

**HUMAN RESOURCES COMMITTEE
MEETING MINUTES
March 19, 2013 @ 8:30am
Jefferson County Courthouse, Room 112**

1. Meeting called to order at 8:30am by J. Braughler.
2. Present: J. Braughler, G. David, D. Schulz, P. Rogers and J. Schroeder. Quorum established. Others Present: G. Petre, T. Palm, J. Molinaro, B. Lamers, C. Robinson, G. Winter, B. Udovich, B. Kern, A. Jenswold, S. Hoffmann, T. Punzel, J. Parker, P. Milbrath, Jeff Middleton, AFSCME 40 Representative.
3. Certification of compliance with the Open Meetings Law by G. Petre.
4. Agenda reviewed with no changes.
5. Citizen Comments. A. Jenswold, Highway, spoke regarding additional compensation for Highway workers provided in HR0360 and Equipment Operators moving to grade 5.
6. Motion by P. Rogers, second by D. Schultz, to approve the February 27, 2013 minutes as printed. Motion carried 5:0.
7. Motion by P. Rogers, second by G. David, to approve the February 28, 2013, minutes as printed. Motion carried 5:0.
8. Communications: Email dated March 18, 2013, from Bill Kern proposing a premium for operating heavy equipment.
9. Committee reviewed the Human Resources Committee meeting dates and times for May 2013 – April 2014 with no changes at this time. No action taken.
10. Committee acknowledged the five retirements for the first quarter, 2013, to be presented at the April Board meeting.
11. Committee reviewed the recommended grade placements of elected officials, with the exception of the Coroner, acknowledging this as an internal equity guideline when setting future salaries. Sheriff, grade 16; Clerk of Courts and County Clerk, Grade 12; County Treasurer and Register of Deeds, Grade 10. No action taken.
12. Human Resources Director provided Committee with a brief update on a Risk Manager/Safety Consultant through WMMIC. Recruitment/interviews were completed but the selected candidate turned down the position. Although WMMIC is not currently pursuing the position, \$15,000 is currently in the Human Resources budget. The HR Director indicated it would be beneficial to conduct a county-wide safety audit and would be gathering more information. No action taken.
13. Human Resources Director provided an update on providing a nearby location as a drop off spot for a Community Supported Agriculture. The HR Director contacted the City of Jefferson manager, Tim Freitag, and will be working jointly at providing information to employees. The High Meadow Farm was selected based on their response to a questionnaire, which most closely matched the replies from

employees. Information on other CSAs in Jefferson County will be provided to employees. No action taken.

14. Motion by P. Rogers, second by D. Schultz, to recommend to County Board an amendment to HR0430, FMLA and Military Leave Act, to comply with amended federal regulations. Motion carried 5:0.
15. Motion by D. Schultz, second by P. Rogers, to support a policy at the Highway department to pay Highway workers a premium of \$1.00/hour when operating E2 equipment (rollers, loader-backhoe, end loader, drill truck operator, hi-lift operator) and \$2.00/hour when operating E1 equipment (backhoe, grader, dozer, paver, chip spreader, shoulder machine), to review in one year, or by May 1, 2014. Motion carried 5:0.
16. Motion by D. Schultz, second by P. Rogers, to recommend to County Board amendments to HR0360, Hours of Work, Overtime and Compensatory time, to strike the first sentence in B. 8. c, as well as “paid non-cumulative...Lead position.” and add section B.8.f to include language for premiums for highway workers when operating heavy equipment, to review in one year. Motion carried 5:0. NOTE: *section e, winter maintenance, will be sent to Highway Committee for input and reviewed at a future date.*
17. Motion by J. Schroeder, second by G. David, to deny Carlson Dettmann’s recommendation of the review of the Highway Equipment Operator, and positions are reclassified as Highway Workers and remain at grade 4. Motion carried 5:0.
18. Discussion of review by an individual Highway Worker requesting to be classified as an Equipment Operator. No further action taken per policy established to pay Highway workers a premium when operating equipment.
19. Discussion of policy options to allow wage negotiations/adjustments with current employees, other than step increase. Committee directed staff to report on policies, if any, from other counties and municipalities.
20. Report from Human Resources Director on 2012 accrual carryovers, emergency help requests and position vacancy requests for the fourth quarter, 2012.
21. Closed session due to consideration of employee discipline not needed at this time.
22. Next meeting scheduled 8:30am, Tuesday, April 16, 2013, to include update of Act 10 law suits, possible policy to adjust current employee wages, report on vacation donation activity.
23. Motion by G. David, second by P. Rogers, to adjourn. Meeting adjourned at 10:01am.

Human Resources Committee Secretary

Date

ORDINANCE NO. 2013-_____

Amend Personnel Ordinance to create a premium when operating heavy equipment at the Highway Department and to revise language to comply with recent revisions of the Federal Family Medical Leave Act

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

SECTION 1. HR0360 HOURS OF WORK, OVERTIME, AND COMPENSATORY TIME, of the Personnel Ordinance is amended as follows:

- HR0360 HOURS OF WORK, OVERTIME, AND COMPENSATORY TIME.** [am. 12/13/11, ord. 2011-21]
- B. **Non-Exempt Employees**
8. Shift Differentials and Premium Pay: [cr. 12/13/11, ord. 2011-21]
- c. ~~Highway Workers working in any one shift in a higher paid position for four hours or more shall receive five percent (5%) of the employee's regular rate of pay while working in such position.~~ Whenever non-supervisory Highway employees are assigned to work as 'temporary ~~lead or~~ foreman', such employees shall, for the duration of the assignment, receive an additional five percent (5%) of the employee's regular rate, ~~paid non-accumulative if already receiving the five percent (5%) for working in a higher paid position, with the final rate not to exceed the maximum rate of the corresponding Lead position.~~ All work assignments will be approved by a department supervisor prior to ~~being eligible for receiving~~ the additional compensation. [cr. 12/13/11, ord. 2011-21; am. 12/11/12, ord. 2012-20]
- d. Highway ~~workers~~ **employees** 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. [cr. 12/13/11, ord. 2011-21]
- e. Employees designated in the Highway Worker classification shall receive an additional five percent (5%) of the employee's regular rate when performing winter maintenance duties. [am. 12/11/12, ord. 2012-20]
- f. Effective December 30, 2012, Highway workers operating E1 equipment shall receive two dollars (\$2.00) per hour in addition to their regular rate of pay for all time operating E1 equipment. Highway workers operating E2 equipment shall receive one dollar (\$1.00) per hour in addition to their regular rate of pay for all time operating E2 equipment. This provision shall be reviewed for cost and effectiveness no later than May 31, 2014.
- i. E1 Equipment: Backhoe, Grader, Dozer, Paver, Chip Spreader, Shoulder Machine.
- ii. E2 Equipment: Rollers, Loader-Backhoe, End Loader, Drill Truck Operator, hi-Lift Operator.

