure compliance with the provisions outlined in HR0270 the following procedure shall be followed in making appointments to the classified service:

- A. Department heads wishing to fill budget-authorized positions shall request approval from the County Administrator or designee. A report of the positions approved will be provided to the Human Resources Committee. Department heads wishing to fill positions that are not authorized in the budget shall request approval from the County Administrator or designee, subject to review by the Human Resources Committee and final approval of the County Board. (Am. Ord. 2007-46, 02-18-08)
- B. If the filling of the position is approved, the Human Resources Department shall prepare and advertise the job description, salary, and required qualifications for the position. For generalized positions applications will be accepted annually, or as needed. In addition to advertising, the Human Resources Department shall post any vacancies within county service in several conspicuous places. Qualified county employees may notify the Human Resources Department of the desire to be included as an applicant for the position. The Human Resources department, in concurrence with the hiring department head, may elect to first post a position internally prior to advertising to the outside. (Am.Ord.2007-15, 07-10-07.), (Am. Ord. 2007-46, 02-18-08)
- C. 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 will interview and select an employee. The EEO officer or designee will randomly participate in interviews as needed, or as requested. Reference checking will be completed on the selected recommended candidate and reviewed by Human Resources. Approval by the County Administrator or Human Resources Manager Director is needed prior to an offer of employment or job change. unless the appointment is dictated by union contract language. (Am. Ord. 2007-15, 07-10-07)
- D. The County Administrator shall appoint the Corporation Counsel and department heads pursuant to Section 59.18(2)(b), Stats., subject to confirmation by the Board. (Am. Ord. 2005-08, 6/21/05)
- E. In cases where a fully qualified person could not be found, the County Administrator or the Human Resources Manager Director and department head shall report to the Human Resources Committee the steps taken in attempting to locate such a qualified person, together with a statement that they wish to readvertise, or, in the alternative, that selection has been made from the applicants having less than appropriate qualifications. Human Resources Committee approval is required to select a person who has less than the appropriate qualifications.
- F. However, to meet the needs of the County in emergency situations, any department head, with the approval of the County Administrator or Human Resources Manager Director, may make immediate appointment of applicants on a temporary basis and delay official submission of the application as set forth in the preceding paragraphs for a period not to exceed 10 working days from the



date of appointment. 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.

- G. The procedure set forth in this section shall also apply in the case of the promotion of any County employee.

Section 5. Section HR0250, Exempt Service, of the Personnel Ordinance shall be amended as follows:

**HR0250**

**EXEMPT SERVICE.** The following positions shall be in the exempt service:

- A. All elected officers and department heads.
- B. In addition to elected officers and department heads:
1. Courthouse: Assistant Corporation Counsels, District Attorney Office Manager, Fair Park Supervisor, Information Technology Manager, Systems and Applications Manager, ~~County Accounting Manager~~, Advanced Fund Accountant, Park Operations Supervisor, Family Court Commissioner, Family Court Commissioner/Guardian Ad Litem, Benefits Administrator, Human Resources Specialist, Senior Systems Analyst, Management Analyst. (Am. Ord. 2006-17, 10/10/06; 2007-19, 09/11/07; 2008-07, 04/15/08)  
(Am. Ord. 2007-19, 09-11-07) (Am. Ord 2008-35, 02/10/09) (Am. Ord 2009-12, 08/11/09)
  2. Highway Department: Superintendents, Assistant Superintendent, Accounting Manager, Highway Operations Manager, Highway Fleet Manager (Am. Ord. 85-10, 7-9-85; Am. Ord 2008-24, 11-10-2008)
  3. Human Services: ADRC Coordinator, Advanced Accountant, Aging and Disability Resources Division Manager, Administrative Services Manager, Behavioral Health Division Manager, Child and Family Resources Division Manager, Child Protective Services Supervisor, Community Support Program Supervisor, Comprehensive Community Services Supervisor, Intake and Juvenile Delinquency Supervisor, Early Intervention Program Supervisor, Mental Health/AODA Supervisor, W-2 Economic Support Supervisor, ~~Personal Assistance Supervisors~~, Economic Support Specialist Supervisor, Office Manager, Maintenance Supervisor, Wraparound and Youth Services Supervisor. (Am. Ord. 2007-19, 09-11-07; 2008-07, 04/15/08; Am. Ord 2008-24, 11-10-2008)  
(Am. Ord 2008-35, 02/10/09)
  4. Sheriff Department: Chief Deputy, Captains, Jail Food Service Supervisor, Emergency Management Director. (Am. Ord. 2006-17, 10-10/06) (Am. Ord 2008-35, 02/10/09)
  5. Health Department: Public Health Program Manager. (Am. Ord. 2006-17, 10-10/06) (Am. Ord 2008-35, 02/10/09) (Am. Ord 2009-12, 08/11/09) (Am. Ord 2010-25, 02/08/11)

Section 6. Section HR0260, Notice of Termination, of the Personnel Ordinance shall be amended as follows:

**HR0260**

**NOTICE OF TERMINATION.**

- A. An employee voluntarily terminating employment shall give ~~at least 2 weeks~~ written notice to the department head and the County Administrator, stating the last date of employment. (Am. Ord. 2005-52, 3/14/06.)
- B. In accordance with ~~HR0540, HR0510 (D)~~, an employee may be terminated at any time upon written notice ~~from the department head or County Administrator~~ stating the last date of employment. The County Administrator shall approve any termination. (Am. Ord. 84-16, 12/11/84; Ord. 2006-35, 2/14/06)
- C. The County Administrator or designee shall be authorized to lay off employees.
- D. Unless otherwise specified in a negotiated agreement or prohibited by law, the termination date shall be the employee's last date physically worked. (Am. Ord. 2005-30, 11/8/05)

Section 7. Section HR0265, Part-Time Employment, of the Personnel Ordinance shall be amended as follows:

**HR0265 PART-TIME EMPLOYMENT**

- A. As defined in HR0110 ~~(S)~~, a normal assigned schedule of hours totaling less than 1900 hours per year or, on a monthly basis, less than 158.33 hours per month shall be considered part-time employment and the actual compensation therefore shall be determined by the relation that the actual number of hours of service bears to 2080 hours. All part-time positions except limited term, seasonal and occasional employment shall be classified and paid within the pay range assigned to the classification.
- B. At the time an employee is hired, the candidate's employment record shall disclose the anticipated FTE (full-time equivalent) status of the position whether the position is full time, more than half time, less than half time, or less than 600 hours annually. Benefits for each status are as follows:
  - Full-time (1900 hours annually) – all benefits and accruals illustrated within the Personnel Ordinance
  - More than half-time (1040 – 1899 hours annually) - health, dental, life and other insurances on the same basis as full-time employees. Accrued fringe benefits (vacation, sick, random and holiday) on a pro rata basis. However, if the employee has never worked for a Wisconsin Public employer that participates in WRS, the employee must initially be expected to work one year and 1200 hours to receive the benefits in this category. If the employee does not meet these two criteria, benefits shall be available as described in one of the two categories below.
  - Less than half-time (600 – 1039 hours annually) – random hours in accordance with HR0360 (A)(2) and all insurance benefits on the same basis as full-time employees, except NOT eligible for dental insurance or any other accrued fringe benefits. Employees working less than 1040 hours annually may be eligible for the State Health insurance, but the level of employer premium contribution is 25% of the lowest qualified plan, and the employee is responsible for the balance of the monthly premium. (Am. Ord. 2008-30, 12-09-2008) (Am. Ord 2009-17, 10-27-2009)
  - Less than 600 hours annually- not entitled to any insurance or other fringe benefits, except that an employee may become eligible for Wisconsin Retirement, State Health insurance and State life insurance if the employee later meets the requirements for the Wisconsin Retirement System, State Health Insurance, and State Life insurance. (Am. Ord. 84-16, 12-11-84; Am. Ord. 2008-30, 12-09-2008)



