

ORDINANCE
ROCK COUNTY BOARD OF SUPERVISORS

Annette Mikula
INITIATED BY

Annette Mikula, Human Resource Director
DRAFTED BY

County Board
Staff Committee
SUBMITTED BY



November 2, 2015
DATE DRAFTED

AMENDING THE COUNTY'S PERSONNEL ORDINANCE

1 WHEREAS, Rock County has an established Personnel Ordinance; and
2
3 WHEREAS, it is good practice to review the personnel ordinance language on an annual basis; and
4
5 WHEREAS, certain additional changes have been suggested by Employees and Department Managers; and
6
7 WHEREAS, the County wants to incorporate these additional changes to the Personnel Ordinance effective at
8 12:01 a.m. January 1, 2016.
9
10 NOW, THEREFORE, BE IT RESOLVED, that the Rock County Board of Supervisors assembled this
11 10th day of December, 2015 does hereby amend Chapter XVIII, the County's Personnel
12 Ordinance as follows:

CHAPTER XVIII
PERSONNEL ORDINANCE
SECTION 1
OBJECTIVES AND SCOPE

- 18.101 Authority.
This Ordinance is promulgated under the authority of Wisconsin Statute 59.22 (2)(c) 1.c.
18.102 Purposes.
The purposes of this Ordinance shall be to:
A. Establish a clear understanding of responsibilities in the establishment and maintenance of a personnel program for Rock County.
B. Establish a uniform County Personnel Policy and procedures to recruit, select, develop and maintain an effective and responsive workforce for the County. The Ordinance shall be based on the following objectives:
(a1) To recruit, select and advance employees on the basis of their relative knowledge, skills, and abilities.
(b2) To provide internally equitable and externally competitive compensation for all employees.
(e3) To recognize good job performance, reward exceptional performance and correct inadequate performance in a fair and timely manner.
(e4) To assure fair treatment of all applicants and employees in all aspects of personnel administration without regard to political affiliation or beliefs, race,

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46 color, national origin or ancestry, sex, age, religion, disability, sexual
 47 orientation, gender identity, gender expression, genetic information,
 48 ~~pregnancy, creed, arrest conviction record, marital status, military services, or~~
 49 ~~outside use of lawful products~~ or any other cause for discrimination as
 50 defined by law, except as allowable as a bonafide occupational requirement
 51 and with proper regard for their rights as citizens.

52
 53 (e5) To protect employees against coercive political activities and to prohibit the
 54 use of official authority for the purpose of interfering with or affecting the
 55 result of an election or a nomination for office.

56
 57 C. Provide a system of standardized titles and standardized class descriptions for the ef-
 58 fective administration of personnel activities such as: manpower planning and
 59 budgeting, standards of job performance, fair and equitable pay, valid selection and
 60 recruitment programs, training programs and career development.

61
 62 D. Provide a system to recruit and select the most qualified persons for positions in
 63 County service. Recruitment and selection shall be conducted in an affirmative
 64 manner to ensure open competition, provide equal employment opportunity, prohibit
 65 ~~discrimination based on the categories identified above because of race, political~~
 66 ~~affiliation or beliefs, sex, national origin or ancestry, age, disability, sexual identity~~
 67 ~~and orientation, genetic information, or any other cause for discrimination as defined~~
 68 ~~by law,~~ to ensure that persons of disadvantaged groups are fairly represented in the
 69 County workforce.

70 E. Provide an effective career development plan for qualified employees through
 71 promotional opportunities in an environment free of discrimination.

72
 73 18.103 Scope.

74
 75 THIS ORDINANCE SHALL NOT BE DEEMED A CONTRACT OF EMPLOYMENT.
 76 The provisions of this Ordinance do not vary or modify the at will employment
 77 relationship between the employee and the County. Any individual may voluntarily cease
 78 employment upon proper notice and may be terminated by Rock County at any time and
 79 for any reason. Any oral or written statements of promises to the contrary are expressly
 80 disallowed and should not be relied upon by any prospective or existing employee. The
 81 contents of this ordinance are subject to change at any time by action of the County Board.

82
 83 This Ordinance shall govern personnel administration for all employees and departments
 84 of the County of Rock except:

- 85 (a) members of the Rock County Board of Supervisors;
- 86 (b) elected County Officials;
- 87 (c) members of boards, commissions, and committees (including citizens);
- 88 (d) persons employed to conduct temporary and special inquiry, investigation or
- 89 examination on behalf of the County Board, a committee thereof, or the County
- 90 Administrator;
- 91 (e) persons employed by employment services agreements or purchase of service
- 92 contracts, unless expressly included in said contract or agreement;
- 93 (f) all matters concerning deputy sheriffs arising under Section 59.26(8)(b), Wis. Stats.,
- 94 which shall be handled by the Public Safety and Justice Committee of the Rock
- 95 County Board of Supervisors in accordance with statute.

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 97 This Ordinance shall not be interpreted as infringing upon the Constitutional powers of
 98 Elected Department Heads.
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18.104 Collective Bargaining Agreements.

This Ordinance applies to employees not covered by collective bargaining agreements (Unilaterals) and to employees so covered when specific contracts are silent on a particular issue, or otherwise do not apply to the contrary.

18.105 Human Resources Section of the Administrative Policies and Procedures Manual

The Human Resource Department shall develop a standard set of policies and procedures to administer the personnel system based upon the Policies established in this Ordinance. These policies and procedures shall be a part of the County's Administrative Policies and Procedures Manual. The Human Resource Policies and Procedures shall be subject to review and approval by the County Board Staff Committee.

The Ordinance shall take precedence over the Human Resource Policies and Procedures.