SECTION 2. HR0430, FAMILY MEDICAL LEAVE ACT AND MILITARY FAMILY LEAVE ACT of the Personnel Ordinance is amended as follows to comply with revisions of the Federal Family Medical Leave Act:

- HR0430 FAMILY MEDICAL LEAVE ACT AND MILITARY FAMILY LEAVE ACT.**
- 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 sec. 40.02(21d) or 770.01(1), Wis. Stats.); or domestic partner’s parent, due to his/her serious health condition (State Leave Only) [am. 10/27/09, Ord. 2009-15]
- 6. A qualifying exigency arising out of the fact that the employee’s spouse; son/daughter; parent (the covered military member) is on covered active duty or called to covered active duty in a foreign country and is a member of the Regular Armed Forces. (Exigency: Non-Medical; Non-Routine)[am. 12/15/09, ord. 2009-21]
- 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 including~~ a covered veteran receiving treatment, recuperation or therapy for a serious injury or illness either received while on active duty or that existed before active duty and were aggravated by service in the line of duty on active duty in the Armed Forces. 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. 12-15-09, ord. 2009-21]
- 8. The employee is called to active duty in the Military
- 9. A qualifying exigency arising out of the fact that the employee may need to care for a military member’s parent who is incapable of self-care when the care is necessitated by the member’s covered active duty.

Qualifying exigency leave may be taken for any of the following reasons: short notice deployment; military events and related activities; childcare and school activities; financial and legal arrangements; counseling; rest and recuperation; post-deployment activities; arranging for alternate care; and additional activities. The amount of time an eligible employee may take for Rest and Recuperation qualifying exigency leave is a maximum of 15 calendar days.

SECTION 3. This ordinance shall be effective after passage and publication as provided by law.

Fiscal Note: The 2013 fiscal impact of compensating employees when actually operating heavy equipment is anticipated to be approximately \$29,107. Sufficient funds are available in the highway construction (53312) and maintenance (53311) accounts and therefore, no additional funds are required. The anticipated fiscal impact of changes to the FMLA is expected to be minimal, if any.

AYES _____

NOES _____

ABSTAIN _____

ABSENT _____

Requested by
Human Resources Committee

04-12-13

Prepared by: Terri Palm-Kostroski: 03-19-13; 04-01-13
Philip Ristow: 04-10-13

RESOLUTION NO. 2013 - _____

Resolution creating one part-time, non-exempt, Driver position at Human Services

WHEREAS, sixty-five and older is the fastest growing segment of our population, and

WHEREAS, approximately 60 percent of rural residents of all ages live in areas with no or negligible public transportation service, and

WHEREAS, this lack of public transportation has a particularly negative impact on older persons, because rural areas tend to have a high proportion of older residents, and

WHEREAS, older rural residents who do not drive or who have cut back on driving are unable to tend to simple, basic needs of life such as shopping for groceries, picking up prescription drugs and going to medical appointments, and

WHEREAS, Jefferson County demographics slightly exceeds these national statistics, and

WHEREAS, currently, Professional Social Workers are utilized to meet this increased need for services, and

WHEREAS, the Human Services Board, along with the Human Services Director, recommend the creation of a part-time, non-exempt, Driver position to assist in the challenge of meeting the special transportation needs of elderly and disabled adults so they can enjoy living independently in their own homes and connected to their communities, and

WHEREAS, after due consideration, the Human Resources Committee recommends the changes proposed by the Human Services Board and the Human Services Director.

NOW, THEREFORE, BE IT RESOLVED that the 2013 County Budget setting forth position allocations at the Human Services Department be and is hereby amended to reflect the above change, to become effective upon passage of this resolution.

Fiscal Note: The annual cost of a Driver, working 19 hours per week is \$13,296.00. The position is 82% funded by Transportation grant funds (\$10,903.00) and 18% funded with tax levy (\$2393.00). The total tax levy cost for the remainder of 2013 is \$1695.33. As there are sufficient funds budgeted in the 2013 Wisconsin DOT Specialized Transportation grant account, no budget amendment is needed.

AYES _____

NOES _____

ABSENT _____

ABSTAIN _____

Requested by
Human Resources Committee

04-16-13

NEW POSITION COVER FORM

This is request for a new position.

Department/Facility: Human Services
Subdepartment/Unit: Aging Division
Proposed Job Title: Part time Driver
Requested by: Kathi Cauley

Provide a brief summary of the purpose and duties of the new position.

This new position would be 19 hours a week or less and provide transportation for Jefferson County residents who need to return from hospitals, institutions, and detox facilities.

What are the consequences if this position is not approved?

The ramifications are twofold. First, we would not spend our state allocation and have to return funds. Secondly, we would continue to pay social workers, with higher salaries and high case loads, to do this work.

How would this position be funded?

State money we already receive. We believe we will also save county levy money because Department social workers will no longer perform these duties.

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.

Social workers from teams across the Department now perform these duties. They no longer would.

Please indicate what, if any, staffing changes you foresee in the next 5 years.

When our full time driver, Buddy Walton, retires, we will change that position to part time drivers. He may retire within the year. It is possible we will need more social workers given the demand for services.

Submitted by: Kathi Cauley 3/15/13

REQUEST TO FILL A NEW POSITION

- 1. Position to be filled: DRIVER** - part time
Department/Unit: Human Services
Approximate Hours: 19 hrs/week

Grade 1 \$11.80-15.17

Cost: \$11,659 **Benefits:** \$1,637 **Yes** **No** **X**

Wages	11,659
Benefits	1,637
Total	\$13,296

- 1. Fiscal Note (how is position funded):**
Transportation grant funds 82% (\$10,903) and 18% (\$2,393) tax levy
- 2. Why is the position vacant?** This is a new position. Please see above.
- 3. What efforts have you made to change the position?**
 This position is new.
- 4. What would happen if the position is not filled?**
 First, we would not spend our state allocation and have to return funds.
 Secondly, we would continue to pay social workers, with higher salaries and high case loads, to do this work
- 5. Your recommendation, including anticipated date to fill?** I am requesting to fill this position immediately.

Submitted by: Kathi Cauley, Director
 Human Services

Date: 3/15/13

NEW POSITION COVER FORM

This is a request for a new position.

Department/Facility: Health Department- WIC Program

Subdepartment/Unit: WIC Program

Proposed Job Title: LTE for Fit Families Grant

Requested by: Diane Nelson/ Gail Scott

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

Requesting a dietetic technician for 10 hrs per week to fulfill grant requirements to see 20-25 families enrolled in the fit families program. The current WIC staff (of 3) are increasing their workload by each seeing 10 extra fit families participants. (Total 30) But the need is to hire a diet tech to see 20-25 participants each month who are enrolled in the grant program.

I neglected to say that this position would slot into the pay scale at grade 5. This position would have the same education qualifications as, WIC's current dietetic technician. The base pay is \$18.75. I also understand that once the grant has been awarded it will be renewed on an annual basis to continue the Fit Families Program that is established. And yes, the WIC staff asked if this person could do some vacation fill in for regular WIC clinics as they will already be trained for the Fit Families program. That would come out of the WIC budget not the grant. The WIC budget has typically had money left at the end of the year so I don't foresee this as a problem as long as we keep the hours under 19 hrs/ week.

