

# PERSONNEL POLICY



**For**

**Employees**

**Of**

**Jefferson County**



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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 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.
- 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 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.
- 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 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. "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.
- O. "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)

- P. "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.)
- Q. "Reallocation" means reassigning a position or class of positions to a different pay grade.
- R. "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.
- S. "Regular part-time employee" means an employee in a 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.
- 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.)

**HR0120**

**DIFFERENCES FOR SWORN, NON-REPRESENTED, LAW ENFORCEMENT EMPLOYEES.** All sworn, non-represented law enforcement employees will be subject to the policies in the Personnel Ordinance, except as it relates to 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)

**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. 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)

**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 provisions necessary to resolve grievances, as recommended by the County Administrator.
- B. Authorize use of accumulated time off for exempt employees before such time is otherwise available.
- C. 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. 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)

**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 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 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. (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 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 participate in interviews as needed. Reference checking will be completed on the selected candidate and reviewed by Human Resources. Approval by the County Administrator or Human Resources Manager 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 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, 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 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 Counsel, 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, 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. Countryside Home: Director of Nursing, Resident Care Coordinator, Plant Operations Manager, Dietary Manager/Registered Dietician, Social Workers, Neighborhood Managers, Staff Development Coordinator, Health Information Systems Supervisor. (Am. Ord. 2007-19, 09-11-07; 2008-07, 04/15/08) (Am. Ord 2008-35, 02/10/09)
  - 3. Highway Department: Superintendents, Accounting Manager, Highway Operations Manager, Highway Fleet Manager (Am. Ord. 85-10, 7-9-85; Am. Ord 2008-24, 11-10-2008)
  - 4. Human Services: Aging and Disability Resources Division Manager, Administrative Services Manager, Behavioral Health Division Manager, Family Resources Division Manager, Child Protective Services Supervisor, Community Support Program Supervisor, Comprehensive Community Services Supervisor, 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. (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)
  - 5. 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)
  - 6. Health Department: Office Manager. (Am. Ord. 2006-17, 10-10/06) (Am. Ord 2008-35, 02/10/09) (Am. Ord 2009-12, 08/11/09)

**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)<sub>2</sub>, an employee may be terminated at any time upon written notice from the department head or County Administrator stating the last date of employment. (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 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 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 and holiday) on a pro rata basis.
  - 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. (Am.Ord. 2007-02, 04-17-07.)

**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, 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 offers to potential candidates that exceed the entry-level step. (Res. 2001-117, 3/12/02), (Am. Ord. 2007-19, 09-11-07)

**HR0320**

**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 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. If the present salary is below the new range maximum, the employee will be placed in the new range at the step 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 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 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.

**HR0325**

**APPLICABLE PAY RATES FOLLOWING PROMOTION OR ASSIGNMENT TO AN INTERIM POSITION.** In case of the promotion of any employee in the County service to a 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. 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. 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 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 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 promoted. In cases where the pay range overlaps, a 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. 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)
- B. 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 closest to, but not less than, the current salary. The previous anniversary date shall be maintained.
- C. 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.

**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 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.

**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 Sheriff's, 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, except 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, except 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. 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 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 leave of absence 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 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.
- 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.

**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 County Clerks Office for tax purposes.
- C. Employees who are furnished a County vehicle shall report personal use of said vehicle monthly to the 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)

**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 Counsel, Chief Deputy, County Accounting Manager 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)
  - 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. Regular hours shall be 8:00 a.m. – 4:30 p.m., Monday through Friday, with a one-half hour, unpaid lunch break, if scheduled to work 6 hours or more. If circumstances require, a department head may modify the regular hours of work for an employee. 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. If a modification is needed in excess of a week, it shall be approved by the County Administrator, not less than an annual basis.
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. 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.
3. It is the policy of the County to avoid overtime work. Daily work schedules may be modified within the forty (40) hour work week to accommodate workload fluctuations without accrual of compensatory time or payment of overtime. No department head shall knowingly permit an employee to work overtime without the express permission of the County Administrator unless such department head has been delegated the authority to approve overtime work by the Human Resources Committee. An employee shall work the hours prescribed by the employee's department head and shall work overtime when directed to do so by the department head.
4. Employees must receive permission from the employee's immediate supervisor to work 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.
5. When accrual of compensatory time is authorized, the following provisions shall apply:

- a. 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.
  - b. 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.
  - c. The maximum amount of compensatory time which may be accumulated is 80 hours of overtime worked or 120 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).
  - d. 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.
  - e. 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. Overtime and Compensatory time for represented positions will continue in accordance with current practice, unless changed through bargaining.

**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.

**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 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 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 Clerk's office must reissue a payment due to the employee's failure to notify the 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, payable on the next succeeding payday. 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)
- 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. 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 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.

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 employees 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.

#### **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) prior to taking time off without pay, or according to current 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.

**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); 1-414-227-7384 (Milwaukee) or [www.dwd.state.wi.us](http://www.dwd.state.wi.us).