18.106 Department Work Rules.

Nothing herein shall preclude an Appointing Authority from promulgating Department Work Rules covering topics not covered by this Ordinance or the Human Resource Department's Policies and Procedures. Work rules so promulgated must be consistent with this Ordinances and Human Resource Policies and Procedures.

18.107 Non Elected Department Heads.

Any non elected Department Head hired shall be employed pursuant to a personal employment contract of up to two (2) years. Non elected Department Heads serving on the date of adoption of this section may voluntarily negotiate a personal employment contract of up to two (2) years. Non elected Department Heads shall continue to be at will employees and may be removed at the pleasure of the County Administrator. Removal of the Corporation Counsel by the County Administrator requires the concurrence of the County Board. The County Administrator shall remain the appointing authority for non elected Department Heads. The personal employment contract covering the initial appointment of a non elected Department Head is subject to approval by the County Board after action by the appropriate Governing Committee.

18.108 Administrator Position.

The position of the County Administrator shall be included under the coverage of this Ordinance, except where there are exclusions or where this Ordinance conflicts with the resolution establishing the administrator form of government. In the case of any such conflict, the resolution shall control.

18.109 Sheriff's Office Command Staff.

In addition to the benefits provided to other unilateral employees, if the following provisions of the labor agreement with the Rock County Deputy Sheriffs Supervisors Association are modified, such modifications shall be extended to the Chief Deputy (CB Resolution Nov. 9, 1993-93-12A-118), Commanders (CB Resolution Nov. 15, 1991-91-11D-118), and Captains (CB Resolution Dec. 31, 2008-09-1B-189).

- Education
- Health insurance for retirees*
- Life insurance
- Retirement
- Sick Leave Accumulation
- Sick leave payout
- Sick leave payment
- Uniform allowance
- Worker's compensation

167
168 *For Command Staff who are at least age 53 and retire after January 1, 2014, the
169 County shall pay 100% of the health insurance premiums for the applicable coverage for
170 the retired and eligible dependents thru the end of the month before they turn 65.
171

172 ~~18.109(a) Correctional Supervisor~~

173 ~~In addition to the benefits provided to other unilateral employees, if the retirement~~
174 ~~provision of the labor agreement with the Rock County Deputy Sheriffs Supervisors~~
175 ~~Association are modified, such modification shall be extended to the Correctional~~
176 ~~Supervisor.~~
177

178 18.110 Amendments.

179
180 This Ordinance may be amended by the Rock County Board of Supervisors in the same
181 manner as adopted.
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183 18.111 Management Rights.

184
185 The management of Rock County and the direction of the workforce is vested
186 exclusively in the County, including but not limited to the right to:
187

- 188 1) Hire, promote, demote, suspend, discipline, and discharge;
- 189 2) Decide job qualifications for hiring;
- 190 3) Transfer or layoff because of lack of work, discontinuance of services, or other
191 legitimate reasons;
- 192 4) Subcontract for economic reasons or when it is not feasible for county employees to
193 perform the work;
- 194 5) Abolish or create positions;
- 195 6) Create job descriptions and determine the composition thereof;
- 196 7) Plan and schedule work;
- 197 8) Determine the methods and processes and manner of performing work;
- 198 9) Determine the type, kind and quality of service to be rendered to clients and citizens;
- 199 10) Determine the location, operation and type of physical structures, facilities,
200 equipment of the county;
- 201 11) Plan and schedule any training programs,
- 202 12) Create, promulgate and enforce reasonable work rules;
- 203 13) Determine and enforce regulations governing conduct and safety;
- 204 14) Determine what constitutes good and efficient county service, and all other
205 functions of management and direction.

206
207 The County shall have the right to operate and manage its affairs in all respects in
208 accordance with its rights, duties, and responsibilities.
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215 18.112 Responsibilities and Authority.

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217 A. County Board. The County Board shall:

- 218 (1) approve the annual County budget, including requests for personnel
219 adjustments.

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- 230 (2) review and approve County Personnel Ordinance and amendments.
 231
 232 (3) confirm department head appointments made by the County Administrator.
 233
 234 (4) delegate such duties to the County Board Staff Committee as
 235 necessary.
 236
 237 (5) hear grievance appeals as outlined in Section 18.806.
 238

239
 240 B. County Board Staff Committee. The County Board Staff Committee shall:
 241

- 242 (1) advise the County Administrator on matters concerning implementation of
 243 Personnel Ordinance.
 244
 245 (2) review proposed Personnel Ordinance and amendments as developed and
 246 recommended by the Human Resources Director and make
 247 recommendations to the County Board for consideration and legislative
 248 action.
 249
 250 (3) perform other related duties as assigned by the County Board.
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252
 253 C. County Board Governing Committees. Each Governing Committee shall:
 254

- 255 (1) review all appointments made by the County Administrator as provided in
 256 Section 18.112(d)(1) and make such recommendations to the Board as
 257 appropriate.
 258

259 D. County Administrator. Except as prohibited by State and Federal law, the County
 260 Administrator shall:
 261

- 262 (1) appoint and remove all Department Heads, subject to the provisions of
 263 Section 18.107.
 264
 265 (2) advise the Governing Committee of the final interview schedule of the
 266 best-qualified applicants. The Governing Committee may participate in
 267 the scheduled interviews.
 268
 269 (3) submit terms of employment for Department Heads to the Governing
 270 Committee for review before submission to the County Board.
 271
 272 (4) approve Personnel Ordinance prior to submittal to the County Board Staff
 273 Committee and the County Board.
 274
 275 (5) apply appropriate disciplinary actions as defined in Section 18.1108 to
 276 subordinate employees.
 277
 278 (6) approve new positions, reallocations, and upgrades of existing positions
 279 subject to County Board approval.
 280

281 E. Human Resources Director. The Human Resources Director under the authority of
 282 the County Administrator shall:
 283

- 284 (1) administer the Personnel Ordinance adopted by the County Board.
 285
 286 (2) establish, maintain and coordinate personnel transactions and records
 287 management for all County employees and positions.
 288
 289 (3) establish and maintain a central personnel file for each County employee
 290 showing name, title, salary, change in status, annual performance ratings
 291 and such pertinent information as may be necessary for effective personnel
 292 administration and for compliance with Federal and State laws.