What are the consequences if this position is not approved?

Would not be able to fulfill the requirements of the grant to enroll 50-55 families in fit families program and see them monthly.

How would this position be funded?

Fit Families Grant from WIC for \$15,000

Grant cycle begins October 1, 2013

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.

Newly created position due to receipt of grant funding.

RESOLUTION NO. 2013 - _____

Resolution creating one part-time, non-exempt, WIC Dietetic Technician position at the Health Department

WHEREAS, childhood obesity is a serious health problem in our state and in our county, and

WHEREAS, overweight and obesity have been linked to a variety of health conditions, including diabetes, heart disease, hypertension and respiratory problems, and

WHEREAS, the Jefferson County Health Department has received a Fit Families Grant from WIC (Women, Infants and Children Program) of \$15,000 to locally implement effective strategies for preventing overweight and obesity while educating and encouraging overall healthy lifestyles in preschool children in our community, and

WHEREAS, the Health Department Director/Health Officer recommends the creation of one part-time, non-exempt, WIC Dietetic Technician position to assist in meeting these goals and filling in at WIC Clinics when other WIC staff are not available, and

WHEREAS, after due consideration, the Human Resources Committee recommends the changes proposed by the Health Department Director/Health Officer.

NOW, THEREFORE, BE IT RESOLVED that the 2013 County Budget setting forth position allocations at the Health Department be and is hereby amended to reflect the above change, to become effective upon passage of this resolution.

Fiscal Note: This grant cycle begins October 1, 2013, and is anticipated to be available in future years. It is understood that if the grant is no longer available, the position will be eliminated unless otherwise approved by the Board. This position is 100% funded by the Fit Families Grant when promoting the Fit Families program. In addition, sufficient funds are available in the 2013 WIC Program budget when this position fills in at WIC Clinics. As a budget amendment, 20 affirmative votes are required. The Finance Director shall adjust the appropriate accounts accordingly.

AYES _____

NOES _____

ABSENT _____

ABSTAIN _____

Requested by
Human Resources Committee

04-16-13

Prepared by Terri M Palm-Kostroski, 04-10-13
Philip Ristow, 04-11-13

HR0340

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, for allotment for uniforms and/or other clothing allowance, as well as for personal use of a County vehicle, as may be prescribed by the Board of Supervisors. [am. 3/13/12, ord. 2011-31]
- 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 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. 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 Director shall advise the employee of the reasons. Due to the implementation of a new Classification and Compensation plan on December 30, 2012, a performance evaluation will not be required prior to implementation of the plan; however, department heads shall be held accountable to ensure each employee receives an evaluation annually. [am. 3/13/12, ord. 2011-31; am. 12/11/12, ord. 2012-20]
- F. The County Administrator or designee, in concurrence with the Human Resources Chair or Vice Chair, may initiate and approve an additional step(s) increase for a department head when deemed appropriate and in the best interest of the County. This additional step(s) increase may occur any time during the year. A report shall be provided to the Human Resources Committee indicating the reason and amount of the additional step(s) increase.
- F.G. 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. [am. 3/13/12, ord. 2011-31]
- G.H. 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 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. [am. 3/13/12, ord. 2011-31]

COUNTY BOARD COMMITTEE MINUTES

COMMITTEE: LAW ENFORCEMENT/ EMERGENCY MANAGEMENT COMMITTEE

DATE: March 22, 2013

Meeting called to order by Paul Babcock at 8:30 a.m. Members of the committee present were: Paul Babcock, George Jaeckel, Pam Rogers, Ed Morse
Others present were: L. Statz, Daily Union reporter; John Molinaro, Terri Palm, Gary Petre, Pat Theder, Sheriff Milbrath, Captain Scott. Absent: Dwayne Morris

Compliance with open meetings law: Compliance was assured.

Approve agenda: The agenda was approved as presented.

Approval of minutes: A motion was made by Ed Morse, and seconded by Gerorge Jaeckel that the January 25 minutes be approved as printed. Motion carried.

A motion was also made by Pam Rogers and seconded by George Jaeckel to approve the February 22, 2013 minutes as presented. Motion carried.

Public Comment: None

Communications: None

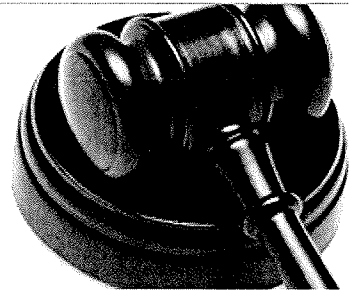
Potential changes to the coroner's position: Coroner Patrick Theder presented an option – and his recommendation – to change the coroner's position from an elected position to a Medical Examiner's position which would be appointed by the county. He indicated that an elected coroner does not necessarily have to have any kind of medical background or training. He felt this would be a detriment to the county. Coroner Theder also presented some policy ideas for development that he recommended be adopted before a change is made. In addition, a new job description would need to be put together. John Molinaro asked about possibly of partnering with another county and Coroner Theder said there might be things that could be shared so it is something that should be explored (Brown, Oconto and Door Counties share a medical examiner). The ability to hire a part-time ME was also discussed. Coroner Theder said that some ME candidates would be ABMDI certified (American Board of Medicolegal Death Investigators) and like the death investigation part. He also added that he made a pretty good income last year for part time and there is still room in his budget to bring in more revenue. Costs of cremation permits could be higher as well as other avenues. He said that the county should make policy that the position be mandated to belong to professional organizations related to the position as well. Gary Petre asked if the first steps should be to put together a job description and talk with Corp Counsel about the statutory regulations. Coroner Theder said he had already talked with Corp Counsel and the statutes are silent about counties changing from a coroner's position to an ME position but there is an attorney general opinion from 1974 that states a county board can abolish the coroner position and institute an ME position before the end of the incumbent coroner's term. Corp Counsel suggested a resolution approved before June 1st (before nomination papers) of the election year with an effective date at the end of the incumbent coroner's term. The next coroner election will be in 2014 so within the next year the ME position should be explored, policy put in place, etc. Coroner Theder and Terri Palm should start the process of getting job descriptions and/or policies from counties that have instituted an ME office already. Terri Palm also suggested that a decision be made before June 2014 so that wages can be adjusted for the next year.

Pam Rogers made a motion to authorize staff to go ahead with the process of changing the coroner's position/office to a medical examiner's position/office. She also thanked Coroner Theder for giving the committee (and board) so much time to accomplish the change. Ed Morse seconded the motion. Motion carried.

GONZALEZ
SAGGIO
HARLAN

GSH
Client Update

March 14, 2013



The Status of Act 10 - Finally Some Guidance

As you know, on September 24, 2012 a Dane County Circuit Court Judge ruled that Act 10 is unconstitutional. The State of Wisconsin appealed the Dane county circuit court's decision and asked the Court of Appeals to stay the decision. On March 12, 2013 the Wisconsin Court of Appeals denied the State's motion to stay. However, the Court of Appeals also clarified that the effect of the ruling is that Act 10 is only unconstitutional in Dane County. As to the other 71 Wisconsin counties, Act 10 remains in full force and effect. Given how long this has been pending, a brief summary of the events leading to this point is warranted.