- C. In the event a county employee changes from a half-time or more position to a less-than-half-time position, the employee will be treated as a terminated employee for accrued benefit purposes. Vacation and sick leave will no longer accrue. Any vacation earned prior to becoming a less-than-half-time position will be paid out at the current rate of pay. Sick leave accrued shall be placed in escrow and paid out at time of termination providing qualifying retirement conditions are met. Payment will be made using the wage rate the individual was receiving at the time prior to accepting a non-benefited position. Should the employee return to a half-time or more position from the less-than-half-time position, sick pay held in escrow will be placed in the employee's sick bank and made available for use, the employee's vacation accrual rate will be credited with the length of time the employee previous held a more-than-half-time position, and the vacation hours the employee receives in January will be prorated based on only hours worked the previous year in the more-than-half time position, exclusive of overtime. (Am. Ord. 2007-02, 04-17-07.)

Section 8. Section HR0390, Terminal Pay, of the Personnel Ordinance shall be amended as follows:

**HR0390**

**TERMINAL PAY.**

- A. Employees ~~not~~ terminated ~~for just-cause~~ shall receive all accrued vacation, holidays and longevity pay, on a pro-rated basis from January 1<sup>st</sup> up to and including the last day of employment. 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. Any and all amounts payable to the employee shall be paid on the regular payday covering the last day of employment. Employees may not use any accrued time or compensatory time to extend a termination date. Unless otherwise specified in a negotiated agreement or prohibited by law, the termination date shall be the employee's last date physically worked. (Am. Ord. 2005-30, 11/8/05) (Am. Ord 2011-21, 12/13/2011)
- B. In addition, employees who retire and are eligible for Wisconsin Retirement annuity or Social Security shall receive 65 percent of a maximum of 108 days of unused accumulated sick leave. Employees not eligible for Wisconsin Retirement annuity or Social Security will not receive any unused accumulated sick, regardless of the reason for separation of employment. (Am. Ord. 2006-35, 2/14/06; 2008-09, 5/13/08)
- C. An employee whose employment is terminated by death shall be paid the benefits set forth in Paragraph (a), two weeks pay, and 100 percent of a maximum of 108 days of unused accumulated sick leave. (Am. Ord. 2008-09, 5/13/08).
- D. ~~Employees terminated for cause shall NOT receive accrued vacation, holidays, sick and longevity pay. A termination for cause is effective on the date the employee last physically worked.~~
- E. Employees on extended layoff shall receive all accrued vacation, holidays 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. (Am. Ord 2009-25; 2/16/2010)
- F. Upon separation from employment, an employee shall return all County property, including, but not limited to, keys, identification badge, cell phone and lap top, by the employee's last day of work. Failure to return property or settle outstanding debts, such as reimbursement for personal phone calls, will result in discontinuation of direct deposit of the employee's final paycheck. Final

paychecks may be obtained in the County Clerk's office during normal business hours. (Am. Ord. 2006-06, 6/13/06).

- G. ~~Upon termination, the County Administrator, Corporation Counsel and department heads appointed by the County Administrator shall be covered by the provisions of this section except (D). (Am. Ord. 2005-08, 6/21/05)~~

Section 9. Section HR0510, Employee Discipline, of the Personnel Ordinance shall be eliminated.

Section 10. Section HR0540, Progressive Discipline and Employment at Will, of the Personnel Ordinance shall be created to read as follows:

**HR0540**

**PROGRESSIVE DISCIPLINE AND EMPLOYMENT AT WILL**

- A. **Purpose:** Whenever, and wherever, people work together, certain standards of reasonable conduct need to be established in order to create a harmonious and friendly environment. Jefferson County expects all employees to maintain a work environment that encourages mutual respect, promotes pleasant working relationships among employees and the public they serve, and is free from all forms of harassment and violence.

Consequently, when an issue in the workplace arises, Jefferson County's goal is to provide a structured corrective action process that is prompt, uniform and impartial, and to correct problems, prevent recurrences and prepare employees for satisfactory service in the future. Therefore, the progressive discipline policy and procedure below will generally be followed, while maintaining the County's right to skip, combine or repeat steps, depending upon the facts of each situation and the nature of the offense(s). Progressive discipline may be issued on employees even when the conduct that leads to more serious discipline is not the same that resulted in less severe discipline. That is, violations of different rules may be considered the same as repeated violations of the same rule for purposes of progressive action. Examples of violations that may not be subject to progressive discipline are set forth in Section G.

- B. **Procedure:** The County will normally adhere to the following progressive disciplinary process:

**Step 1: Counseling:** An employee will be given a verbal caution or counseling when problematic behavior or performance is observed. As the first step in the progressive discipline policy, a verbal counseling is meant to alert the employee that a problem has been identified, which must be addressed. Verbal counseling will be documented and maintained by the supervisor.

**Step 2: Verbal Warning.** A verbal warning creates an opportunity for the immediate supervisor to schedule a meeting with an employee to bring attention to the existing performance, conduct or other issue where the employee is not meeting expectations. The supervisor should discuss with the employee the nature of the problem. The supervisor is expected to clearly outline expectations and steps the employee must take to improve performance or resolve the problem.

**Step 3: Written Warning.** A written warning involves a more formal documentation of performance, conduct or other problematic issue identified. During step 3, the immediate supervisor and a division manager or director will meet with the employee and review any additional 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.

**Step 4: Suspension without Pay.** Unpaid suspensions are subject to recommendation from the Department Head and Human Resources Director, and approval of the County Administrator. Depending upon the seriousness of the infraction, the employee may be suspended without pay in full-day increments consistent with federal and state wage-and-hour employment laws. 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 reserved for serious workplace safety or conduct issues, unless specified in weekly increments. Human Resources will provide guidance so that the discipline is administered without jeopardizing the FLSA exemption status.

**Step 5: Demotion or Transfer.** Demotions and transfers are subject to recommendation from the Department Head and Human Resources Director, and approval of the County Administrator. An employee who continues to exhibit poor performance may be demoted or transferred to a vacant position for which the employee is qualified for and for which the County believes the employee will be successful in.

**Step 6: 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. Generally, Jefferson County will exercise the progressive nature of this policy by first providing warnings and/or suspension from the workplace before proceeding to a recommendation to terminate employment. However, Jefferson County reserves the right to combine and skip steps depending upon the circumstances of each situation and the nature of the offense. Furthermore, employees may be terminated without prior notice or disciplinary action. The recommendation to terminate employment requires the County Administrator's final approval.