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 an 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 the 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, credentials, department, and ID Number completed by the employee; verification of reason for badge and payment requirements completed by the Human Resources department; and verification of identification and badge issuance completed by the Badge Issuing personnel.
- 2. **Identification Badge:** A plastic card containing a photograph, the department name, employee's name and credentials, if applicable, and employee's five-digit ID number. 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 plastic card containing the County's logo and an appropriate title identifier. Temporary agencies or contracted employees with assignments less than 30 days will be issued a temporary ID badge, as well as employees who are waiting for their permanent initial or replacement badge. (Am. Ord. 2006-06, 6/13/06).
- 5. **Photo ID 'Office':** Photo IDs will be taken at Countryside Home, 1130 Collins Rd, Jefferson WI 53549, by appointment only. Badge issuing personnel can be reached by calling Extension 5918 or 674-5918.

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

- a. **New Employees.** Unless accompanied by a member of the Human Resources staff, all new personnel must bring a completed Jefferson County BADGE REQUEST FORM with them when they have their picture taken. This form must be filled out completely and have a valid authorized signature from the Human Resources Department. 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 date of employment, a temporary ID badge will be

issued until the permanent badge is received. (Am. Ord. 2006-06, 6/13/06).

b. Lost/Stolen Badge Replacement:

- (1) Any employee who has lost or had stolen their ID badge must go to the County Human Resources department to get a new Badge Request Form. This provides the ID staff verification that the individual requesting a replacement is in fact still employed or in some way associated with Jefferson County. The individual must pay the actual replacement fee, which includes the applicable sales tax, to the Human Resources department at this time. Checks can be made payable to the Jefferson County Treasurer and a receipt will be issued upon request. The Badge Request Form will be faxed to the Photo ID "office". The individual must have a valid photo ID for identity verification prior to receiving their replacement badge. (Am. Ord. 2006-06, 6/13/06).
- (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 employee who brings a damaged badge to the County Human Resources office will have the badge replaced at no charge. The individual will need to complete a Badge Request form for our records 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, Department, or Credentials. Any employee needing a new badge to reflect a change in name, department, or credentials must have a new Badge Request Form at the County Human Resources Office and follow the replacement/stolen procedure. There is no charge for this badge reissue.

e. Temporary Badges. Temporary plastic 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. (Am. Ord. 2006-06, 6/13/06).

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 worn on the upper chest and 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 clearly visible. The ID Badge must be worn horizontally so that guests and fellow employees can easily read it.
- 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 your 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. **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. (Adopted C.B. 4/19/05; Am Ord. 2005-19, 9/13/05)



## JEFFERSON COUNTY PHOTO IDENTIFICATION BADGE REQUEST

*This identification card is the property of Jefferson County and must be surrendered upon the end of employment or upon the request of the County Administrator or Human Resources Manager.*

<b>TO BE COMPLETED BY EMPLOYEE (Please Print or Type)</b>	
Employee ID #: _____	
First Name: _____	
Middle Initial: _____	
Legal Last Name: _____	
Credentials: _____	
Department: _____	
Unless fees are waived, I agree to pay \$ _____, which is actual replacement cost of the badge and lanyard, if necessary. These charges are tax inclusive.	
Signature: _____	Date: _____

<b>TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT</b>	
Type of Badge: <input type="checkbox"/> Employee <input type="checkbox"/> Temporary Employee <input type="checkbox"/> Contracted Employee <input type="checkbox"/> Elected Official <input type="checkbox"/> Visitor/Guest <input type="checkbox"/> Volunteer	<input type="checkbox"/> Initial Badge <input type="checkbox"/> Lost Badge <input type="checkbox"/> Stolen Badge <input type="checkbox"/> Damaged Badge <input type="checkbox"/> Name/Department/Credential Change  <input type="checkbox"/> Fee waived <input type="checkbox"/> Fee paid
Signature: _____	Date: _____

<b>TO BE COMPLETED BY BADGE ISSUING PERSONNEL</b>	
Valid Proof of Identification Received (Circle One):	
* State issued Driver's license or ID Card * United States Passport * Unexpired foreign passport * Alien Registration card w/photograph	* Native American tribal Document * U.S. Military card or draft record * Under age 18: School record * Prior Jefferson County ID Badge
Signature: _____	Date badge issued: _____

**LEAVE OF ABSENCE WITHOUT PAY.**

- A. Department heads may grant leave of absence to an employee for a period not to exceed 4 calendar months. Unpaid leaves may be granted in increments of 4 or 8-hours 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, or the Nursing Home Administrator for Countryside employees, 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)
- 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.
- 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.
- 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 Wisconsin Public Employer's Group Health Insurance Plan. The employee is eligible to continue group dental insurance and flexible spending coverage under federal COBRA regulations. (Am. Ord 2008-35, 02/10/09)
- 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.
- 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.
- 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. 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.