- In July 2011 Act 10 was implemented and effectively eliminated collective bargaining for all non-public safety employees.
- Opponents to Act 10, in addition to the protests in Madison, also filed several lawsuits at the state and federal level seeking to have Act 10 found unconstitutional.
- On March 30, 2012 the Western District of Wisconsin held certain provisions of Act 10 unconstitutional - namely the provisions concerning mandatory annual recertification and the prohibition on public employers collecting union dues. This decision was appealed to the Seventh Circuit.
- On September 24, 2012 Dane county circuit court judge Juan Colas held various provisions of Act 10 unconstitutional. The State appealed that decision to the Wisconsin Court of Appeals.
- On January 28, 2013 the Seventh Circuit reversed the Western District and upheld all provision of Act 10 as constitutional at the federal level.
- On March 12, 2013 the Wisconsin Court of Appeals denied the State's motion to stay but clarified that the Dane county circuit court decision holding Act 10 unconstitutional was restricted to Dane county.

To this point, for the most part, both unions and public employers alike have

been taking a wait and see approach, waiting for some guidance on what effect the Dane county circuit court decision has while the matter is on appeal. The State had asked the Wisconsin Court of Appeals to stay the decision which had held Act 10 unconstitutional so that unions and public employers could continue to operate under Act 10's provisions until the appellate process had played out. While the Court of Appeals denied the motion to stay, thus leaving in place the decision which found Act 10 to be unconstitutional, the Court of Appeals also clarified another significant point - the decision that Act 10 is unconstitutional only applies in Dane county where the decision was rendered.

This means that Act 10 is unconstitutional in Dane county but is constitutional, and in full force and effect, in the other 71 Wisconsin counties. This of course sets up a very interesting dynamic where Dane county will be acting under one set of rules - the pre-Act 10 rules - while everyone else in the State will be acting under Act 10's provisions. This will continue to be the state of the law until the Court of Appeals hands down its final ruling. At that point, the Court of Appeals decision will be binding on each and every county in Wisconsin thus bringing all counties under the same set of rules. Of course, no matter what that decision is, it is likely to be appealed to the Wisconsin Supreme Court.

If you were requested to return to the bargaining table by a union during the uncertainty of the prior six months, it is now clear, again, that collective bargaining is effectively eliminated for all non-public safety employees and that all of Act 10's provisions remain in full force and effect as long as you are not located in Dane County. Given the amount of time that has passed, you should ensure that you refresh your understanding of the provisions of Act 10 and make sure that you are in full compliance. Should you have any questions about the impact of the recent decision or how it may apply to your particular situation, please contact Ronald Stadler or Aaron Graf.

For more information or questions, please contact:

Ronald S. Stadler - ronald_stadler@gshllp.com or

Aaron J. Graf - aaron_graf@gshllp.com

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HEALTH CARE REFORM A QUICK PRIMER ON PAY OR PLAY RULES FOR EMPLOYERS

We have been asked to prepare a quick synopsis of the new Pay or Play Rules that will be coming into play for all large employers beginning no later than the first day of the month following your renewal in 2014. For Jefferson County this date and the date of compliance will be January 1, 2014.

What is Pay or Play? The Affordable Care Act (ACA) sent out guidance for these rules in January, 2013 and have been clarifying them or refining them since. Here's where the Rules stand on this provision today.

Employers will need to determine how many hours every employee works while under their Common Law control. Hours of work include all hours of service such as physical clocked in work hours, holiday pay, any paid leave (including PTO, sick time or disability employer paid time), vacation days, on-call time and per diems, jury duty, funeral paid time off, FMLA and Military Time. Your payroll system must be able to track these hours with a substantial degree of accuracy.

Most employers have three classifications of employees that we need concern ourselves with under these rules. The first is those that you already consider full time for Jefferson County's purposes. It is likely that you will continue to offer these individuals coverage for benefits under similar terms and conditions as you do today. Clearly there will still be opportunities to change their premium contributions, make plan changes, and encourage or even penalize for those plan participants who do or do not participate in wellness initiatives. If there is not a decision to change the way coverage is offered for these individuals, the County in general should not worry that the rules will in any way play to penalize either the County or these employees.

The next class of individuals you typically do not need to worry about are those for whom the law does not require you to offer coverage. For example these would be individuals that work less than 30 hours per week consistently (20 hour employees, elected officials, etc.). You can continue to offer coverage or not, as you desire for these individuals and you can charge them whatever you might like, as again, there is no obligation to offer or supply coverage for these individuals.

Then there is the classification of individuals that you must concern yourselves with and begin a strategic plan. These are your "Variable Hour" employees. These are employees who consistently work or hover around 30 hours per week, or who may work more than 1560 hours per year for a single employer. These are the employees that you must track carefully, prepare a plan that includes a "Measurement Period" and Administrative Period (during which you will make an offer of coverage that you have found during the Measurement Period to be eligible) and set a stability period of coverage that is no shorter than the measurement period, but not less than 6 months. The stability period is the time during which the Variable Hour employee will receive coverage under the plan, even if they are now working reduced hours. So let's use an example: An Administrative Assistant is hired to work 28 – 32 hours per week. We set the look back period or measurement period to be January 1, 2013 through October 1, 2013. During that time, due to covering for several others over the summer she hits the 1560 hours per calendar year. During the Administrative Period the County would have to offer her coverage for the 2014 calendar year.

What happens if the County just doesn't offer coverage to anyone in this class? If you fail to offer coverage to more than 5% of the eligible (and you must count newly eligible under the 30 hour rule) individuals in the County's employ, there is a \$2,000 penalty for all full-time (all these individuals) less the first 30 employees, even if you offer the majority of employees a health plan. This is the same penalty that applies if you do not offer coverage at all. So if the County has 500 employees (full time or more than 30 hours per week) they would pay a penalty of \$940,000 just for not offering coverage to these newly eligible individuals. The County would continue as well, presumably to pay for coverage the same as today or an additional several million dollars. By the way, it is important to remember that the 5% "Safe Harbor" is only for legitimate mistakes in offering coverage. It is not a Safe Harbor for those who intentionally set individuals up to fail the test. In my example, our assistant gets to 1,500 hours and we lay her off.

The next question for these individuals then is the County's coverage Affordable? The Affordability Test is for all individuals. If a Single plan costs an employee more than 9.5% of their gross wages (Line 1 of the W-2) the plan may be unaffordable. Example: I am paid \$10 per hour and work 30 hours per week (130 hours per month). My gross wage is \$1,300 for the month. If the cost of a single plan (my premium contribution is more than \$123.50 (9.5% of my gross) the plan may be unaffordable.