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- (4) advise and assist Department Heads on all County Personnel transactions and records management systems and procedures.
 - (5) notify the payroll section of all relevant changes.
 - (6) review appointments and removal of personnel to County positions pursuant to Section 18.607.
 - (7) maintain complete employment and performance records of all County employees.
 - (8) establish and maintain a roster of all employees in the County service which shall include the class title, pay status, and other pertinent data.
 - (9) make such reports and investigations to the County Administrator, County Board Staff Committee and the County Board as required.
 - (10) develop and maintain the Classification Plan.
 - (11) develop and administer the recruitment and selection program.
 - (12) establish and maintain lists of persons eligible and qualified for appointment and promotion to positions within the County service when, in the judgment of the Human Resources Director, it is advantageous to the County.
 - (13) monitor temporary and overtime assignments.
 - (14) approve and monitor layoffs due to lack of funds, work, or the abolition of positions or material changes in duties and organization, encourage the re employment of laid off employees in other appropriate County positions.
 - (15) develop, operate and coordinate programs to improve employee effectiveness, training and career counseling.
 - (16) establish an Affirmative Action Program designed to increase the participation at all levels of the County workforce persons of disadvantaged groups, including, but not limited to women, minorities and the physically and mentally handicapped.
 - (17) establish standards and procedures to ensure uniformity in the application of discipline and the processing of employee grievances.
 - (18) conduct third step grievance hearings as may be necessary under Section 18.806, and adjust such grievances as may be appropriate.
 - (19) prepare and implement such forms, reports and procedures necessary to carry out the County human resources program.
 - (20) disseminate information regarding the personnel program, fringe benefits and conditions of employment to all employees and departments.
 - (21) lead the County's negotiations with labor representatives, unless otherwise delegated by the County Board.
 - (22) investigate unemployment compensation claims and represent the County at unemployment compensation hearings.
 - (23) develop such regulations as necessary to carry out the intent of this Ordinance.

- 355 (24) establish a safety program to reduce the incidence of work related injuries
 356 and promote safety awareness.
 357
 358 (25) develop and maintain the County wide training program within budgetary
 359 limitations.
 360
 361 (26) administer and manage the County's Worker's Compensation program.
 362
 363 (27) insure that Department Work Rules are fairly designed and administered.
 364

365
 366 F. Department Heads. Department Heads shall:
 367

- 368 (1) enforce the Personnel Ordinance, and the Human Resource Policies and
 369 Procedures in their respective department.
 370
 371 (2) adopt such additional Department Work Rules as required by law and/or
 372 necessary for the operations of the Department subject to approval of the
 373 Human Resources Director.
 374
 375 (3) initiate and process personnel transactions affecting their employees using
 376 forms provided by the Human Resources Director.
 377
 378 (4) maintain an employee service record for each employee.
 379
 380 (5) notify the Human Resources Director of all changes in permanent
 381 personnel records including change of address, insurance coverage and
 382 other relevant information.
 383
 384 (6) keep employees informed of current personnel policies.
 385
 386 (7) conduct second step grievance procedures hearings as may be necessary
 387 under Section 18.805, and adjust such grievances as may be appropriate.
 388
 389 (8) appoint and remove employees to positions subject to Section 18.304 and
 390 18.806, and consistent with applicable State Statutes and inform governing
 391 committee of said appointments.
 392
 393 (9) in collaboration with the Human Resources Director, develop employee
 394 orientation and in service training programs.
 395
 396 (10) administer discipline and delegate such authority to supervisory personnel
 397 as appropriate subject to Section 18.806.
 398
 399 (11) conduct performance reviews of all immediate subordinate employees on
 400 no less frequent than an annual basis
 401
 402 (12) obtain prior approval of the County Administrator when taking vacation
 403 days, or when traveling out of the County on County business. (This
 404 provision does not apply to elected County Officials.) The memo making
 405 the request should include a designated department contact person, as
 406 well as a phone number where the Department Head can be reached (if
 407 possible).
 408
 409 ~~(13) develop and monitor department budget.~~
 410

411 G. Supervisory Personnel. To the extent Department Heads delegate authority to
 412 them, supervisors shall:
 413

- 414 (1) interview and recommend applicants for appointments to and removal
 415 from subordinate positions.
 416

- 417 (2) implement the Personnel Ordinance, HR Policies and Procedures and
 418 Department Work Rules in their unit.
 419
 420 (3) conduct performance reviews of all immediate subordinate employees on
 421 no less frequent than an annual basis.
 422
 423 (4) administer discipline to employees as necessary.
 424
 425 (5) conduct first step grievance hearings as may be necessary under Section
 426 18.806, and adjust such grievances as may be appropriate.