**B. Seniority and Benefits**

1. Seniority will continue to accrue while on military leave.
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 36 months of COBRA coverage as required under the Wisconsin Public Employer's Group Health Insurance Plan. The employee will be required to pay 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. [Amended Ordinance 2008-33, 01/13/2009].
4. 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. Vacation accrual rate will continue as if employee was not on military leave. Beginning in 2004, employees will receive the total vacation they 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. 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 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

**C. Wages**

1. Military Leave is unpaid. An employee has the choice to use vacation, but can not be forced to do so.
2. Employees on Military leave will continue to receive the *annual* increase at the beginning of the year.
3. Step increases, however, are not seniority based and will not continue while on leave.
4. Employees 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. If an employee is in a probationary period when called to active duty, the remainder of the probationary time must be completed upon return.
5. 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.

**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. Should employees marry, cohabit, or establish a relative relationship after employment, the County will attempt to arrange a transfer or change in position. If a suitable 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 Committee will decide the employee to be transferred or separated. (Human Resources Committee, 11/25/03)

**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.)

**SEXUAL HARASSMENT AND HARASSMENT POLICY.**

It is the belief of Jefferson County that all employees should be able to enjoy a work environment free from all forms of discrimination, including sexual harassment. 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. Sexual harassment is identified as unwelcome advances, requests for sexual favors, or other verbal, visual or physical conduct of a sexual nature when one of the following occurs:
  1. Submission to such conduct is made explicitly or implicitly a condition of an employee's continued employment;
  2. Submission to or rejection of such conduct is the basis for employment decisions affecting the employee, such as promotions or job transfers;
  3. 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.
- B. 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 Resource Manager
  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, the department head or the supervisor.
- E. A false allegation of sexual harassment 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.

**HR0480**

**SMOKING POLICY.** "Smoking" as the term is used in this Ordinance means 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.
- B. No person may smoke at any time inside of any county-owned, rented or leased vehicle.
- C. Department heads in all county-owned, rented, or leased buildings shall enforce a "No Smoking" policy consistent with Sec. 101.123, Stats. and this ordinance. (The Wisconsin Clean Indoor Air Act).
- D. In the event of conflict between the provisions of this ordinance and Section 101.123, Stats., the more restrictive regulation shall apply.
- E. 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. Vehicles owned, rented or leased for use by the Jefferson County Sheriff's Department.
- 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, compensatory time and banked holidays and who are, or who have a member of their immediate family who is, experiencing a catastrophic illness or injury. 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 a 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. 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), which is expected to continue for at least two biweekly payroll periods following exhaustion of all accrued sick, vacation, 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, 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 employee must have been employed at a status with benefits for a minimum of six months. An employee may apply for leave from the pool only once per calendar year and the maximum number of hours an employee may receive is 120 annually (three weeks) or one-third of the balance in the pool, whichever is less. In any pay period, recipients may use donated hours only up to their regular scheduled hours.

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 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.

A 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. Employees who need to work a reduced schedule because of a catastrophic injury 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 is responsible for verifying medical 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.

An employee may appeal the County Human Resources Manager'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)



**HR0500**

**PERSONAL CONDUCT AND DISCIPLINE.**

**HR0505****ABSENTEEISM POLICY**

- A. Purpose: To establish the requirement that each employee work the hours scheduled for his/her position as a normal condition of work.
- B. Policy: An employee is responsible for notifying his/her supervisor or scheduling of his/her absence each day of the absence and advising when s/he will report back to work. Unexcused absences are cause for progressive corrective action and may result in termination. Failure to call in as appropriate will be considered a No Call/No Show, and be subject to discipline measures within the No Call / No Show Policy.

**FAILURE TO REPORT TO DUTY WITHOUT APPROVAL FOR TWO (2)  
CONSECUTIVE WORK ASSIGNMENTS SHALL BE CONSIDERED A  
VOLUNTARY TERMINATION BY THE EMPLOYEE.**

- C. Guidelines:
  - 1. An employee is considered absent if s/he is not present for work as scheduled . Tardiness is also an attendance issue.
  - 2. **Excessive Absence (unavailability):** Frequent absences to the degree that the employee's attendance is creating a financial and staffing hardship on the department. The employee is therefore not consistently available for work (unavailability). Unless required by law to allow time off, more than seven total sick days in a maximum of five occurrences per a 12-month period is considered unacceptable.
  - 3. **Patterned Absences:** Those unexcused absences which recur as a "pattern," and may involve consistent Monday or Friday absences; absences of days immediately before or after holidays or vacations; or frequent absences which fall on similar days or times of the month. Tardiness patterns will also be evaluated.
  - 4. **Employees may be subject to disciplinary action for the following:**
    - a. Failure to follow the appropriate reporting procedures, including receipt of physician documentation within two days of call-in, unless otherwise allowed under FMLA or other applicable regulation (Am. Ord. 2006-11, 7/11/06)
    - b. Unauthorized absences (Including Tardiness)
    - c. Excessive absences (use of sick leave that exceeds seven days in five occurrences per 12 month period)
    - d. Patterned absences
    - e. Excessive tardiness
    - f. Calling in sick for the date of a previously denied request for a vacation or holiday (Am. Ord. 2006-11, 7/11/06)
    - g. Time off without use of accrued benefit time, unless an approved unpaid leave of absence (Am. Ord. 2006-11, 7/11/06)
  - 5. It is important that employees be aware that their prudent use of sick leave is to their advantage. Supervisors should inform employees that an ample balance of sick leave may be needed in the case of a major illness. Elected long - term disability coverage does not pay benefits until after 90 consecutive calendar days of total disability. Having an ample balance of accrued sick days will provide an income and help pay for benefits during the required ninety day "elimination period."
  - 6. Employees who are WRS eligible will receive a pay out of 65% of total accrued sick days (or 100% of accrued sick days in case of death) up to a maximum accrual of 108 days or 864 hours. (Am.Ord 2008-24, 11-10-2008)
  - 7. Employee absences not subject to disciplinary action:
    - a. Approved vacation, holiday or administrative leave
    - b. Approved personal, parental, or family medical leave of absence
    - c. Absences for jury duty or other approved absences covered by contract/policy provisions
    - d. Approved time off for death in the family
    - e. Worker's Compensation
    - f. The first three incidents of sick leave covered by a Physician's documentation in a 12-month period. Thereafter, incidents of sick