For the County to be penalized though under the Affordability Test, I must now want your coverage but not take it because of cost, go to the Federal Exchange AND receive or be eligible to receive a Federal Subsidy (the cost of coverage under the exchange must be more than 8% of my household income). All three of these things must be true for the County to be penalized. Then the penalty, if applicable, is \$3,000 for that employee only.

Lastly, it is important to note that the law does not require any employer to (1) Offer coverage at all; (2) If you offer coverage you are not required to offer it to Spouses at all, working or non-working; and (3) You can offer it differently among varying classes such as salaried vs. hourly or collectively bargained vs. non-collectively bargained. The law also does not apply generally to seasonal employees (such as golf course workers that are hired ONLY for that season or only for a project), assuming their employment does indeed terminate upon completion of the season or project and that the project is not long term.

We will also ask that the County be aware of the following two "fees" for the next several years. The first is PCORI (Patient Centered Outcomes Research Institute Fee). This fee is \$1.00 per covered life and is due in July, 2013. All employers are required to pay this fee and it will be paid directly by the employer to the IRS on Form 720 (which is not available at this time). The other fee that will impact the County on 1/1/14 is the Reinsurance Tax. This is \$5.25 per covered life per month (covered lives count retirees, their dependents, COBRA participants and their dependents and all active employees and their dependents) on the plan. This will add \$63.00 per covered person per year or roughly \$252.00 per year to a family of four. This is just in fees and not for health care.

QUESTIONS FOR CONSIDERATION:

- 1) Does our handbook sufficiently describe employee classifications and eligibility?
- 2) Do we have many individuals currently who are not offered coverage, who may become eligible? Do we have a problem and what is the size of the problem (how many individuals)?
- 3) What is our strategy if we do determine we need to offer coverage to those that do not have coverage currently? Will we offer? If we do, what will be the premium contribution? For a single plan vs. family plan? Do we need to change our premium tiers or our plan in total?
- 4) Will we offer spousal coverage? What about a spousal carve-out or surcharge?
- 5) What if employers around us (particularly the private sector) kick spouses off their plan and our current employees and retirees who waive coverage come back on our plan? This is a budgetary consideration at a minimum.
- 6) If we offer a cash-in-lieu or an opt-out is that legal? It may be viewed as an incentive to not be on your plan and that will likely not be allowed.
- 7) How will we classify employees that we wish to charge differing contribution levels (example full time pays 12.6% of premium, do those working 30 hours (.75) pay 25% plus 12.6% to have the same plan) as our full-time or do we offer them a different plan?
- 8) What do we do now?
- 9) Have we prepared for the taxes and fees that are coming?
- 10) Are we in compliance with the law currently?
- 11) Will we continue to offer coverage at all in the future? When?

We will have a representative from the Horton Group here at our next meeting in May to discuss the Affordable Care Act in more detail and to help us assess and move forward. Until that time, please review the attachments to this memo and begin to formulate your questions.

RESPECTFULLY SUBMITTED:

RAE ANNE BEAUDRY
Executive Vice President/Consultant
The Horton Group

IRS Defines Tracking Rules for Variable Hour Employees

On January 2, 2013, the IRS issued proposed regulations related to defining what variable hour employees are, an optional method for identifying full-time employees for purposes of determining and calculating an employer's potential liability for a shared responsibility payment, what hours or work periods can be used for tracking, and transition of periods between current and newly hired employees.

Additionally, other guidance related to eligibility periods and dependents was provided. This guidance from the IRS was added to Shared Responsibility Rules under [IRS Notice 2012-58](#). Although the proposed regulations are not final, employers may rely on them until further guidance is issued.

The proposed regulations also include important transition relief. Employers that intend to utilize the look-back measurement method for determining full-time status for 2014 will need to begin their measurement periods in 2013 to have corresponding stability periods in 2014. The IRS recognizes that employers that intend to adopt a 12-month measurement period and a 12-month stability period will face time constraints.

Under the proposed regulations' transition relief, solely for purposes of stability periods beginning in 2014, employers may adopt a transition measurement period that:

- Is shorter than 12 months, but not less than 6 months long; and
- Begins no later than July 1, 2013, and ends no earlier than 90 days before the first day of the first plan year beginning on or after Jan. 1, 2014.

For example, an employer with a calendar year plan could use a measurement period from April 15, 2013, through Oct. 14, 2013 (six months), followed by an administrative period ending on Dec. 31, 2013. An employer with a fiscal year plan beginning April 1 that also elected to implement a 90-day administrative period could use a measurement period from July 1, 2013 through Dec. 31, 2013 (six months), followed by an administrative period ending on March 31, 2014.

ACA's employer penalty is referred to as the "employer shared responsibility payment." It requires large employers to either "play" by offering health coverage to their full-time employees and dependents that is affordable and provides minimum value or "pay" a substantial excise tax. The amount of the excise tax generally depends on whether or not an employer offers coverage to substantially all of its full-time employees and dependents.

Definitions and Guidance Highlights

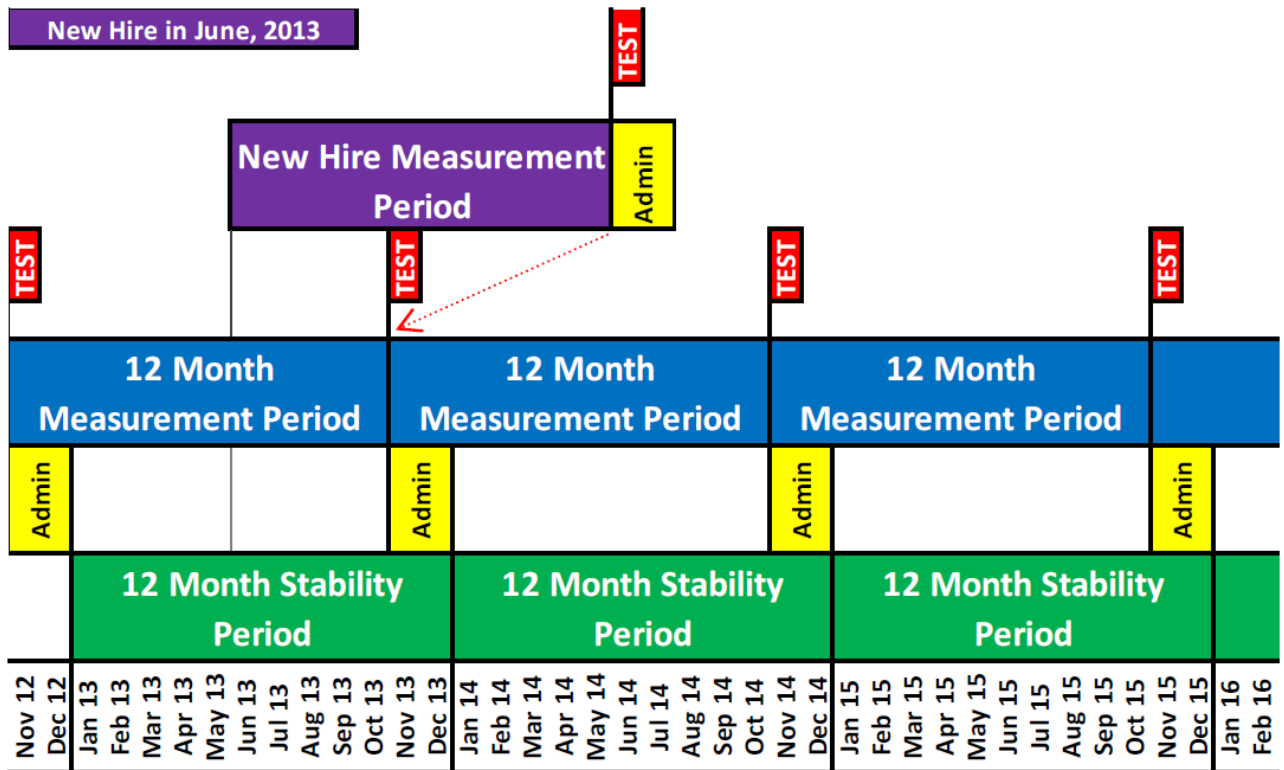
1. Defining an "applicable large employer" penalties:
 - a. 4980H(a) liability, or the Pay-Or-Play penalty, occurs when the employer fails to offer its full-time employees (and their dependents) the opportunity to enroll in a "Minimum Essential Coverage" (MEC) health plan and any full-time employee receives a subsidy (i.e.; a premium tax credit or cost sharing reduction) when purchasing coverage through a public "Exchange". In this case the employer may be liable for a \$2,000 per employee per year non-deductible penalty for every fulltime equivalent employee, not counting the first 30;
 - b. 4980H(b) liability applies if the employer does offer a health plan, but it either is not MEC qualified or is deemed unaffordable under the 9.5% of W-2 wage safe harbor for single only coverage. If any full-time employee receives a subsidy when purchasing coverage through a public "Exchange", the employer may be liable for a \$3,000 per subsidized employee per year non-deductible penalty.