SECTION 2

CLASSIFICATION PLAN

428
 429
 430 18.201 Development and Administration.
 431

432 The Human Resources Director shall be responsible for the overall development and
 433 administration of the Classification Plan, in cooperation with Department Heads, key staff
 434 employees and other appropriate resources. The County Administrator position shall be
 435 an unclassified position.
 436

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 438
 439 18.202 Position Description.
 440

441 Each employee shall have an accurate position description that describes the knowledge,
 442 skills and abilities necessary to do the work of that position; goals of the position and job
 443 tasks to accomplish the goals; and identifies the essential job functions.
 444

445 18.203 Allocation of New Positions.
 446

447 The Human Resources Director shall allocate new positions that have been approved by
 448 the County Board to one of the classifications in the Classification Plan. If a suitable class
 449 does not exist, the Human Resources Director shall establish a new classification. An
 450 appropriate pay range for the classification shall be assigned subject to the approval of the
 451 County Board Staff Committee, and confirmation of the County Board unless otherwise
 452 established through the budgetary process.
 453

454 18.204 Abolition of Unnecessary Classifications.
 455

456 When it is determined that a classification or classifications are no longer useful or
 457 appropriate, the Human Resources Director shall inform the County Board Staff
 458 Committee that such classes have been abolished.
 459

460 18.205 Reclassification Requests.
 461

462 A reclassification is the re assignment of a position from one existing class to another
 463 class to recognize a change in the duties and responsibilities of a position.
 464

465 Reclassification requests shall normally be contained within the annual budget. In such
 466 situations, prior to approval of the budget, the Human Resources Department shall audit
 467 the position and make a written recommendation to the County Administrator who shall
 468 then recommend approval or denial of reclassification requests. If a reclassification
 469 request is denied, the position shall not be reconsidered for reclassification until there is a
 470 significant change in the duties and responsibilities of the position. If, in exceptional cases,
 471 duties of a position change during a budget year, the County Board may approve a
 472 reclassification request upon the performance of a job audit and the recommendation of
 473 the Human Resources Director and County Administrator and with the confirmation of the
 474 County Board Staff Committee.
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476
 477 18.206 Reallocation Requests.

478
479 A reallocation is the re assignment of a position from one pay range to another pay range
480 to correct an error in the original assignment, to reflect changing labor market conditions,
481 or to reflect significant changes over a period of time in the duties and the responsibilities
482 of the position

483 Salary adjustments shall be part of the budget process. If salary reallocations are
484 approved, they will become effective the first day of the fiscal year. Persons in positions
485 reallocated shall normally be advanced to the step with the next highest dollar amount in
486 the new pay range. In unusual circumstances, the reallocated individual may be placed in
487 a higher step upon approval of the Human Resources Director and the County
488 Administrator.

489
490 If the employee's current rate of pay is greater than the maximum of the new range, the
491 employee will be red-circled in accordance with section 18.411.
492

493 When a position becomes vacant and it is determined by the Human Resources Director
494 and the County Administrator that a reallocation of the position is necessary for
495 recruitment purposes, such reallocation may occur outside the budget process upon the
496 confirmation of the County Board Staff Committee and approval of the County Board.
497

498 18.207 Reorganization of Department.
499

500 Each time a department or division of a department is reorganized, class descriptions for
501 all affected employees shall be submitted to the Human Resources Director for review and
502 approval as part of such reorganization.
503

504 18.208 Position Description Questionnaires/Job Audits.
505

506 The Human Resources Director may require departments or employees to submit Position
507 Description Questionnaires when vacancies occur, any time there is reason to believe that
508 there has been a significant change in the duties and responsibilities of one or more
509 positions, or as part of a job audit conducted by the Human Resources Department.
510

511 18.209 Review of Classification Plan.
512

513 At least every three years, or as often as may be appropriate, the Human Resources
514 Director shall review the Classification Plan to ensure that the plan accurately reflects
515 existing position responsibilities and market conditions. The Human Resources Director
516 shall take whatever action is appropriate to amend and update the Classification Plan,
517 subject to the review of the County Board Staff Committee and approval of the County
518 Board.
519

520 18.210 Underslotting.
521

522 As a vacancy occurs, the Department Head may recommend the position not be filled at
523 the existing level. With the concurrence of the Human Resources Director and County
524 Administrator, the position may be filled at a lower classification.
525

526 18.211 Upgrade.
527

528 Upgrades shall be part of the annual budget process. Prior to approval of the budget, the
529 Human Resources Department shall audit the position and make a written
530 recommendation to the County Administrator who shall then recommend approval or
531 denial of the upgrade request. If an upgrade request is denied, the position shall not be
532 reconsidered for upgrade until there is a significant change in the duties and
533 responsibilities of the position.
534

535 When a position is upgraded, an open recruitment shall be conducted to fill the position.
536 Hiring procedures for approved upgraded positions shall be subject to guidelines
537 established by the Human Resources Director.
538

539

SECTION 3

540

RECRUITMENT AND SELECTION

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18.301

Recruitment.

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544

The Human Resources Director shall develop and conduct an active recruitment program designed to meet current and projected County manpower needs.

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547

Recruitment shall be tailored to the position to be filled and shall be directed to sources likely to yield qualified candidates.

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(a) Job Announcements and Publicity.

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The Human Resources Director shall issue job announcements and otherwise publicize vacancies as may be appropriate. Job vacancies shall be formally announced for a minimum of five working days prior to the closing date for filing applications. Depending upon the vacancy and the scope of the recruitment process, this period may be longer. The Human Resources Director may also initiate continuous recruitment programs for any class of positions. (See HR Policies and Procedures.)

560

(b) Application Form.

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All applications for employment shall be made on forms prescribed by the Human Resources Director. The Human Resources Director may require proof of application statements.

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(c) Rejection of Applications.