leave covered by a Physician's documentation may be subject to disciplinary action. (Am. Ord. 2006-11, 7/11/06)

g. Pre-approved medical appointments (Am. Ord. 2005-09, 6/21/05)

8. **Identification of an Attendance Problem and Corrective Action**

The circumstances surrounding an employee's inability to meet attendance obligations may vary. Supervisors will analyze records, discuss problem situations with employees and take necessary corrective actions. Consistent with the practice of progressive discipline, supervisors should counsel employees who show signs of attendance problems. Continued infractions may result in the following:

- Oral Warning
- Written warning
- Suspension
- Termination

It is a management right to deviate from progressive steps in corrective action for egregious infractions of this policy.

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

- a. The number of hours the employee has been absent
- b. The number of instances (no more than seven days in a total of five occurrences in a twelve month period).
- c. The employee's length of service and past attendance record
- d. The employee's demonstrated effort to correct attendance problems

Supervisors will counsel employees regarding attendance problems and work with the employee by suggesting ways to correct the problem. Supervisors will review the attendance records of their employees. This review process provides supervisors with the opportunity to commend those who have good attendance records. All employees should receive from their supervisor, as a part of the annual performance evaluation, a statement commenting upon their attendance record for the past year.

9. **Requirements for Medical Documentation**

Employees will be required to provide documentation from a physician for absences due to illness of three days or longer or instances of a communicable disease upon the request of the department head concerned. All medical disabilities including personal illness/injury must be covered by the proper medical/doctor's authorization. Employees must have a written release from the doctor upon return from a disability or absence resulting from a work-related illness or injury, or a non-work related injury or illness preceded by a leave of absence. A doctor's verification is required for all absences due to any kind of work-related illness or injury regardless of the number of days absent. The doctor's excuse must specify the reason for the absence. (Am. Ord 2009-16, 10-27-2009)

10. **Attendance Improvement Efforts**

Staff can lower their corrective action for attendance problems. If staff demonstrate a three month period of time with no call ins or tardiness (without a physician's excuse). Corrective actions for attendance will be reduced one level.

Good attendance for a period of six months will return the employee's status to normal attendance expectations of no more than seven work days with no more than five occurrences in a 12 month period. The 12 month period begins at the time of the corrective action.

This effort will demonstrate to management that the employee is making a concerted effort to markedly improve attendance. Created 03/08/05, Ordinance No. 2004-36

**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 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, 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 suspended, demoted or dismissed may appeal such action 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)

**HR0560****RIGHTS OF EMPLOYEES.**

- A. No employee who has completed the probationary period shall be disciplined, suspended or discharged without just cause.
- B. 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. (Am. Ord. 84-16, 12-11-84.)
- C. 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)

**HR0580**

**UNEXCUSED ABSENCES.** Absence from days of service without approved leave or an employee's failure to report for work without proper notification for a period of two (2) consecutive working days will be considered resignation without notice. Such resignation will result in immediate termination. At the end of these two days, the County shall send notice in writing within two working days to said employee that the employee has been terminated by reason of resignation without notice. Within five (5) business days of such resignation, the former employee may present evidence to the County showing just cause for reconsideration of the termination decision. After the evidence has been considered, the employee will be informed of the County's decision. If the County's decision results in the re-employment of the employee, tenure, accrued sick leave, vacation leave and other employee benefits may be adjusted.