- C. Paid Suspension or Administratively reassignment of duties.** 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 suspend the employee with pay, or reassign 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.
- D. Documentation.** Persons administering discipline shall systematically 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 any other relevant details, including a performance improvement plan if applicable. The person implementing the discipline and the employee should sign copies of all documented warnings attesting to their receipt. Original copies of all verbal and written disciplinary actions shall be maintained in the employee's permanent



personnel file in the Human Resources Department, and a copy shall be provided to the employee.

- E. **County Board.** County Board members or committees will not normally be involved in the disciplinary process, as the role of a Board member or committee is related more to policy decisions than day to day management of the affected department. However, should a Board member or committee have concerns that may lead to disciplinary action for an employee, the Board member or committee shall bring those matters to the attention of the department head, the Human Resources Director, the County Administrator, or the Human Resources Committee, in that order. Following this process should allow the appropriate party to address the issue.
- F. **Performance and Conduct Issues Subject to Progressive Discipline.** The following shall be deemed violations of the Personnel Ordinance and may be the subject of disciplinary action. Unexcused absence from work, excessive absenteeism, abuse of sick leave, reporting for work late or leaving early, failure to perform the work assignment, publicizing confidential matters, unauthorized use of County vehicles or property, making false entries on official records, tampering with records, moral turpitude, Ethics Code violations, or disobedience of County or departmental rules. This list is not all inclusive.
- G. **Performance and Conduct Issues Not Subject to Progressive Discipline.** Behavior that is illegal is not subject to progressive discipline and may be reported to local law enforcement. Theft, insubordination, intoxication at work, fighting, harassment and other acts of violence are also not subject to progressive discipline and may be grounds for immediate termination. Again, as this list is not all inclusive, the County may terminate employment for any cause under employment-at-will provisions.

Department heads may be removed at the pleasure of the County Administrator pursuant to Section 59.18(2)(b), Stats. Removal of the Corporation Counsel by the County Administrator requires the concurrence of the County Board pursuant to Section 59.42(1)(b), Stats. The County Administrator shall hold the position at the pleasure of the County Board. The action of the County Board in removing the County Administrator shall be final.

- H. **Appeal Process.** Employees may file a grievance in accordance with Personnel Ordinance HR0520 Grievance Resolution Process.

*Again, nothing in this policy provides any contractual rights regarding employee discipline or counseling nor should anything in this policy be read or construed as modifying or altering the employment-at-will relationship between Jefferson County and its employees.*

Section 11. Section HR0560, Rights of Employees, of the Personnel Ordinance shall be amended as follows.

**HR0560**

**RIGHTS OF EMPLOYEES.**

- A. ~~No employee who has completed the probationary period shall be disciplined, suspended or discharged without just cause.~~

- B.A An employee may refer any grievance involving the interpretation or application of this ordinance to the County Administrator. A grievance under this section shall not include adverse benefit determinations made by a Third Party Administrator, which are subject to the appeals process set forth in HR0145(C). (Am. Ord. 2007-19, 09-11-07) Such grievance shall be referred to the County Administrator within 10 days of the date the employee had knowledge or should have had knowledge of the situation giving rise to the grievance, or shall be deemed waived. In the event the employee is not satisfied with the County Administrator's resolution of the grievance, the employee may refer the grievance to the Human Resources Committee within 10 days of the Administrator's decision, or the Administrator's decision becomes final. At the Human Resources Committee hearing, the employee may be represented, present evidence, cross-examine anyone presenting evidence, and shall be entitled to a written decision based on the evidence adduced. Any grievance involving discipline, termination or workplace safety shall follow the procedure established in HR0520, Grievance Resolution Process. (Am. Ord. 84-16, 12-11-84; Am. Ord 2011-12, 09-13-11).
- E.B No employee who had filed a whistleblower action under any federal or state law that relates to preventing and detecting fraud, waste and abuse in Federal health care programs, shall be discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of employment. (Am. Ord. 2007-15, 07-10-07)

Section 12. This ordinance shall be effective after passage and publication as provided by law.

AYES \_\_\_\_\_

NOES \_\_\_\_\_

ABSTAIN \_\_\_\_\_

ABSENT \_\_\_\_\_

VACANT \_\_\_\_\_

Requested by  
Human Resources Committee

02-14-12

Terri Palm-Kostroski: 01-20-12; 1-27-12  
Phil Ristow: 02-09-12

**GRIEVANCE RESOLUTION PROCESS.**

- A. **POLICY.** 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. If an employee does not feel that fair treatment within the established policies, procedures, or state or federal guidelines has been applied to a discipline, termination or workplace safety, the employee has the right to discuss the matter with representatives of Jefferson County and/or to request formal consideration of their grievance under the Grievance Resolution Process. The Grievance Process will be available to all employees except civil service law enforcement personnel.

The Grievance Resolution Process is designed to assist employees in resolving grievances within specific parameters. The Grievance Resolution Process is intended to resolve grievances about application or administration of existing Jefferson County policies in light of the existing policy or past application of the policy. The Grievance Resolution Process is not intended to consider grievances regarding Jefferson County policies or as a mechanism to change an existing policy. Grievances are restricted to discipline, termination of employment or safety. The Grievance Resolution Process is not intended to hear grievances regarding application of issues related to health, disability or other insurances. ~~The Grievance Resolution Process does not in any way limit or modify Jefferson County's "employment-at-will" policy.~~ No retaliatory action will be taken against any employee for proper and good faith use of the Grievance Resolution Process or participation in processing of a grievance.

B. **PROCEDURAL ISSUES.**

1. **Administration.** The Director of Human Resources will supervise and administer the grievance process and is further charged with being an advocate and counsel to assist employees in this process. Supervisors and Department Heads should keep the Director of Human Resources informed of all grievances in progress.
2. **Employee Representation.** Employees may be accompanied by a representative of their choice at any level of the grievance procedure after the appeal to the department head provided the employee notifies the County at least 24 hours ahead of the meeting that the representative will attend and who the representative will be. The representative is allowed to help the employee present their grievance but no step in the procedure is intended to be a legal proceeding. 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.
3. **Timelines.** Failure to process a grievance by the grievant within the time limit, or agreed upon extensions, shall constitute waiver of the grievance which will be considered resolved on the basis of the County's last answer. Failure of a management representative to meet the time limits shall cause the grievance to move automatically to the next step in the procedure. To encourage that grievances are addressed in a prompt manner the time limits set by this policy are intended to be strictly observed and may not be extended except in extreme circumstances and then only upon the express written consent of the parties.
4. **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 administration and employees are encouraged to do so. Matters not subject to the grievance procedure that are raised by employees shall be considered by administration which has final authority, subject to any applicable Board policy or directive, to resolve the matter.

C. **DEFINITIONS.**

1. **Days:** Regular business days, Monday through Friday, other than weekends and holidays regardless of whether the employee or his or her classification is



scheduled to work. The time within which an act is to be done under this policy shall be computed by excluding the first day and including the last day.