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The Human Resources Director may reject any application if the applicant:

- (1) does not meet the minimum qualifications established for the position.
- (2) provides any false or misleading information in the application process.
- (3) is physically, mentally or otherwise unable to perform the duties of the position, ~~with or without a reasonable accommodation~~, as permitted under applicable State and Federal laws.
- (4) has been convicted of a crime, which renders him/her unsuitable for the position, as permitted under applicable State and Federal laws.
- (5) is not within the legal age limits prescribed for the position or for County employment.
- (6) has established an unsatisfactory employment record, which demonstrates unsuitability for the position.
- (7) is a member of an organization, which advocates the violent overthrow of the government of the United States.
- (8) based on job related factors, is found by the Human Resources Director to be clearly unsuitable for the position for which he/she has applied.

(d) Whenever an application is rejected, notice of such rejection shall be promptly made to the applicant.

(e) The Human Resources Director may select only the best qualified applicants for screening and final consideration.

- 599 (f) Where written exams are used as part of the recruitment process, applicants will
600 not be eligible to re take the exam until a period of six months has lapsed.
601

602 (g) Applicants that are not selected for a position have the ability to review their
603 individual results. Candidates who do not agree with their recruitment process
604 results may request the Human Resources Director to review the results.

605 18.302 Relocation Expense.
606

607 An employee, newly hired to fill an FLSA exempt position, who resides outside of
608 reasonable commuting distance (i.e. a distance greater than 40 miles) wishing to relocate
609 his or her domicile to Rock County may be eligible for a contribution toward moving
610 expenses, if it is determined, upon recommendation of the County Administrator and
611 approval of the County Board Staff Committee, to be in the best interest of Rock County
612 to offer such contribution. An employee receiving a contribution toward moving expenses
613 shall remain a resident and employee of Rock County for not less than three (3) years.
614 Failure to meet this requirement will result in the repayment of said moving expense on a
615 pro rata basis.
616

617 18.303 Selection.
618

619 The selection process shall maximize reliability, objectivity, and validity through a
620 practical and job related assessment of applicant attributes necessary for successful job
621 performance and career potential. The selection process shall also be balanced to provide
622 promotional opportunities as well as open competitive opportunities at all levels of County
623 employment.
624

- 625 (a) Selection Devices.
626

627 The Human Resources Director shall be responsible for determining when formal
628 selection devices are to be used to screen applicants for job vacancies which may
629 include, but need not be limited to a review of training and experience, work
630 sample and performance tests, practical written tests, physical fitness
631 examinations, and background and reference inquiries. In the development of
632 selection devices, the Human Resources Director shall confer with Department
633 Heads, consultants, or others familiar with the knowledge, skills and abilities
634 required and specific devices to best measure these factors.
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637

- 638 (b) Confidentiality.
639

640 Formal selection materials shall be known only to the Human Resources Director
641 and to other individuals designated by the Human Resources Director. Every
642 precaution shall be exercised by all persons participating in the development and
643 maintenance of materials to ensure the highest level of integrity and
644 confidentiality.
645

646 18.304 Eligibility Lists.
647

648 The Human Resources Director shall be responsible for establishing and maintaining
649 eligibility lists as may be necessary or desirable upon authorization of the department. An
650 established eligibility list will be used to fill future vacancies for the same position.
651 Before the next candidate on the eligibility list will be considered, internal vacancies or
652 new positions will be posted on bulletin boards throughout the county per policy. In
653 filling job vacancies or new positions, employees within the department with the vacancy
654 will be given consideration. Both internal and external candidates may be considered. All
655 candidates must successfully complete a reference and background screen before final
656 selection.
657

- 658 (a) Layoff List for unilateral employees.
659

660 An employee laid off or demoted in lieu of layoff may be considered for re-
661 employment when a vacancy occurs for which he/she is qualified. Human

662 Resources shall notify said employee of any vacancy arising in the same job from
663 which the employee was laid off. Said employee shall make application for the
664 vacant position. Once application is made, the laid off employee shall participate
665 in a competitive hiring process and, if most qualified, shall be required to accept
666 an offer of employment for the position within 10 days of said offer. Failure to
667 make application or accept an offer of employment for the position from which the
668 employee was laid off shall result in the forfeiture of notification rights for future
669 openings.
670

671 (b) Open Competitive and Promotional Eligibility.

672
673 The Human Resources Director may establish and maintain such open competitive
674 and promotional eligibility lists of applicants who have qualified for a particular
675 job or class of County positions.
676

677
678 (c) Duration of Eligibility Lists.

679
680 The duration of eligibility lists shall be not less than one year, or as provided for in
681 a Department's Work Rules.
682

683
684 (d) Removal of Candidates from Eligibility Lists.

685
686 The Human Resources Director may remove candidates from an eligibility list if
687 the candidate:

- 688 (1) receives a regular appointment to a position in the same class or another
- 689 class having the same or higher pay grade.
- 690 (2) files a written statement indicating unwillingness to accept appointment.
- 691 (3) declines an offer of employment under such conditions previously
- 692 indicated by the candidate as acceptable.
- 693 (4) fails to respond within a specified time period to any official written
- 694 inquiry regarding relative availability.
- 695 (5) fails to report for an interview or for duty at the time specified by the
- 696 Human Resources Director or appointing authority.
- 697 (6) is disqualified for employment under County policies or state law.
- 698 (7) factors covered under Section 18.301.

699
700 (e) The Human Resources Director shall notify each candidate in writing of his/her
701 removal from an eligibility list. The candidate may appeal his/her removal from
702 an eligibility list and, at the discretion of the Human Resources Director, the
703 candidate may be reinstated.
704

705 18.305 Certification and Appointment.

706
707 Whenever a vacancy in County employment is to be filled, the appointing authority
708 shall submit a request to the Human Resources Director to provide names of eligible
709 candidates.
710

711
712 Appointment of Eligible Candidates.