**HR0600**

**BENEFITS.**



**HR0605**

**BENEFIT WAITING PERIOD.** Benefits for the positions without a probationary period listed in Section HR0110 (O) shall accrue and be administered pursuant to the Personnel Ordinance as if there were a six month probationary period, except health and dental insurance which shall be administered as set forth in HR0640. (Am. Ord. 2005-08, 6/21/05). (Am. Ord. 2007-19, 09-11-07)

**HR0610**

**BEREAVEMENT ABSENCE.** When death occurs in an employee's immediate family (being defined as spouse; child; or current step children the employee will be excused with pay for the five (5) consecutive scheduled days of work. When an employee's brother, sister, mother, father, mother-in-law, father-in-law, son-in-law, daughter-in-law, stepsiblings, or stepparents dies the employee will be excused for three (3) consecutive scheduled days of work. An employee shall be granted one (1) day off with pay for the death of grandparents, grandchildren, brother-in-law and sisters-in-law, of the employee or spouse. Part-time employees shall be compensated for hours normally worked one (1), three (3) or five (5) consecutive scheduled days of work, whichever applies. Nonconsecutive days off may be allowed upon the approval of the Human Resources Manager, and consultation with the department head, when the funeral service or memorial is outside the period of leave allowed following the death of the relative.

**HR0620**

**CONTINGENCY.** Employees not in Locals 2418, 655 or 102 bargaining units shall be eligible for contingent rates, as set by the Jefferson County Board, upon completion of 10 and 15 years of continuous service. For purposes of this section, continuous service means there have been no intervening terminations. Part-time employees meeting the minimum requirement of at least 20 hours/week and 10,400 life-to-date hours are eligible for 50 percent of the contingent rate. Contingent rates are dependent upon continued satisfactory performance and may be withheld at any time for unsatisfactory performance, as recommended by the department head or supervisor. Any employee hired after December 31, 2004, will not be eligible for the contingency rate program.

**HR0625**

**DEFERRED COMPENSATION.** The County will offer employees an IRS qualified deferred compensation plan in which participants can defer some of their annual income (up to an annual limit), and which contributions and earnings are tax-deferred until withdrawal. (Resolution 1982-115).

**DENTAL INSURANCE (Created Ord. 2008-30, 12-09-2008)**

- A. Employees working half time or more may elect to purchase dental insurance under the County's group policies effective the first of the month following date of hire. Failure to so elect shall preclude coverage under the County's group policies at the employee's expense. Effective the first of the month following completion of a six-month waiting period, the County will begin making contributions to family and single health and dental insurance. Any amount not covered by the County will be the responsibility of the employee, the amount to be determined annually by County Board Supervisors. (Am. Ord. 85-7, 6-11-85; Am. Ord. 2007-15, 7-10-07)
- B. Current employees who make a change of hours to a status eligible for dental insurance (half time or more) may elect to purchase dental insurance under the County's group policies the first of the month following date of status change. Failure to so elect shall preclude coverage under the County's group policies at the employee's expense. Effective the first of the month following completion of a six-month waiting period, the County will begin making contributions to family and single health and dental insurance. However, for each month of the preceding six months that the employee worked half-time or more, the employee will receive "credit" towards the 6-month waiting period. Any amount not covered by the County will be the responsibility of the employee, the amount to be determined annually by County Board Supervisors. (Am. Ord. 2005-09, 6/21/05)
- C. If an employee is hired or makes a status change on the first working day of the month, said month shall be considered the first month of the six-month waiting period. (Am. Ord. 2007-15, 07-10-07; Am. Ord 2008-30, 12-09-2008)
- D. If an employee elects to cancel coverage or makes a change in family/single coverage in the middle of the month, employee contributions will be required as follows:
  - 1. If cancellation occurs on day 1 – 15 of the month, 50% of the employee contribution will be charged.
  - 2. If cancellation occurs on day 16 or later in the month, 100% of the employee contribution will be charged.
  - 3. If a change in family/single coverage occurs on day 1 – 15 of the month, employee contribution for the month will be charged at 100% according to the applicable change.
  - 4. If a change in family/single coverage occurs on day 16 or later in the month, no change in employee contribution will be charged until the following month. (Am. Ord. 2007-15, 07-10-07)
- E. Elected officials shall be provided the option of taking dental and life insurance effective at the beginning of the term on the same terms as available to non-represented employees, as such terms and required co-pays may change from time to time.
- F. County Board members may elect coverage for dental insurance under the County's group policies effective on the first day of the calendar month following application, provided: (1) the employee applies with 60 days after the April organizational meeting or within 60 days of appointment; and (2) pays 100% of the required contribution to the Employer. Thereafter, such member may not enroll in either the health or dental program.
- G. In order to maintain active dental coverage, an employee on a non-FMLA related leave of absence shall use accrued time according to current employment status. If the employee is receiving workers' compensation payments, the employee will only be required to substitute 20 hours of accrued time to maintain health and dental coverage as an active participant. (Am. Ord. 2007-15, 07-10-07)

**HR0630**

**DISABILITY INSURANCE.** The County will offer eligible employees the opportunity to participate in a voluntary long term disability insurance plan. Effective January 1, 2004, there will also be an option to purchase long-term care insurance as an amendment to the LTD plan. The full cost of participating in the long-term disability or long-term care plan will be paid for by the employee. The Human Resources Committee may approve vendor or plan changes when desirable.