IRS Defines Tracking Rules for Variable Hour Employees - Continued

- c. An applicable large employer is defined as having employed an average of 50 or more full-time employees (30 hours average or more per week worked) during the preceding calendar year.
 - d. The IRS guidance provides transition relief in that non-calendar year plans will not be required, or be liable for penalties above, until the first plan year date after January 1, 2014.
Note that any changes to plan year periods to avoid ACA implementation or requirements are no longer permitted to be made.
 - e. An additional safe-harbor to penalties under 4980H(a) was established for employers who provide coverage to “substantially all”, defined as 95% or more, of its full-time employees. This standard allows it to offer coverage to all but 5% (or 5 in total if greater) of its full-time employees. This is to minimize the potential risks due to small administrative mistakes that could otherwise trigger penalties.
 - f. Affordable coverage safe harbors include:
 - i. W-2 safe harbor: the employer provides MEC coverage not costing the employee more than 9.5% of their W-2 wages for single coverage;
 - ii. Rate of Pay safe harbor: An employer can take the hourly rate, multiplied by 130 hours per month, to determine a monthly “rate of pay” for testing the 9.5% contribution for single coverage.
 - iii. Federal Poverty Limit Safe Harbor. Coverage is deemed affordable if the employee’s cost for single coverage does not exceed 9.5% of the FPL.
2. Defining the variable hour employee
- a. If an employee in a 12-month variable hour tracking method works more than 1560 hours in any measurement period, they become a full time eligible who must be enrolled for benefits;
 - b. If it is a current employee, the measurement period can track the current open enrollment period for eligibility. For Example:

Current Employees																																							
TEST																																							
12 Month Measurement Period				12 Month Measurement Period				12 Month Measurement Period																															
Admin																																							
12 Month Stability Period				12 Month Stability Period				12 Month Stability Period																															
Nov 12	Dec 12	Jan 13	Feb 13	Mar 13	Apr 13	May 13	Jun 13	Jul 13	Aug 13	Sep 13	Oct 13	Nov 13	Dec 13	Jan 14	Feb 14	Mar 14	Apr 14	May 14	Jun 14	Jul 14	Aug 14	Sep 14	Oct 14	Nov 14	Dec 14	Jan 15	Feb 15	Mar 15	Apr 15	May 15	Jun 15	Jul 15	Aug 15	Sep 15	Oct 15	Nov 15	Dec 15	Jan 16	Feb 16

- c. If it is a new hire, the initial measurement period must follow the initial payroll period in which the employee is hired, and be tracked for 12 months thereafter. Once that initial measurement period has been completed, the employee would revert to the same measurement period being applied to all current employees, even where the two overlap over some months. For example:



- d. If an employer uses a look-back measurement period for its ongoing employees, the employer may also use a similar method for new variable hour or seasonal employees.
 - e. Definitions of Variable Hour and Seasonal Employees: An employee is a variable hour employee if, based on the facts and circumstances at the start date, it cannot be determined that the employee is reasonably expected to work on average at least 30 hours per week.
 - i. For 2014, a new employee who is expected to be employed initially at least 30 hours per week may be a variable hour employee if the employee’s period of employment at 30 or more hours per week is reasonably expected to be of limited duration and it cannot be determined whether it will last for the initial measurement period. Effective as of Jan. 1, 2015, employers must assume that employees will be employed for the entire initial measurement period.
 - ii. Through at least 2014, employers are permitted to use a reasonable, good faith interpretation of the term “seasonal employee.” Absent of any definition above, if the employee is working 30 or more hours per week, they must be defined as a full-time equivalent and provided eligibility for health benefits no later than the 90th day of employment.
 - f. Short-term Employees and High Turnover Positions: The proposed regulations do not contain special rules for new short-term employees or employees hired into high-turnover positions. Although the IRS is still accepting comments on these types of employment, rules were not provided in the proposed regulations due to the potential for abuse.
3. Defining what is counted as hours toward meeting qualification during a measurement period
- a. A full-time employee is an employee who was employed on average at least **30 hours** of service per week. The proposed regulations treat **130 hours of service in a calendar month** as the monthly equivalent of 30 hours per service per week