713
714 The appointing authority shall make an appointment from among the names submitted by
715 the Human Resources Director. The appointing authority shall justify to the Human
716 Resources Director each candidate's unsuitability if they are bypassed on the list. Such
717 justification must be acceptable to the Human Resources Director.
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724

The date upon which a new employee commences employment shall be jointly determined by the Human Resources Director and Department Head.

18.306 Probationary Period.

Except for Department Heads and the County Administrator, original appointments to all positions shall be made with a Probationary Period of one (1) calendar year.

The length of the Probationary Period shall be specified in the written offer of employment, which will be written by the Human Resources Department.

- (1) Regular status begins on the first workday following completion of the Probationary Period.
- (2) The Probationary Period may be extended for a period of time not to exceed six (6) months, with prior approval of the Human Resources Director. This request must be made in writing citing the reason for the request.
- (3) An employee shall automatically be appointed at the end of the prescribed Probationary Period, unless the appointing authority, with approval of the Human Resources Director, notifies the probationary employee of the extension, or the unsuccessful completion of the Probationary Period at which time the employee shall have their Probationary Period extended or be dismissed.
- (4) Dismissal of an employee during the initial Probationary Period shall be at the sole discretion of the employer and without recourse to the grievance procedures herein provided.
- (5) An employee appointed to a position in an acting capacity by the County Administrator and subsequently selected as the regular employee in that position shall have his/her total time of continuous employment, including the time spent in an interim capacity, counted for seniority purposes, but shall serve at least a six month Probationary Period after regular appointment. When an employee is in an acting capacity, the employee will continue to receive step increases as provided under Section 18.405.
- (6) Probationary employees, with the exception of Pool Staff, and Relief Staff, and Project Staff (i.e. YSC relief staff, pool psych techs, project staff), will not be permitted to apply for other positions until they have completed six twelve months of employment. An employee who has completed at least six months of their probationary period, may sign for a lateral transfer in the same classification with in the same division. In unusual circumstances, this requirement may be waived by the Department Head and Human Resources Director.
- (7) Completion of the Probationary period does not guarantee continued employment for any specified period of time, nor does it modify or change the employee's at will status.

18.307 Part-time and Seasonal Employment.

When possible, employment shall be on a full time year round basis. However, when it is determined to be in the best interest of the County, part-time and seasonal employees may be hired.

18.308 Temporary Appointments.

Temporary appointments may be made from appropriate eligibility lists. If no eligibility list is available or if the eligible candidates are not available for temporary work, the Human Resources Director may authorize the appointment of a qualified individual. The

788 acceptance or refusal by an eligible candidate of a temporary appointment shall not affect
789 the candidate's standing on the eligibility list for regular appointment.

790
791 18.309 Overlap of Positions.

792
793 Any request for hiring in excess of the budgeted personnel roster must be approved by the
794 County Board. This would include cases where the Department Head requests an overlap
795 of personnel for more than one payroll period in order to train the new employee. The
796 request should be approved by the governing committee and County Board Staff
797 Committee prior to submission to the Board.

798
799 18.310 Other Appointments May Follow Ordinance.

800
801 Nothing herein shall preclude an appointing authority from filling those positions not
802 covered by this Ordinance in a manner consistent with it.

803
804

805 **SECTION 4**

806 **SALARY ADMINISTRATION**

807
808 18.401 Pay Plans.

809
810 ~~The Pay Plans shall include the schedules of pay ranges for all unilaterals and all~~
811 ~~employees covered by a collective bargaining agreement that has limited bargaining rights~~
812 ~~under Wisconsin Statutes Section 411.79 County employees.~~

813
814 Schedules shall consist of minimum and maximum rates of pay and the intermediate pay
815 steps. The objectives of the Pay Plans shall be:

- 816
817 (a) To provide an appropriate salary structure, to recruit and retain an adequate number
818 of competent employees; and,
819
820 (b) To provide appropriate pay incentives for satisfactory or outstanding job
821 performance.

822
823 The pay plan schedules described above shall be contained in the County's Administrative
824 Policy and Procedures Manual.

825
826

827
828 18.402 Development and Administration.

829
830 The Human Resources Director shall be responsible for the development and
831 administration of the Pay Plan, through periodic reviews and comparative studies of
832 pertinent factors affecting levels of pay. When appropriate, the Human Resources
833 Director shall recommend necessary amendments to the County Board Staff Committee,
834 which shall become effective upon approval of the County Board.

835
836 18.403 Linkage.

837
838 The Pay Plan shall be directly linked to the Classification Plan and shall be based on the
839 principle of equal pay for equal work. Pay ranges within the Pay Plan shall be determined
840 with regard to such factors as: uniformity of pay for each class, relative difficulty,
841 complexity, and responsibility of work, recruiting experience, prevailing rates of pay for
842 similar jobs in public and private service, changes in cost of living indices, and the finan-
843 cial policies of the County.

844
845 18.404 Entrance Pay Rate.

846
847 The entrance pay rate for new County employees shall normally be the minimum rate of
848 the pay range prescribed for the class. A Department Head may recommend that a

849 particular appointment be made above the entrance pay rate. Such requests must be made
850 in writing, approved in advance by the Human Resources Director in recognition of
851 relevant experience and /or exceptional qualifications.
852

853 Elected Department Heads that wish to appeal the decision for placement of a new County
854 employee made by the Human Resources Director and/or County Administrator may do so
855 in writing to the County Board Staff Committee, whose decision shall be final.
856

857 18.405 In Range Increment.
858

859 In range increments shall be based on satisfactory work performance and length of service
860 in a class. Such increments shall not be granted automatically. Whenever an employee is
861 promoted, their annual pay increments (step increase) shall be based on the length of
862 service in that range or class. The employee shall have an overall performance evaluation
863 of "satisfactory" or "meets expectations" or higher in order for an in range increment to be
864 granted. If the rater plans to recommend the denial of an in grade salary increment, the
865 report shall be discussed with the Human Resources Director prior to review with the
866 employee. The performance of the employee will be evaluated in accordance with
867 procedures outlined in Section 7 of this Ordinance.
868