**HEALTH INSURANCE.**

- A. Effective January 1, 2009, the County switched carriers to the Wisconsin Public Employers' Group Health Insurance Plan. For employees with half-time or more status, the County agrees to pay up to one-hundred-five percent (105%) of the premium rate of the lowest cost qualified plan in Jefferson County for either single or family coverage. For employees with a less-than-half-time status and eligible for Wisconsin Retirement, the County agrees to pay twenty-five percent (25%) of the lowest cost qualified plan in Jefferson County for either single or family coverage. If a regular part-time employee refuses when called to work, except for a valid reason, and has not worked 1040 hours per year, the Employer will pay only 25% of the lowest cost qualified plan for a period of time not to exceed three (3) months. Effective May 13, 2008, unless a qualifying event occurs, late enrollees into the County self-funded health insurance program will pay an assessment equal to 6 months premiums of the 2008 Wisconsin Public Employers' Group Health Insurance Standard Plan for Jefferson County, less 105% of the lowest qualified State plan in Jefferson County, or \$2416.17 for single plans and \$6042.42 for family plans. This is in addition to any required premium contribution established above. (Am. Ord. 2008-09, 5/13/08; Am. Ord 2008-30, 12-09-2008)
- B. Employees eligible for Wisconsin Retirement and not receiving WRS annuity payments may elect to purchase health insurance under the State Health Plan effective the first day of the month which occurs on or after the date the application is received by the employer, as long as the application is received within 30 days of hire. Failure to so elect shall preclude coverage under the County's group policies at the employee's expense. Effective the first of the month following completion of a six-month waiting period, the County will begin making contributions to family and single health insurance, providing the application is received by the County prior to the date the employee is eligible for the employer contribution toward the premium. Any amount not paid by the County will be the responsibility of the employee, as determined annually by County Board Supervisors or in accordance with the applicable labor contract. (Am. Ord. 85-7, 6-11-85; Am. Ord. 2007-15, 7-10-07; Am. Ord 2008-30, 12-09-2008)
- C. Current employees who make a change of hours to either a status eligible for health insurance (become eligible for Wisconsin Retirement or are already WRS eligible but increase their hours to half time or more,) may elect to purchase health insurance under the State Health Plan effective the first day of the month which occurs on or after the date the application is received by the County, as long as the application is received within 30 days of the status change. Failure to so elect shall preclude coverage under the County's group policies at the employee's expense. Effective the first of the month following completion of a six-month waiting period, the County will begin making contributions for family and single health insurance provided the application is received by the County prior to the date the employee is eligible for the employer contribution toward the premium. However, for each month of the preceding six months that the employee worked half-time or more, the employee will receive "credit" towards the 6-month waiting period. Any amount not paid by the County will be the responsibility of the employee, as determined annually by County Board Supervisors or in accordance with the applicable labor contract. (Am. Ord. 2005-09, 6/21/05; Am. Ord 2008-30, 12-09-2008)
- D. If an employee is hired or makes a status change on the first working day of the month, said month shall be considered the first month of the six-month waiting period. (Am. Ord. 2007-15, 07-10-07; Am. Ord 2008-30, 12-09-2008)
- E. Employees who decline coverage may elect coverage at a later date and will be limited to the Standard Plan with a 180-day waiting period for ALL pre-existing conditions. The only exception is the occurrence of qualifying events creating special enrollment opportunities.
- F. When both spouses are employed by the County and both are eligible for coverage, both employees may either elect single coverage OR one employee may elect family coverage.
- G. If an employee elects to make a change in family/single coverage in the middle of the month, employee contributions will be required as follows:

1. If a change in family/single coverage occurs on day 1 – 15 of the month due to marriage or birth/adoption of a child, employee contribution for the month will be charged at 100% according to the applicable change. (Am. Ord 2008-30, 12-09-2008)
  2. If change in family/single coverage occurs on day 16 or later in the month due to marriage or birth/adoption of a child, no change in employee contribution will be charged until the following month. (Am. Ord. 2007-15, 07-10-07; Am. Ord 2008-30, 12-09-2008)
  3. If a change is due to divorce and the divorced spouse was the sole dependent, the employee's single coverage is effective on the first of the month following divorce decree or notification. (Am. Ord 2008-30, 12-09-2008)
- H. An employee can voluntarily cancel coverage at any time by submitting an application to the County. The cancellation will be effective the last day of the month in which the employer receives the application or a later date as specified on the cancellation notice. Voluntary cancellation of coverage does not provide the employee and dependents an opportunity for continuation or conversion of the group coverage, and under no circumstances is a partial month's premium refunded. (Am. Ord 2008-30, 12-09-2008)
- I. Elected officials shall be provided the option of taking health insurance effective at the beginning of the term on the same terms as available to non-represented employees, as such terms and required co-pays may change from time to time.
- J. In order to maintain active health coverage, an employee on a non-FMLA related leave of absence shall use accrued time according to current employment status. If the employee is receiving workers' compensation payments, the employee will only be required to substitute 20 hours of accrued time to maintain health and dental coverage as an active participant. (Am. Ord. 2007-15, 07-10-07)

**HOLIDAYS.**

A. All regular employees shall be allowed the following days with pay:

New Year's Day	Floating Holiday
Spring Holiday, as determined annually By the Human Resources Committee	Thanksgiving Day The day after Thanksgiving
Memorial Day	December 24
Independence Day	Christmas Day
Labor Day	

B. Nonrepresented Highway and Sheriff's Department staff shall follow their respective union contract schedule.

C. When a paid holiday falls on Saturday, the next preceding Friday shall become the paid holiday. When a paid holiday falls on Sunday, the next following Monday shall become the paid holiday. When December 24 is on Friday, the December 25 holiday shall be December 27. When December 24 is on Sunday, the holiday shall be December 26.