2. **Grievance:** Any written statement that an employee submits regarding established policies, practices or decisions about the employee's wages, hours of work, status, or other terms and conditions of employment will be considered a formal grievance. Only grievances regarding discipline, termination and workplace safety will follow this Grievance Resolution Procedure. All other grievances may be addressed under HR0560.
3. **Discipline:** Any action that results in documentation to the employee's record, including verbal or written warning, suspension with or without pay, involuntary demotion, or involuntary termination of employment.
4. **Employee:** Any full or part-time employee of Jefferson County, including temporary, seasonal and occasional employees. This does not include elected officials or independent contractors.
5. **Safety:** Those conditions related to physical health and safety of employees enforceable under federal or state law, or County rule related to: safety of the physical work environment, the safe operation of workplace equipment and tools, provision of protective equipment, training and warning requirements, workplace violence and accident risk.
6. **Termination:** Any involuntary separation from Jefferson County employment. This would not include retirements, voluntary resignations, lay offs, separation from service due to business closures, separation by mutual agreement, or termination for similar reasons.

**D. STEPS TO RESOLVE THE GRIEVANCE:**

**STEP 1: Discussion with Supervisor:** Any employee having a grievance regarding application of a department or county policy should first discuss the problem with their immediate supervisor. If the problem is not settled to the employee's satisfaction, the employee may present their grievance according to the procedures below. If any employee is uncomfortable addressing the grievance directly with the supervisor, the employee may request assistance from the Human Resources Director or County Administrator.

**STEP 2: Appeal to Department Head:** The employee should submit the written grievance to the Department Head within ten (10) days of the date of the incident or decision that caused the grievance. The Department Head shall give a written answer within ten (10) days of receipt of the grievance, with a copy to the Human Resources Director.

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 section of the Policy Manual or workplace safety rule alleged to have been violated; and the signature of the grievant and the date. The grievance may be denied if any of this information is omitted. (See attached Grievance Procedure Form).

**STEP 3: Appeal to County Administrator:** If the employee is not satisfied with the Department Head's response, the grievance may be presented to the County Administrator. The grievance should be submitted within five (5) days from the date of delivery of the Department Head's answer. After receipt of the written grievance by the County Administrator, a meeting should be held to discuss the complaint at a mutually agreeable time between the County Administrator and the employee, preferably within ten (10) days of receipt of the written grievance. Within ten (10) days after the meeting, the County Administrator shall respond to the grievance in writing, with a copy to the Human Resources Director.

The County Administrator shall also determine if the grievance is timely, if the subject matter of the grievance is within the scope of this policy and otherwise properly processed as required by this policy. If the County Administrator is

aware of other similar pending grievances, the County Administrator may consolidate those matters and process them as one grievance.

The decision at the third step may be appealed by a written statement of the grievant forwarded to the Human Resources Director describing the reason for appeal. This written statement shall be submitted within five (5) days from the date of delivery of the County Administrator's answer.

If the decision at Step 3 is based in whole or in part on the basis of timeliness, scope of the grievance process or other failure of the grievant to properly follow the process the matter shall be referred to the Human Resources Committee who shall determine whether the matter should be processed further. If the Third Step decision is on the merits of the grievance only the grievance will be referred to an Impartial Hearing Officer (IHO).

**STEP 4: Request for Hearing by an Impartial Hearing Officer:** The IHO will be designated by the County Administrator. Any costs incurred for or by the (IHO) will be paid by the County. The IHO will convene a hearing in the manner the IHO determines necessary. The IHO shall have the authority to administer oaths, issue subpoenas at the request of the parties, and decide if a transcript is necessary. The IHO may require the parties to submit grievance documents and witness lists in advance of the hearing to expedite the hearing. The burden of proof shall be "a preponderance of the evidence". In termination and discipline cases, the County shall have the burden. In workplace safety cases, the employee shall have the burden. The IHO may apply relaxed standards for the admission of evidence, including allowing the admission of hearsay. The IHO may request oral or written arguments and replies. The IHO shall provide the parties a written decision.

The IHO may only consider the matter presented in the initial grievance filed by the employee. The IHO shall have no power to add to, subtract from or modify the terms of the Board policy or rule that forms the basis for the grievance.

**STEP 5: County Board Review:** Either party may appeal an adverse determination at step four to the County Board, by filing written notice appealing the decision of the IHO in the County Administrator's Office within ten (10) days of the decision of the IHO. The County Board shall within thirty (30) 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 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. A simple majority vote of the Board membership shall decide the appeal within twenty (20) days following the last session scheduled for review. The Board will issue a final written decision which shall be binding on all parties. (Created Ord 2011-12, 09-13-11)

**Jefferson County Grievance Procedure Form**

This form is intended to assist employees in filing a formal grievance in accordance with the Jefferson County Grievance Resolution Process. For specific information regarding the process, how to file a grievance, grievance or appeal deadlines or other information related to the process or how to file, please consult the Grievance Resolution Process in the Personnel Ordinance or the Human Resources Department.

**Instructions:**

This form is beneficial in filing a grievance but not required. After step one (discussion with your supervisor) a written grievance is required. At a minimum the written grievance must include the following:

Employee (Grievant) Name: \_\_\_\_\_

Employee (Grievant) Position/Job Title: \_\_\_\_\_

Date of Incident or alleged violation: \_\_\_\_\_

Please state the specific section of the Personnel Ordinance, Personnel policy or workplace safety rule alleged to have been violated: \_\_\_\_\_

Please provide a clear and concise statement of the grievance, including action taken against the employee: \_\_\_\_\_

Please describe the issue involved (summary of relevant facts, witnesses, identification of supporting evidence, etc.): \_\_\_\_\_

What efforts have been made to informally resolve the grievance? \_\_\_\_\_

What relief/remedy is sought? \_\_\_\_\_

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

Received by: \_\_\_\_\_  
Human Resources Representative

\_\_\_\_\_  
Date



**Report to Human Resources Committee  
February 21, 2012**

Positions authorized to fill. The County Administrator and Human Resources Director have reviewed and the following vacant position requests during the fourth quarter of 2012:

**Clerk of Courts.**

- Full-time Deputy Court Clerk II – General (two positions)
- Part-time Deputy Court Clerk II – General (Due to position changes in budget)

**Fair Park.**

- Full-time Marketing Assistant (approved in budget)

**Health Department.**

- Full-time L.P.N. (approved in budget for Rock River Free Clinic)

**Highway Department**

- Full-time Highway Workers (three, upon the elimination of one full-time vacant Custodian)

**Human Services.**

- Part-time Group Home Worker
- Full-time Medical Records/File Clerk (combined two part-time positions upon vacancy of Medical Records Clerk)
- Full-time Intake/Oncall Worker (two positions, with one in the 2012 budget)
- Full-time Behavioral Health Specialist
- Full-time ADRC Social Worker
- Full-time ADRC Paraprofessional (new in 2012 budget)
- Full-time Comprehensive Community Support Facilitator (two positions)
- Full-time Advanced Accountant (new in 2012 budget)
- Part-time Community Outreach Worker
- Full-time Community Support Professional II

**Register of Deeds.**

- Part-time Data Entry Clerk

**Sheriff Department.**

- Full-time Sergeant Detective

Emergency Help Requests. The following were emergency help requests approved in the fourth quarter of 2012:

**Veterans Service Office** received emergency help to assist with clerical functions. Position approved in 2012 budget.

Vacation, Compensatory and Holiday carry-over requests. Employee's requests for vacation, holiday and compensatory carry-over have been tabulated for 2011. There was a total of 9042.2 hours of vacation carried over into 2008, or enough hours for about 4.5FTE. Of this total, 687 hours were in excess of 40 hours allowed by an employee, almost 1/3 times less than in previous years. These hours must be used by March 1, 2010, or as approved by the County Administrator, or forfeited. Only 216.34 hours of vacation were forfeited.