869 18.406 Productivity/Incentive Awards.
870

871 Extraordinary productivity/incentive awards may be granted in recognition of exceptional
872 performance in addition to an employee's regular pay. Recommendations for such pay
873 shall be initiated by the employee's supervisor and/or Department Head, reviewed and
874 approved by the Human Resources Director, County Administrator, appropriate
875 Governing Committee and the County Board Staff Committee. Specific guidelines for the
876 administration of the Productivity/Incentive Awards Program shall be the responsibility of
877 the Human Resources Director to establish and maintain subject to approval by the County
878 Administrator and County Board Staff Committee. Such requests shall be in writing and
879 supported by evidence of the following:
880

- 881 (a) The employee has personally conceived and suggested a procedure or device
882 which has resulted in substantially greater operating efficiency or in a marked
883 decrease in operating expenses; or,
884
885 (b) The employee has performed extensive collateral duties or has continually
886 completed difficult work assignments, which significantly increased the efficiency
887 and effectiveness of his/her department's program or the County service.
888

889 18.407 Seasonal Employment.
890

891 Seasonal employees shall be compensated on an hourly basis at a rate established within
892 the parameters of the annual budget as determined annually by the Human Resources
893 Director.
894

895 18.408 Temporary employment
896

897 Temporary employees shall be compensated by placing them on a step in the
898 appropriate salary schedule.
899

900 Should a non regular employee be reclassified as a regular employee in the same job,
901 he/she shall be advanced in pay to the appropriate salary rate of his/her classified
902 position. His/her total time of continuous employment including his/her temporary
903 employment, shall be counted as part of his/her probationary period.
904

905
906 18.409 Pay Rate Adjustments.
907

908 The following actions shall affect the pay status of an employee:
909

- 910 (a) Transfer.
911

912 When an employee is transferred from one class to another with a common pay
913 range, he/she shall continue to receive the same pay rate.

914 (b) Promotion.

916 When an employee is promoted from one class to another having a higher pay
917 range, he/she shall normally advance to the pay step in the new range which is
918 immediately above his/her former rate of pay. In unusual circumstances, the
919 promoted individual may be placed in a higher step upon approval of the Human
920 Resources Director and the County Administrator.

922 (c) Demotion.

923 When an employee is demoted for any reason, the Human Resources Director shall
924 consult with the supervisor(s) involved to decide the pay for the re-assignment. In
925 no case will it exceed the maximum of the pay range of the job to which the
926 employee is demoted.

927 (d) Reinstatement.

928 When an employee is reinstated to his/her former job he/she shall normally be paid
929 the same pay step as before leaving. When the employee is reinstated to a job with
930 a lower pay range, the Human Resources Director shall decide on the new pay rate
931 in accordance with the employee's experience and qualifications. In no case, will it
932 exceed the maximum of the pay range to which the employee is assigned.

933 (e) Compensation During Temporary Assignment.

934 In a situation where an employee is assigned all of the duties of a higher
935 classification anticipated to be for a period in excess of ten (10) consecutive
936 working days, the employee will be assigned a temporary pay rate in the range of
937 the higher classified position. Payment for hours over 8 in a day or 40 a week
938 will be paid according to the FLSA status of the higher position. Such pay will be
939 for the period of the temporary assignment. Temporary assignments must be
940 approved by the Human Resources Director. An employee who is temporarily
941 assigned to a position with a lower pay range, for any period, shall not receive a
942 reduction in pay. No such temporary assignment shall exceed six months unless
943 approved by the County Administrator upon recommendation of the Human
944 Resources Director.

945 18.410 Overtime.

946 "Unilateral A" employees earn overtime at time and one half over 40 hours per week.

947 "Unilateral B" employees earn overtime at straight time over 40 hours per week.

948 "Unilateral C" employees, who are exempt under the federal Fair Labor Standards Act
949 (FLSA), do not earn overtime.

950 For additional policies and procedures regarding overtime for unilaterals and other
951 employees see the HR Policy and Procedure Manual.

952 18.411 Red Circled Classifications.

953 Employees in classifications that are to be red circled will be frozen at their current salary
954 until the salary of the pay range to which they are assigned equals or exceeds their rate of
955 pay. Employees with ten years of service, whose classification has been red circled, shall
956 receive one half of the across the board increase granted to employees on the Unilateral
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974 Pay Plan until the salary of the pay range to which they are assigned equals or exceeds
 975 their rate of pay.
 976

977 **SECTION 5**

978 **FRINGE BENEFITS**

979
 980 18.501 Holidays.

981
 982 The following holidays are observed by the County and shall be granted to regular
 983 employees with pay and to temporary employees without pay, unless such employees are
 984 required to be on scheduled work:

- 985
 986 (a) New Year's Day
 987 (b) Spring Holiday to be observed the Friday immediately preceding Easter
 988 (c) Memorial Day
 989 (d) July 4th
 990 (e) Labor Day
 991 (f) Thanksgiving Day
 992 (g) Friday following Thanksgiving
 993 (h) Day before Christmas
 994 (i) Christmas Day
 995 (j) One Floating Holiday
 996
 997 (k) Any additional holiday granted by the County Board.
 998 (l) The County Administrator may designate additional holidays in unusual
 999 circumstances with the approval of the County Board Chair and/or Vice Chair.

1000
 1001 For employees working the standard work schedule, when a holiday falls on Saturday, it
 1002 shall be observed on the preceding Friday. When a holiday falls on a Sunday, the fol-
 1003 lowing Monday shall be observed.