D. When an employee is required to work on a designated holiday or works extra hours during the week of a designated holiday due to an emergency or for public safety, holiday hours which would be compensated in accordance with policy so as to exceed a total of 40 hours for the week may be banked for the employee's use at a mutually agreeable time. (Am. Ord. 85-10, 7-9-85.; Ord. 2002-33, 3-11-03)

E. Unused holidays cannot be carried over from one year to the next. Unused holidays shall be deemed waived. In exceptional circumstances, such as when December 24 or December 25 are the holidays affected by the emergency, the County Administrator may allow an employee to carry the unused holiday time into the next ensuing year. Such holiday time shall be used by March 1 of the succeeding year. A report summarizing approved requests shall be made to the Human Resources Committee (Am Ord. 2002-33, 3/11/2003; Ord. 2003-27, 12/9/03; Ord. 2006-35, 2/14/06).

**HR0650**

**LIFE INSURANCE.** The County of Jefferson shall participate in the state group life insurance plan for employee life, spousal and dependent children coverages. Eligible employees shall pay their required premium and the County shall pay its required premium for the basic plan. Eligible employees will also have the option of increasing their life insurance to three (3) times their annual salary by electing supplemental and one additional unit. For all coverage other than the basic plan, the employee will be responsible for the full cost of the life insurance. In addition, eligible employees may elect to participate in the Universal Life plan. (Am. Ord. 2006-30, 3/13/06).

**HR0655****LONGEVITY PAY.**

- A. Full-time employees who have completed more than 5 years of continuous full-time service immediately preceding November 1 of any year shall be paid longevity pay at the rate of \$1.25 per month for each month of service up to a maximum of 300 months of service. Longevity pay will be paid in December.
- B. Full-time employment means a minimum of 1900 hours per year. Continuous service means employment which has not been interrupted by termination.
- C. "Month of service" shall be defined as 173.33 hours of County Service. Active military service shall be included in the computation of longevity pay only if the employee receives a leave of absence for such military service.
- D. Part-time employees shall be eligible for longevity pay upon completion of 10,400 hours in County service.
- E. Any employee hired after December 31, 2004, will not be eligible for Longevity Pay.

**HR0660**

**RETIREMENT.**

- A. The County shall pay the employee's contribution to the Wisconsin Retirement System up to a maximum of six and five tenths percent (6.5%) of the employee's gross pay.
- B. A regular employee may retire pursuant to the rules of the Wisconsin Retirement System. (Am. Ord. 84-16, 12-11-84.)

**HR0670**

**SECTION 125B PLAN.** The County will offer a Section 125 Plan which employees may utilize for insurance premiums, unreimbursed medical expenses or dependent care expenses. The Administrator for this plan will be reviewed on a regular basis and approved by the Human Resources Committee. The County Administrator may approve plan changes as necessary to keep it qualified. (Resolution 2001-51, 10/9/01).