In addition, 49 hours of holiday, affecting 3 employees, was approved for carryover, to be used by March 1, 2012, or forfeited, and 33 hours of compensatory time.

Respectively submitted,



Terri M Palm  
Human Resources Director

## PROPOSED CHANGES TO THE JEFFERSON CO. PERSONNEL ORDINANCE

### HR0110: DEFINITIONS OF TERMS:

B. At will employment.... Add the following sentence to the end. " Jefferson County department heads are considered to be at will employees."

A new J.

"For cause" means that in most instances Jefferson County will use progressive discipline in dealing with violations of work rules or unacceptable job performance. The number of steps of progressive discipline will depend on the severity of the offense. Offenses that may lead to immediate discharge include, without limitation by enumeration:

Intentional act of fraud, embezzlement, theft or any other material violation of law that occurs during, or in the course of the employee's employment.

Assault

Drug or alcohol use on the job

Refusal to perform the responsibilities of your job.

Intentional destruction of county property

Careless conduct on the job that results in substantial destruction of property or injury to your self or others.

Hourly employees shall be considered "For Cause" employee's

The old J becomes K, K becomes L etc etc

### HR0540: PROGRESSIVE DISCIPLINE AND EMPLOYMENT AT WILL.

Change the title to simply read "Progressive Discipline."

#### Step 6: Termination of Employment.

Change the second to the last sentence to read: Furthermore, employees may be terminated without prior notice or disciplinary action for offenses listed in HR0110 paragraph J.

Eliminate the first paragraph of G. This would be redundant. Keep the second paragraph.

### HR0560 RIGHTS OF EMPLOYEES.

Leave A in the ordinance, but change it to read "No hourly employee who has completed the probationary period shall be disciplined, suspended or discharged without just cause.

## EMPLOYEE DISCIPLINE.

- A. A nonprobationary employee may be disciplined, suspended, demoted or discharged for just cause. Probationary employees may be suspended or discharged at will, without recourse to the provisions of this section. Employees shall be considered to be probationary until the first day of the pay period following 6 months of employment. (Am. Ord. 85-7, 6-11-85.)
- B. The following shall be deemed violations of the Personnel Ordinance and may be the subject of disciplinary action. Unexcused absence from work, excessive absenteeism, abuse of sick leave, reporting for work late or leaving early, theft, failure to perform the work assignment, publicizing confidential matters, insubordination, unauthorized use of County vehicles or property, making false entries on official records, tampering with records, moral turpitude, Ethics Code violations, or disobedience of County or departmental rules. This list is not all inclusive.
- C. Discipline may be handled informally by the department head, Human Resources **Manager Director** or County Administrator in the form of oral or written reprimands and/or warnings. Such reprimands or warnings shall be noted on the employee's record. County Board members or committees will not normally be involved in the disciplinary process, as the role of a supervisor or committee is related more to policy decisions than day to day management of the affected department. However, should a supervisor or committee have concerns that may lead to disciplinary action for an employee, the supervisor or committee shall bring those matters to the attention of the department head, the Human Resources **Manager Director**, the County Administrator, or the Human Resources Committee, in that order. Following this process should allow the appropriate party to address the issue. (Am. Ord. 2005-30, 11/8/05)
- D. Department heads or the County Administrator may suspend, demote or discharge nonprobationary employees for just cause. The County Administrator shall approve suspension, demotion or discharge of a nonprobationary employee before the department head may take such action. In the event that immediate action is required and the County Administrator cannot be reached, the employee shall be suspended pending investigation. (Am. Ord. 85-7, 6-11-85; Ord. 2006-35, 2/14/06)
- E. Persons administering discipline shall systematically 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 any other relevant details. Copies of all written disciplinary actions shall be maintained in the employee's permanent personnel file in the Human Resources Department, and shall be provided to the employee. (Am. Ord. 85-7, 6-11-85.)
- F. An employee **disciplined, including** suspended, demoted or dismissed, may appeal such action **per HR0520, Grievance Resolution Process, by requesting a hearing before the Human Resources Committee within 5 business days of notice of the action sought to be appealed. If the employee requests a hearing before the Committee, the department head or County Administrator shall file charges with the Committee upon which such action was based. The Human Resources Committee shall set a hearing within a reasonable time and provide notice thereof to the employee. The employee may be represented, present evidence, cross-examine anyone presenting evidence, and shall be entitled to a written decision based on the evidence adduced. The Committee may affirm, modify or reverse the decision to suspend, demote or discharge. (Am. Ord. 85-7, 6-11-85.)**
- G. All periods of suspension for investigative purposes shall be with pay. All periods of suspension for disciplinary reasons shall be without pay. (cr. Ord. 85-7, 6-11-85.)
- H. Notwithstanding any other provision of this ordinance or other ordinances to the contrary, the County Administrator, Corporation Counsel and department heads appointed by the County Administrator and confirmed by the Board shall be employed at will, and serve no probationary period. Department heads may be

removed at the pleasure of the County Administrator pursuant to Section 59.18(2)(b), Stats. Removal of the Corporation Counsel by the County Administrator requires the concurrence of the County Board pursuant to Section 59.42(1)(b), Stats. The County Administrator shall hold the position at the pleasure of the County Board. The action of the County Board in removing the County Administrator shall be final. (Am. Ord. 2005-08, 6/21/05)

DRAFT



**PROGRESSIVE DISCIPLINE AND EMPLOYMENT AT WILL**

- A. Purpose:** Whenever, and wherever, people work together, certain standards of reasonable conduct need to be established in order to create a harmonious and friendly environment. Jefferson County expects all employees to maintain a work environment that encourages mutual respect, promotes pleasant working relationships among employees and the public they serve, and is free from all forms of harassment and violence.

Consequently, when an issue in the workplace arises, Jefferson County's goal is to provide a structured corrective action process that is prompt, uniform and impartial, and to correct problems, prevent recurrences and prepare employees for satisfactory service in the future. Therefore, the progressive discipline policy and procedure below will generally be followed, while maintaining the County's right to skip, combine or repeat steps, depending upon the facts of each situation and the nature of the offense(s). Progressive discipline may be issued on employees even when the conduct that leads to more serious discipline is not the same that resulted in less severe discipline. That is, violations of different rules may be considered the same as repeated violations of the same rule for purposes of progressive action. Examples of violations that may not be subject to progressive discipline are set forth in Section G.

- B. Procedure:** The County will normally adhere to the following progressive disciplinary process:

**Step 1: Counseling.** An employee will be given a verbal caution or counseling when problematic behavior or performance is observed. As the first step in the progressive discipline policy, a verbal counseling is meant to alert the employee that a problem has been identified, which must be addressed. Verbal counseling will be documented and maintained by the supervisor.