- b. All hours of service performed for entities treated as a single employer under the Code’s controlled group and affiliated service group rules must be taken into account.
 - i. Hourly Employees: For employees paid on an hourly basis, an employer must calculate hours of service from records of hours worked and hours for which payment is made or due for vacation, holiday, illness, incapacity (including disability), layoff, jury duty, military duty or leave of absence.
 - ii. Non-hourly Employees: For employees not paid on an hourly basis, employers are permitted to calculate hours of service by:
 - iii. Counting actual hours of service from records of hours worked and hours for which payment is made or due;
 - iv. Using a days-worked equivalency method under which an employee is credited with eight hours of service for each day with an hour of service; or
 - v. Using a weeks-worked equivalency method under which an employee is credit with 40 hours of service per week for each week with an hour of service.
 - c. Employers may use different methods for non-hourly employees based on different classifications of employees if the classifications are reasonable and consistently applied. Employers may change methods each calendar year. However, employers may not use the days-worked or weeks-worked equivalency methods if those methods would substantially understate employees’ hours of service. Certain classes of employees may be treated differently for establishing measurement periods:
 - i. Collectively bargained employees (Union);
 - ii. Salary versus hourly employees;
 - iii. By state of residence of the employee.
 - d. Types of Paid Hours of Service that qualify for tracking:
 - i. Physical clocked work hours;
 - ii. Holiday hours;
 - iii. Paid leave of absence such as;
 - iv. PTO;
 - v. Sick Time;
 - vi. Employer Paid Disability Time;
 - vii. Vacation days;
 - viii. On-Call time, such as someone awaiting being brought to a job site;
 - ix. Jury duty;
 - x. Funeral paid time off;
 - xi. Paid FMLA leave;
 - xii. Military duty time paid by the employer.
 - e. For seasonal employees, there is a 501 hour rule that can be applied for a break in service. For example, if a school hires aides that work nine months a year at 30 hours or more per week, the summer break would provide a credit of 501 hours to be applied to the tracking period hours for the purpose of full time eligibility qualification. In this example, an educational variable hour employee that works 1059 or more hours would qualify as a full-time equivalent eligible for benefits.
4. It is recommended that the definition for variable hour employees not exclude otherwise eligible employees in any manner that cannot be defended by practical example, and where inconclusive the employer is directed to define a standard providing the employee the “advantage” for eligibility.
 5. Short-term Employees and High Turnover Positions: The proposed regulations do not contain special rules for new short-term employees or employees hired into high-turnover positions. Although the IRS is still accepting comments on these types of employment, rules were not provided in the proposed regulations due to the potential for abuse. As noted however—solely for 2014—an employer may take into account an employee’s likely short-term employment. Also, as a general rule, ACA’s pay or play penalty does not apply to full-time employees who have been employed for three months or less.

6. Rehired Employees and Employees Returning from Leave: The proposed regulations include guidance for employers on how to classify an employee who earns an hour or more of service after the employee terminates employment (or has a period of absence). If an employee goes at least 26 consecutive weeks without an hour of service and then earns an hour of service, he or she may be treated as a new employee for purposes of determining the employee's full-time status. The employer may apply a rule of parity for periods of less than 26 weeks. Under the rule of parity, an employee is treated as a new employee if the period with no credited hours of service is at least four weeks long and is longer than the employee's period of employment immediately before the period with no credited hours of service.
7. For an employee who is treated as a continuing employee, the measurement and stability periods that would have applied to the employee had he or she not experienced the break in service would continue to apply upon the employee's resumption of service. While measurement periods can be defined as from three to twelve months in length, no benefit stability period can be less than six months.
 - a. In reviewing the establishment of reasonable measurement periods, it would appear the twelve month period is most advantageous and the least administratively burdensome for employers.
 - b. The DOL and IRS have demonstrated there will not be patience shown to any employer who claims they cannot track these periods based on shortcomings in procedures or systems.
8. Defining employee classes and eligibility waiting periods applied
 - a. For full time employees, benefit eligibility waiting periods can be no longer than the 90th day of employment
 - b. For variable hour employees, benefit eligibility can be no longer than the 13th month after the start of the qualifying measurement period, and any additional partial month until the first of the following month. For example, if someone is hired on 2/6/13, and qualifies as an FTE the following year on 2/6/14, they must be eligible for coverage no later than 4/1/14.
9. Eligibility versus coverage
 - a. Employers must make coverage eligibility available, depending upon the status of the employee, but nothing compels the employer to cover an employee outside of the required contribution being made:
 - i. If a variable hour employee qualifies for coverage, but then drops hours and cannot make full contribution payments to their plan, they can be dropped from coverage for non-payment;
 - ii. If a covered variable hour employee terminates employment, their coverage is terminated and treated the same as any other COBRA qualifying event.
10. Spousal and Dependent eligibility further defined:
 - a. Spouses do not have to be made eligible for coverage, nor are they required to have employer contributions paid toward their coverage;
 - b. Children up to their 26th birthday do have to be eligible for coverage, but no employer contributions are required to be paid toward their coverage;
 - c. If an employer provides the employee with credible minimum essential benefits (Bronze plan) and the cost to the employee is affordable (less than 9.5% of W-2 income), both the employee and any dependents are then ineligible for receiving Federal subsidy for waiving employer coverage and purchasing insurance on their state provided exchange.
 - i. **Note – this position in blocking dependent subsidy is receiving significant negative press and public reaction, and may be addressed or changed in the future.**
 - d. Plan summaries and SPD's must define benefit eligibility periods under the new regulations as providing coverage no later than the 90th day of employment. Many fully insured plans do not have this language in their plan summaries as they are mass produced. Where this is the case, an ERISA wrapper must be provided to every employee that discloses the employer eligibility period.

IRS Defines Tracking Rules for Variable Hour Employees is provided to The Horton Group clients for informational purposes only and should not be construed as legal advice. Readers should contact legal counsel for legal advice.
<http://www.irs.gov/pub/irs-drop/n-12-58.pdf>
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Health Care Reform Timeline

Item #14

2010	2011	2012	2013	2014	2015 & Beyond
<ul style="list-style-type: none"> • Adult child coverage until age 26 • Annual dollar limits restricted • Early retiree reinsurance program (ERRP) • ER coverage as in-network, no prior authorization • Initial appeals review standards • Lifetime dollar limits prohibited • Medicare Part D rebate for beneficiaries in the gap • No pre-existing conditions for kids until age 19 • Online consumer information at healthcare.gov • Pediatricians as PCPs, direct access to OB/GYNs • Preventive services with no cost sharing • Rescissions prohibited except for fraud or nonpayment • Small business tax credit • Temporary high-risk pool 	<ul style="list-style-type: none"> • Annual fee on pharmaceutical manufacturers begins • Annual rate review process • Appeals ombudsmen and process documentation • Auto-enrollment for groups with 200+ FTEs (Implementation delayed until regulations released) • Discounts in Medicare Part D “donut hole” • HSAs/HRAs/FSAs: limitations for OTC medications • Increase penalty for non-qualified HSA withdrawals • Minimum medical loss ratio (MLR): 85% for large group; 80% for small group and individual • Non-discrimination rules apply to insured plans (implementation delayed until regulations are released) • Small business wellness grants (implementation delayed until regulations are released) 	<ul style="list-style-type: none"> • 60-day advance notice of material modifications • Accountable Care Organization requirements • Appeals provision fully implemented • First medical loss ratio rebates to be paid by August • New women’s preventive services with no cost sharing • Patient-centered Outcomes Research Institute (PCORI) fee (\$1 per member/year) • Quality bonus begins for Medicare Advantage plans • Quality of care reporting requirements (implementation delayed until regulations are released) • Summary of benefits and coverage (SBC) and the Uniform Glossary 	<ul style="list-style-type: none"> • Administrative simplification begins • Annual fee on medical device sales begins • Deduction for expenses allocable to the Part D subsidy for “qualified prescription drug plans” eliminated • Employee notification of access to Exchanges • FSA contributions limited to \$2,500 • High earner tax begins (applies to individuals) • PCORI fee increases to \$2 per member/year • W-2 reporting of the value of employer-sponsored health benefits 	<ul style="list-style-type: none"> • Coverage for all adult children until age 26 including those that have employer coverage (formerly not covered for grandfathered plans) • Deductible caps cannot exceed \$2k for individual and \$4k for family • Essential health benefits required for small employers • Guaranteed issue and renewability • Health Benefit Exchanges • ICD-10 code adoption • Individual & employer mandates • Insurer fee – permanent • Mandatory coverage for clinical trials • No annual dollar limits • No pre-existing condition exclusions • OOP limits must comply with OOP limits for HSA qualified plans • Rating restrictions / Adjusted community rating • Tax credits and subsidies for individuals and small employers • Transitional reinsurance fee (2014-2016) • Waiting period limits • Wellness programs 	<ul style="list-style-type: none"> • High-value plan excise tax begins (2018) • Medicare Part D “donut hole” closed by 2020 • States can open Exchange to CHIP eligible (2015) and all employers (2017)