**SICK LEAVE WITH PAY.**

- A. Eligible employees shall be entitled to 1 working day of sick leave with pay for each month or major fraction thereof of actual service up to an accumulated total of 108 working days. When an employee has one hundred eight (108) working days of sick leave credit, such employee shall continue to earn sick leave at the rate of one-half (1/2) working day of sick leave with pay for each month or major fraction thereof of actual service up to an accumulated total of one hundred twenty (120) working days. The sick leave time earned during the first 6 calendar months of employment shall not be available to an employee until the employee has successfully completed the probationary period. (Am. Ord. 2008-09, 5/13/08).
- B. Use for employee: An employee may use sick leave with pay for absences necessitated by the employee's injury, illness, or medical appointments including diagnostic treatment, dental procedures, optician's services, and other medical care performed by a duly licensed practitioner.
- C. Use for immediate family: In addition to any right that employees may have under state or federal law to use sick leave for family members, employees may use sick leave for the reasons described in Section (B) above involving members of their immediate family. Immediate family is defined for this purpose as dependent children, current dependent step children, spouse, parents and parents-in-law. Employees may use up to three (3) days for each occurrence involving members of their immediate family. If due to extenuating circumstances additional time is needed, employees may be granted additional days of sick leave in excess of the three (3) days, upon the approval of their supervisor. If additional days are approved, the County may require verification as described below.
- D. Verification: In the case of illness extending beyond three work days duration, the employee shall furnish a certificate issued by a licensed practitioner or other satisfactory proof of illness upon the request of the department head concerned. If a department head suspects that an employee is abusing sick leave, the department head may require in advance of any future illness, that the employee present a certificate issued by a licensed practitioner or other satisfactory proof of illness for each absence following said request. Failure to comply with this section is grounds to deny sick leave pay.
- E. It shall be the policy of the County that sick leave shall be considered a privilege and not a right. It shall be the responsibility of the department head to deny the use of sick leave with pay in cases where there is a substantial evidence of abuse of the sick leave privilege.
- F. A County employee who is entitled to worker's compensation may elect to take as much accumulated sick leave, or accumulated vacation after the employee's accumulated sick leave becomes exhausted, as when added to worker's compensation will result in a payment to the employee of the employee's full salary or wage.
- G. Where the Employer has reason to believe than an employee is unable to perform the required job duties, including the ability to work overtime, because of a physical or mental condition, the Employer shall provide an independent medical examination for said employee by a medical doctor of the Employer's choice to determine whether the employee's physical or mental condition renders said employee unable to perform the employee's job. The Employer shall seek to assist the employee on a temporary basis by altering job duties when possible or approving a leave of absence.
- H. No County employee shall be entitled to sick leave while absent from duty on account of any of the following causes, unless otherwise mandated by federal or state regulations:
  - 1. Regularly scheduled vacation
  - 2. Disability arising from any sickness or injury purposely self-inflicted or caused by any of the employee's willful misconduct.
  - 3. Sickness or disability sustained while on leave of absence without pay.
- I. Employees using sick leave as the result of an accident or other occurrence for which a third party may be liable shall notify the employer. The employer shall

be subrogated to the rights of the employee in the amount of sick leave time paid. (Am. Ord. 84-16, 12-1-184.)

- J. Leave provided for in this section shall apply only to regularly scheduled days of work. (Am. Ord. 84-16, 12-11-84.)

**VACATION WITH PAY.**

- A. Vacation week means that number of days customarily worked by an employee in the service of the County in a normal 7-day week. Vacation day means that number of hours customarily worked by an employee in the service of the County in a normal 24-hour day. Notwithstanding the foregoing, department heads may require part-time employees to take vacation days in blocks of 5 (Am. Ord. 85-7, 6-11-85.)
- B. Vacation eligibility shall be determined on the basis of length of continuous service of each employee as of January 1 of each calendar year. Eligible employees shall be entitled to paid annual vacation leave as follows: (Am. Ord. 2006-30, 3/13/06).
1. Employees with less than 6 years of service shall earn vacation at the rate of 5/6ths of a day per month or major fraction thereof for each month of service. 12 months shall equal 2 vacation weeks.
  2. Employees with more than 6 years of service but less than 13 years of service shall earn vacation at the rate of 5/4ths of a day per month or major fraction thereof for each month of service. 12 months shall equal 3 vacation weeks.
  3. Employees with more than 13 years of service but less than 19 years of service shall earn vacation at the rate of 5/3rds of a day per month or major fraction thereof for each month of service. 12 months shall equal 4 vacation weeks.
  4. Employees with more than 19 years of service shall earn vacation at the rate of 2-1/12 days per month or major fraction thereof for each month of service. 12 months shall equal 5 vacation weeks. (cr. Ord. 85-7, 6-11-85.)
- C. Upon recommendation of the County Administrator or Human Resources Manager, the Human Resources Committee may approve starting a new employee at an earning rate other than two-weeks per year, not to exceed three-weeks per year, by crediting the employee with the appropriate number of years of service for vacation purposes only.
- D. No employee shall be entitled to take vacation during the employee's probationary period. Upon completion of an employee's probationary period, the employee shall be eligible to receive vacation for those months of service prior to January 1 of the year in which the probationary period was completed.
- E. Exempt employees who have completed their probationary period may borrow against *next* year's vacation with approval or direction of the supervisor and Human Resources Manager for *partial* day absences. *Full* day absences shall be without pay if the employee has no accrued time to use.
- F. Department heads shall have full responsibility and discretion for setting vacation periods for all employees under their supervision during the calendar year. In doing so the department head shall be guided by the good of the County service and orderly conduct of the work and functions of each particular department.
- G. All employees shall be encouraged to make use of earned vacation time in accordance with the provisions of this ordinance. Any employee who is given a reasonable opportunity to take earned vacation and who does not do so shall be deemed to have waived said vacation and shall not be entitled to compensation thereof. The use of vacation time in small units shall be discouraged. An employee may, with department head approval, carry over a maximum of 40 hours vacation time from one year to the next. Requests for approval to carry over any additional days of vacation must be made to the Human Resources Department no later than December 15 and approved by the County Administrator. If approved, additional days must be used by March 1 of the succeeding year, unless an extension is approved by the County Administrator or designee. A report summarizing approved requests shall be made to the Human Resources Committee. (Am. Ord. 2006-35, 2/14/06), (Am. Ord. 2007-50, 03-11-08)
- H. Any employee who has exhausted earned sick leave credits shall be entitled to use earned vacation and compensatory time for sick leave with written permission from the employee only.