**Step 2: Verbal Warning.** A verbal warning creates an opportunity for the immediate supervisor to schedule a meeting with an employee to bring attention to the existing performance, conduct or other issue where the employee is not meeting expectations. The supervisor should discuss with the employee the nature of the problem. The supervisor is expected to clearly outline expectations and steps the employee must take to improve performance or resolve the problem.

**Step 3: Written Warning.** A written warning involves a more formal documentation of performance, conduct or other problematic issue identified. During step 3, the immediate supervisor and a division manager or director will meet with the employee and review any additional 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.

**Step 4: Suspension without Pay.** Unpaid suspensions are subject to recommendation from the Department Head and Human Resources Director, and approval of the County Administrator. Depending upon the seriousness of the infraction, the employee may be suspended without pay in full-day increments consistent with federal and state wage-and-hour employment laws. 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 reserved for serious workplace safety or conduct issues, unless specified in weekly increments. Human Resources will provide guidance so that the discipline is administered without jeopardizing the FLSA exemption status.

**Step 5: Demotion or Transfer.** Demotions and transfers are subject to recommendation from the Department Head and Human Resources Director, and approval of the County Administrator. An employee who continues to exhibit poor performance may be demoted or transferred to a vacant position for which the



employee is qualified for and for which the County believes the employee will be successful in.

**Step 6: 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. Generally, Jefferson County will exercise the progressive nature of this policy by first providing warnings and/or suspension from the workplace before proceeding to a recommendation to terminate employment. However, Jefferson County reserves the right to combine and skip steps depending upon the circumstances of each situation and the nature of the offense. Furthermore, employees may be terminated without prior notice or disciplinary action. The recommendation to terminate employment requires the County Administrator's final approval.

- C. Paid Suspension or Administratively reassignment of duties.** 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 suspend the employee with pay, or reassign 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.
- D. Documentation.** Persons administering discipline shall systematically 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 any other relevant details, including a performance improvement plan if applicable. The person implementing the discipline and the employee should sign copies of all documented warnings attesting to their receipt. Original copies of all verbal and written disciplinary actions shall be maintained in the employee's permanent personnel file in the Human Resources Department, and a copy shall be provided to the employee.
- E. County Board.** County Board members or committees will not normally be involved in the disciplinary process, as the role of a Board member or committee is related more to policy decisions than day to day management of the affected department. However, should a Board member or committee have concerns that may lead to disciplinary action for an employee, the Board member or committee shall bring those matters to the attention of the department head, the Human Resources Director, the County Administrator, or the Human Resources Committee, in that order. Following this process should allow the appropriate party to address the issue.
- F. Performance and Conduct Issues Subject to Progressive Discipline.** The following shall be deemed violations of the Personnel Ordinance and may be the subject of disciplinary action. Unexcused absence from work, excessive absenteeism, abuse of sick leave, reporting for work late or leaving early, failure to perform the work assignment, publicizing confidential matters, unauthorized use of County vehicles or property, making false entries on official records, tampering with records, moral turpitude, Ethics Code violations, or disobedience of County or departmental rules. This list is not all inclusive.
- G. Performance and Conduct Issues Not Subject to Progressive Discipline.** The number of steps of progressive discipline will depend on the severity of the offense. Offenses that may lead to immediate discharge include, without limitation by enumeration:

  - a. Behavior that is illegal, which may also is not subject to progressive discipline and may be reported to local law enforcement**
  - b. Intentional acts of fraud, embezzlement, theft, or any material violation of law that occurs during, or in the course of the employee's employment**

- c. ~~Insubordination, or the refusal to perform the responsibilities of the assigned job~~
  - d. ~~Intoxication at work Drug or alcohol use on the job~~
  - e. ~~Fighting, harassment and other acts of violence are also not subject to progressive discipline and may be grounds for immediate termination.~~
  - f. ~~Intentional destruction of County property~~
  - g. ~~Careless conduct on the job that results in substantial destruction of property or injury to your self or others~~
- ~~Again, as this list is not all inclusive, the County may terminate employment for any cause under employment-at-will provisions.~~

~~Department heads may be removed at the pleasure of the County Administrator pursuant to Section 59.18(2)(b), Stats. Removal of the Corporation Counsel by the County Administrator requires the concurrence of the County Board pursuant to Section 59.42(1)(b), Stats. The County Administrator shall hold the position at the pleasure of the County Board. The action of the County Board in removing the County Administrator shall be final.~~

**H. Appeal Process.** Employees may file a grievance in accordance with Personnel Ordinance HR0520 Grievance Resolution Process.

~~*Again, nothing in this policy provides any contractual rights regarding employee discipline or counseling nor should anything in this policy be read or construed as modifying or altering the employment-at-will relationship between Jefferson County and its employees.*~~

DRAFT





**SALARIES OF ELECTIVE OFFICIALS**

**TO THE DOOR COUNTY BOARD OF SUPERVISORS:**

ROLL CALL Board Members	Aye	Nay	Exc.
ANDERSON			
AUSTAD			
BRANN			
DeBAKER			
DeWITT			
FISHER			
FONTAINE			
GUNNLAUGSSON			
HAINES			
LIEBE			
LIENAU			
MEYER			
MOELLER			
MULLIKEN			
NEINAS			
OLSON			
RUNQUIST			
SCHULTZ			
VIRLEE			
WIEGAND			
ZIPPERER			

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**WHEREAS**, Sec. 59.22 Wis. Stats. requires that compensation for certain elective county officials be established by the County Board of Supervisors "... before the earliest time for filing nomination papers for such elective office."

**NOW, THEREFORE, BE IT RESOLVED**, That the Door County Board of Supervisors does hereby establish the total annual compensation for the enumerated elective officials, effective the first day of a term of office that begins after the date this resolution is adopted, as follows:

Elective Official	2012 Rate	2013 Rate	2014 Rate	2015 Rate	2016 Rate
Register of Deeds	\$59,444	\$59,444	\$59,444	\$60,038	\$60,638
Treasurer	\$59,444	\$59,444	\$59,444	\$60,038	\$60,638
County Clerk	\$59,444	\$59,444	\$59,444	\$60,038	\$60,638

**BE IT FURTHER RESOLVED**, That each elective official is entitled to participate in the Wisconsin Retirement System ("WRS") as authorized by law. Each elective official is required to pay their share of the total WRS required contribution. Door County will pay only its share of the total required WRS contribution. It is expressly recognized that these shares may change, when the required WRS rate is adjusted, as authorized by law. These contributions will be pre-tax.

**BE IT FURTHER RESOLVED**, That each elective official is conditionally eligible for, and may elect to receive, health insurance through Door County's Group Health Insurance Plan. This eligibility for health insurance coverage is expressly subject to the same terms and conditions (e.g., premium contribution, deductibles, co-pays, etc.) as full-time non-represented employees' of Door County.

**BE IT FURTHER RESOLVED**, That each elective official is eligible for, and may elect to participate in, the fringe benefit package provided to full-time non-represented employees of Door County. Such eligibility and participation is subject to the same terms and conditions as full-time non-represented employees of Door County.