April 2, 2013

Ms. Teri Palm, Human Resources Director
 Jefferson County
 320 S. Main Street
 Jefferson, WI 53549

Alpha Terra Science, Inc.
 1237 Pilgrim Road, Plymouth, WI 53073
 TEL 920/892-2444 FAX 920/892-2620
 Website: www.alphaterra.net
 E-mail: alphaterra@alphaterra.net

RE: Proposal for Mini Safety Appraisal (*Gap Analysis*)

Dear Terri:

Thank you for meeting with me to discuss providing an analysis of your county's current safety status as it pertains to OSHA regulations adopted and administered by the Wisconsin Department of Safety & Professional Services (DSPS) under Chapter SPS 332 PUBLIC EMPLOYEE SAFETY & HEALTH. The Jefferson County Highway Department is excluded from this proposal. Following is the proposal you requested.

SCOPE OF WORK

Alpha Terra performs various types of analysis depending on what the client prefers. The process is the same for whatever type selected however; based on our discussion, a mini appraisal or "*gap analysis*" is being suggested. This approach provides the same evaluation results, suggestions for improvement and recommendations of evaluations found in a more narrative document such as an audit or assessment however, it is provided in an abbreviated report format.

Most importantly, it provides Jefferson County with guidance and direction needed to develop a unified countywide safety program for all departments with the exception of the Highway Department. (*A countywide safety program is generally phased in over an extended period of time to better grasp the key safety regulations that are applicable to the majority of departments*).

The mini appraisal format utilizes more of a line item list of deficiencies and recommended corrective actions for the county. This style report is more than adequate for internal use while developing a prioritized strategy for meeting your regulatory compliance requirements.

A cooperative effort involving the Alpha Terra Science project manager and Jefferson County department heads is essential to maximize efficiency. We are suggesting that a tentative schedule be developed in advance of the onsite visit including key contact information by department to accomplish the objectives of the onsite portion of this project in one day.

It is not feasible to visit all departments in one day so we are recommending that the following departments be scheduled during the onsite visit: Central Services (Maintenance and Custodial), Fair Park, Health, Administrative Services, Parks and Sheriff Departments. A visit of these departments will more than provide a representative sample of regulatory compliance needs for Jefferson County. The process will include the following:

SCOPE OF WORK (CONT.)

- Interviews of knowledgeable department personnel;
- An evaluation of any safety related documents (programs, policies, inspections, training records, etc.) that are provided by department. *(It is preferable and more cost effective to have these documents provided in a format that can be taken off site for review. If this is not possible, the Department will need to accumulate these documents in a central location for purposes of review.);*
- A visit to physical facilities listed – the purpose of this visit is to identify one or two visually evident exposures or key concerns of department heads and identify potential Department of Safety & Professional Services (DSPS)/OSHA violations as well as the applicability of specific regulations;
- A review of record keeping practices associated with applicable regulations; and
- A report providing the findings of the mini-appraisal with a prioritized list of recommendations and suggestions for corrective actions that will be necessary as a result of this process.

COST

The cost for the mini-appraisal (*gap analysis*) report option is being proposed at a range of \$2,800.00 - \$3,300.00 with a not-to-exceed cost of \$3,300.00 based upon the scope of work provided. This project includes preparation and onsite time, report documentation, and travel-related costs for one onsite visit.

SCHEDULE

This proposal is valid for 20 days. This project can be scheduled within 30 days of approval of this project.

Performing a mini-appraisal offers the best opportunity for Alpha Terra to become familiar with the surroundings and existing program components so that, if requested, future services can be estimated appropriately and provided in an efficient manner.

Thank you for the opportunity to provide this proposal. If you would like to proceed with this project, simply complete the information on the following page and return this to me. We look forward to the opportunity to work with Jefferson County in its desire to meet their countywide safety goals. Please do not hesitate to contact me with any questions.

Sincerely,



Jerry Hirt
General Manager, Alpha Terra Science
Phone: (920) 892-2444

Visit our web site at: www.alphaterra.net

**Report to Human Resources Committee
April 16, 2013**

Positions authorized to fill. The County Administrator and Human Resources Director have reviewed and the following vacant position requests during the first quarter of 2013:

Central Services

- Full-time Maintenance Worker II

Child Support Agency/Corporation Counsel

- Full-time Assistant Corporation Counsel

Clerk of Courts.

- Full-time Deputy Court Clerk II/Register in Probate
- Full-time Mediator/Custody and Placement Evaluator

County Board

- Communications Intern

Human Services.

- Full-time Economic Support Specialist II (2 positions)
- Part-time Family Development Worker
- Full-time Birth-to-Three/Preschool Supervisor
- Full-time Community Outreach Worker
- Full-time Lead Janitor
- Part-time Janitor
- Full-time Family Development Worker

Land and Water Conservation Department

- Full-time Administrative Specialist I

Parks

- Part-time (9-month) Parks Maintenance Worker
- Summer Seasonal Workers (2 positions)

Sheriff's Office

- Part-time Custodian
- Full-time Jail Sergeant

UW Extension Office

- Summer Intern

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

- **Child Support Agency/Corporation Counsel.** Assistant Corporation Counsel to assist during vacancy.
- **Clerk of Courts.** Increase part-time staff to full-time hours temporarily; hire a clerical staff to assist temporarily when Part-time staff took full-time vacancy.
- **Clerk of Courts.** Mediator/Custody and Placement Evaluator to ensure no gap in mediation cases inbetween vacancy and hiring of new employee
- **Fair.** Clerical assistance to rebuild the Fair website

- **Human Services.** Child Protective Services Ongoing Professional to assist while two employees are on FMLA

Vacation Donation Summary. The vacation donation policy was implemented in 2001 and has received a total 622 hours donated by 19 employees throughout the 12 years. Fourteen employees have benefited from this program, with a total of 486 hours.

Respectively submitted,

A handwritten signature in cursive script that reads "Terri M Palm".

Terri M Palm
Human Resources Director