**BOARD ACTION**

Vote Required: Majority Vote of a Quorum

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Motion to Approve      Adopted

1st \_\_\_\_\_      Defeated

2nd \_\_\_\_\_

Yes: \_\_\_\_\_      No: \_\_\_\_\_      Exc: \_\_\_\_\_

Reviewed by: \_\_\_\_\_, Corp. Counsel

Reviewed by: \_\_\_\_\_, Administrator

**FISCAL IMPACT:** The fiscal impact would be a zero percent increase for 2013 and 2014 and a one percent increase in 2015 and again in 2016. Wisconsin Retirement contribution, health and other eligible fringes will be as stated in lines 24 thru 34 of this resolution and will be part of the budget process for each budget year. sms

**Certification:**

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 28th day of February, 2012 by the Door County Board of Supervisors.

Jill M. Lau  
County Clerk, Door County

**SUBMITTED BY:**  
**Administrative Services Committee**

_____ Leo Zipperer, Chairman	_____ Daniel Austad, Chairman
_____ Charles Brann	_____ Kenneth Fisher
_____ Cletus Fontaine	_____ David Lienau
_____ John Neinas	_____ Richard Virlee

**Department Head Wages 2012**

**2012 ending wage assuming COLA increase**

	2012 start wage	step (max 10)	avg. step 2.5%	wage after step	assume 1% COLA	assume 1.5% COLA	assume 2% COLA
Admin	\$ 121,203	10			\$ 122,415	\$ 123,021	\$ 123,627
Central Services	\$ 72,094	10			\$ 72,815	\$ 73,175	\$ 73,536
Child Support	\$ 71,237	3	\$ 1,781	\$ 73,018	\$ 73,748	\$ 74,113	\$ 74,478
Clerk of Courts	\$ 60,347	N/A	N/A	N/A	\$ 60,347	\$ 60,347	\$ 60,347
Coroner	\$ 20,908	N/A	N/A	N/A	\$ 20,908	\$ 20,908	\$ 20,908
Corp Counsel	\$ 110,493	9	\$ 2,762	\$ 113,255	\$ 114,388	\$ 114,954	\$ 115,520
County Clerk	\$ 68,887	N/A	N/A	N/A	\$ 68,887	\$ 68,887	\$ 68,887
County Treasurer	\$ 59,192	N/A	N/A	N/A	\$ 59,192	\$ 59,192	\$ 59,192
Economic Dev	\$ 74,488	9	\$ 1,862	\$ 76,350	\$ 77,114	\$ 77,495	\$ 77,877
Emergency Govt	\$ 58,936	4	\$ 1,473	\$ 60,409	\$ 61,013	\$ 61,316	\$ 61,618
Fair Park	\$ 82,503	9	\$ 2,063	\$ 84,566	\$ 85,411	\$ 85,834	\$ 86,257
Finance	\$ 84,316	6	\$ 2,108	\$ 86,424	\$ 87,288	\$ 87,720	\$ 88,152
Health Dept	\$ 96,618	10			\$ 97,584	\$ 98,067	\$ 98,550
Highway Comm	\$ 96,618	10			\$ 97,584	\$ 98,067	\$ 98,550
Highway Finance	\$ 72,094	10			\$ 72,815	\$ 73,175	\$ 73,536
Highway Fleet	\$ 67,924	5	\$ 1,698	\$ 69,622	\$ 70,318	\$ 70,666	\$ 71,015
Highway Op Mgr	\$ 78,456	9	\$ 1,961	\$ 80,417	\$ 81,222	\$ 81,624	\$ 82,026
Human Resources	\$ 80,215	4	\$ 2,005	\$ 82,220	\$ 83,043	\$ 83,454	\$ 83,865
Human Services	\$ 86,205	3	\$ 2,155	\$ 88,360	\$ 89,244	\$ 89,686	\$ 90,127
Land & Water	\$ 86,473	9	\$ 2,162	\$ 88,635	\$ 89,521	\$ 89,964	\$ 90,408
Land Information	\$ 86,473	9	\$ 2,162	\$ 88,635	\$ 89,521	\$ 89,964	\$ 90,408
MIS - Systems Mgr	\$ 80,271	10			\$ 81,074	\$ 81,475	\$ 81,876
MIS - Info Tech Mgr	\$ 84,373	10			\$ 85,217	\$ 85,639	\$ 86,060
Parks - Mgr	\$ 90,494	9	\$ 2,262	\$ 92,756	\$ 93,684	\$ 94,148	\$ 94,611
Parks - Supervisor	\$ 54,410	1	\$ 1,360	\$ 55,770	\$ 56,328	\$ 56,607	\$ 56,886
Zoning	\$ 76,092	2	\$ 1,902	\$ 77,994	\$ 78,774	\$ 79,164	\$ 79,554
Register of Deeds	\$ 54,753	N/A	N/A	N/A	\$ 54,753	\$ 54,753	\$ 54,753
Sheriff	\$ 78,201	N/A	N/A	N/A	\$ 78,201	\$ 78,201	\$ 78,201
Surveyor	\$ 50,492	3	\$ 1,262	\$ 51,754	\$ 52,272	\$ 52,531	\$ 52,789
Veterans Officer	\$ 58,936	4	\$ 1,473	\$ 60,409	\$ 61,013	\$ 61,316	\$ 61,618

still in steps for 2012

no steps, 2012 wage given 1/1/2012



### Elected VS. Non-Rep

Here is a comparison of two similar positions, the Register of Deeds and the Veterans Service Officer, both started in 2007 as a supervisor, at the time the Register of Deeds wages were \$970 more per year than the Veterans Officer's.

Here is how the salaries stand today assuming a 1.5% COLA for 2012 and the next 4 years  
(The Veterans Officer will still be in steps during this time frame)

<b>Service Veterans Officer's Current Wage + 4 Year Projection assuming 1.5% COLA per year</b>				
Year	Salary	Step increase	Cola increase of 1.5%	
2012	\$ 58,936.00	\$ 60,409.40	\$	61,315.54
2013	\$ 61,315.54	\$ 62,848.43	\$	63,791.15
2014	\$ 63,791.15	\$ 65,385.93	\$	66,366.72
2015	\$ 66,366.72	\$ 68,025.89	\$	69,046.28
2016	\$ 69,046.28	\$ 70,772.44	\$	71,834.02
<b>Register of Deeds Current Wage + 4 Year Projection assuming 1.5% COLA per Year</b>				
Year	Salary	Step increase	Cola increase of 1.5%	
2012	\$ 54,753.00	N/A	\$	54,753.00
2013	\$ 55,574.30	N/A	\$	56,407.91
2014	\$ 56,407.91	N/A	\$	57,254.03
2015	\$ 57,254.03	N/A	\$	58,112.84
2016	\$ 58,112.84	N/A	\$	58,984.53
			Non-rep ending salary	\$ 71,834.02
			Elected ending salary	\$ 58,984.53
			<b>Difference</b>	<b>\$ 12,849.49</b>

(Non-Rep will make \$12,850 more by 2016)

Another way to look at this comparison assuming a 1.5% increase all 4 years:

Register of Deeds starting wage 2007	\$	48,869.00		
Veterans Officer starting wage 2007	\$	47,900.00		
difference	\$	969.00		
Register of Deeds wage 1/1/2012	\$	54,753.00		
Veterans Officer wage 1/1/2012	\$	58,936.00	(before COLA and/or step)	
	\$	(4,183.00)		
Register of Deeds ending wage 2016	\$	58,984.53		
Veterans Officer ending wage 2016	\$	71,834.02		
difference	\$	(12,849.49)		
<b>In 5 years the Register of Deeds increased</b>	<b>\$</b>	<b>5,884.00</b>		
<b>In 5 years the Veterans Officer increased</b>	<b>\$</b>	<b>11,036.00</b>		
<b>In the 10 years the Register of Deeds increased</b>	<b>\$</b>	<b>10,115.53</b>		
<b>In the 10 years the Veterans Officer increased</b>	<b>\$</b>	<b>23,934.02</b>		

Another item to consider is the WRS contributions:

Register of Deeds wages	\$	58,000.00	county pays 7.05% for elected	\$ 4,089.00
Veterans Officer wages	\$	72,000.00	county pays 5.9% for Non-rep	\$ 4,248.00

While the county is paying a higher percent of the WRS for elected, the elected wages are lower, therefore the WRS contribution for the elected is lower.



## Dodge County will continue to study worker wage structure

By Diane Graff of the Daily Times staff | Posted: Thursday, February 16, 2012 10:56 am

JUNEAU — A committee of the Dodge County Board of Supervisors Wednesday agreed to continue its review of hiring a firm to prepare a compensation study of county employees wages and benefits.

Charles Carlson of Carlson Dettmann Consulting of Middleton gave the county's human resources and labor negotiations committee members a presentation on what his firm could do for to the county. Following his presentation, committee members asked the human resources director to continue working with Carlson to define the scope of the study and report back to the committee at its next meeting March 7.

The idea for the study surfaced last year when a state law changed union negotiations. With passage of the state budget repair bill, most unions were stripped of collective bargaining rights.

The idea for a compensation study among the county's 850 plus full-time employees came to light when the county's human resources committee quickly prepared policies for county workers. The policies replaced the union contracts for six of the county's seven employee pacts. The sworn sheriff's department union is still intact.

Through the policy review period last year the committee realized they did not have sufficient time to deal with the compensation issue. Compensation was not addressed in the new policies.

Instead, salary step increases that were frozen in 2010 remained frozen and employees received a flat 22 cent an hour increase for 2012.

The last time a wage study was completed was in 1994, according to human resources director Joe Rains.

The resource committee is also exploring whether a merit pay component could be utilized to replace at least a portion of the structure, which currently provides that increases are provided to an employee at certain time intervals.

On the request of the committee, many department heads and elected officials attended the meeting.

Also in attendance were two representatives of the American Federation of State, County and Municipal Employees, along with several county union representatives.

"If the county is serious with working together with its employees, this is not what they need right now," according to AFSCME representative Martha Merrill.

Merrill referred to Carlson completing a job study in the city of Oshkosh which has raised some concerns. "The results are biased and inconsistent," she said.

"There is no reason to change the wage structure at this time," Merrill told the committee.

"This is nothing on a negative note," committee chairwoman Donna Maly of Beaver Dam said. "The study is for our knowledge of where do we fit. This is for information."

“We have a good idea of where we stand,” AFSCME representative Lee Giercke said. “We don’t need to spend tens of thousands of dollars to find that out.”

Carlson defended his firm and the study completed in Oshkosh. He said the company was directed to look at five-year recruitment information and look at the wage levels of comparable markets.

Maly said the study would cost Dodge County between \$60,000 and \$80,000. It would depend how much of the work would be undertaken by Carlson and how much would be completed in-house.

The county will direct the firm on what perimeters to follow. “I would like a clearer understanding of what the jobs are and what they entail,” Maly said. “I would like the county to move forward with pay for performance.”

Carlson is currently doing studies in Washington, Calumet and St. Croix counties and the cities of Oshkosh and Fond du Lac. “Everyone around the state is at various discussions,” he said.

The study process begins with each employee completing a questionnaire about their position. “It starts with employee documentation,” Carlson said.

Then the firm meets with department heads to review the information. Then positions and wages are compared to similar positions in surrounding areas. At minimum, the process would take 120 days.

Carlson stressed the study is not a performance evaluation.

Budget preparations begin during the summer for the county board to approve the document at its November session.

Rains urged the committee to consider the study and make a decision soon.

RESOLUTION NO. 2011 - \_\_\_\_\_

**Resolution creating one full-time Deputy Court Clerk II-General position and eliminating two part-time Deputy Court Clerk II-General positions**

WHEREAS, the Clerk of Courts office has experienced 100% turnover of part-time staff hired within the last five years, with 80% going to a full-time position and 20% resigning, and

WHEREAS, staff turnover these positions happened within one month to two years in the part-time position, and

WHEREAS, the cost of turnover (including separation/status change costs such as time spent in exit interviews; vacancy costs such as additional overtime; replacement costs such as advertising and testing; training costs such as learning a job-specific software; and performance differential costs such as increased errors during a learning curve) exceeds any wage and benefit savings recognized by use of a vacant position, and

WHEREAS, the Clerk of Courts office recently had another part-time Deputy Court Clerk II-General employee elect to transfer to a vacant full-time Deputy Court Clerk II-General position, and

WHEREAS, the Clerk of Court has requested the creation of one (1) full-time, Deputy Court Clerk II-General, position and elimination of one (1) vacant part-time Deputy Court Clerk II-General position and one (1) unfunded, part-time Deputy Court Clerk II-General position.

NOW, THEREFORE, BE IT RESOLVED that the 2012 County Budget setting forth position allocations in the Clerk of Courts Office be and is hereby amended to reflect the above change, to become effective upon passage of this resolution.

*Fiscal Note: No additional funds are required, as savings from two full-time vacancies and the elimination of a funded part-time position will result in an anticipated savings in 2012 of \$4777.. As a budget amendment, 20 affirmative votes are required for passage.*

AYES \_\_\_\_\_

NOES \_\_\_\_\_

ABSTAIN \_\_\_\_\_

ABSENT \_\_\_\_\_

VACANT \_\_\_\_\_

Requested by  
Human Resources Committee

03-13-12

02-19-2012  
To Gary Petre, Terri Palm Kastraski, Mark Miller,  
James Braughler, Mary Delany, Craig Peterson,  
Dick Schultz, Lloyd Zastrow, & Jeff Co. Board of  
Supervisors,

I would like to take this opportunity to express my appreciation in regards to being approved and promoted to a Custodian II position. I understand that all financial situations are not at the stage that everyone would prefer, so I feel fortunate to be acknowledged for my efforts now.

Also, I would like to say what a pleasure it is to have Mark Miller as my boss. He is always conscious and fair to his staff as is allowed in his capacity as a department head. In my work, I find this to be a very common thread amongst the personnel at our courthouse.

And lastly, know that it is my personal goal to do my best everyday (night). I try to be thorough with all that I do to help the team, and meet the expectations of my employer, the Jefferson County Courthouse. May we all succeed with our duties of serving the public.

Thanks Again!

CUS  
JEFF ENDL