1004
 1005 For employees not working the standard work schedule see the HR Policies and
 1006 Procedures.

1007
 1008 The Director of Nurses, the Assistant Director of Nurses and Nursing Supervisors working
 1009 in Rock Haven who are required to work a holiday; will be paid or granted compensatory
 1010 time off at a rate of time and one half and receive an additional day in lieu thereof.

1011
 1012 Any Youth Services Center Supervisors or Relief Supervisor who are required to work a
 1013 holiday, will be paid or granted compensatory time off at a rate of time and one half.

1014
 1015 For supervisors working at the 911 Communication Center, who are required to work on a
 1016 holiday, they will be paid or granted compensatory time off at a rate of time and one half
 1017 for all hours worked between 7:00 a.m. the day of the holiday through 6:59 a.m. the day
 1018 after the holiday, and earn 8 hours of holiday time in lieu of. If the holiday falls on an
 1019 employee's scheduled day off, the employee shall be entitled to a compensatory day off
 1020 with pay.

1021
 1022 Unilateral C Employees (FLSA exempt) who work on a holiday shall receive a day in lieu
 1023 thereof.

1024
 1025 Whenever a designated holiday falls on an employee's scheduled day off, an additional day
 1026 shall be granted in lieu thereof.

1027
 1028 Regular part-time employees who normally work sixteen or more hours per week shall be
 1029 paid for holidays which fall on days for which they would otherwise be scheduled to work,
 1030 according to the number of hours for which they would be scheduled to work on that day.

1031
 1032 When a holiday falls within a period of leave with pay, the employee shall receive pay for
 1033 the holiday.
 1034

1035 When a holiday falls within a pay period of leave without pay, the employee shall receive
1036 no pay for the holiday.

1037
1038 In order to receive holiday pay, employees must normally be scheduled to work for not
1039 less than 4 hours the regular workday before and not less than 4 hours the regular workday
1040 after the holiday, unless on authorized paid time off (sick leave, vacation) or on paid
1041 FMLA.

1042
1043 Floating holidays must be taken in whole day increments (pro rated for part-time
1044 employees).

1045
1046 The floating holiday shall accrue to the employee effective any work shift starting on or
1047 after 4 a.m. of January 1st of each year. During their first year of employment, Employees
1048 hired after November 30, will have until January 31 of the following year to use their
1049 floater from the previous year.

1050
1051 The floating holiday may be taken upon at least 7 days advance notice. The floating
1052 holiday request will normally be approved, however, it may be denied by the
1053 Department Head, even with a 7 day advance notice, if granting the request would put
1054 the department, division, unit, or shift below the minimum staffing needs of the
1055 department, division, unit or shift. A floating holiday with less than 7 day notice may
1056 be granted in an emergency circumstance at the discretion of the Department Head or
1057 his/her designee. Employees are strongly encouraged to use their floating holiday prior
1058 to the last payroll period of the calendar year.

1060
1061
1062
1063
1064
1065 18.502 Health and Dental Insurance.

1066
1067 A. The County shall pay that portion of the employee's health insurance as is approved by the
1068 County Board.

1069
1070 B. For part-time employees who are in a .5 or higher FTE position and hired after September
1071 1, 2009 the employee shall contribute toward health coverage prorated to the FTE of the
1072 position they hold. [CB resolution September 2009.] For Non-represented employees
1073 hired after September 1, 2009 into positions with an FTE of 0.5 or greater but less than 1.0
1074 FTE Rock County will provide single coverage health insurance. If the employee chooses
1075 to select employee and spouse, employee and child, or family coverage, the employee will
1076 pay a pro-rated share of the premium difference between single coverage and the coverage
1077 of their choice based on their FTE. [CB Resolution 14-12A-170.]

1078
1079 C. Part-time employees who are normally scheduled to work less than twenty hours per week
1080 are not eligible for County health and dental benefits. Employees who normally work
1081 twenty hours or more per week are eligible to receive dental insurance and health benefits.
1082 Part-time employees may participate in vision insurance at their own cost provided it is
1083 allowable under the plan rules in effect at the time of participation.

1084
1085 D. Employees retiring from the County who are eligible for a WRS annuity may retain their
1086 insurance coverage under the County's group policy if they pay the premium.

1087
1088 E. Dental coverage will be provided consistent with coverage and co payments as set by the
1089 County Board. Eligibility for coverage shall be governed by the policy issued by the
1090 carrier/administrator. The employer shall pay 60% of applicable premium of the lowest
1091 cost available plan and the employee shall pay the remainder of the applicable premium.

1092
1093 18.503 Life Insurance.

1094
1095 Regular full-time employees are eligible for group life insurance in an amount equal to the
1096 next highest thousand dollars of their annual salary. Unless they specifically waive such
1097 coverage, a portion of the premium shall be deducted monthly from their regular salary as

approved by the County Board. Regular part-time employees are also eligible if they work enough hours in a year to qualify for Wisconsin Retirement System coverage.

18.504 Retirement.

Retirement benefits are administered by the State of Wisconsin Retirement System (WRS). The benefits are governed by applicable State statutes and regulations.

18.505 Unemployment Compensation.

County employment is covered by Wisconsin Unemployment Compensation laws.

18.506 Vacation.

(a) Unilateral employees hired prior to January 1, 2008, shall earn ten days paid vacation after one year of continuous service. Thereafter, he/she shall earn one additional day per year for each year of continuous employment to a maximum of twenty two days. Employees shall continue to earn vacation until the employee's length of service would provide additional vacation under paragraph (b) below, at which time they shall be placed on that schedule.

(b) ~~Starting with their anniversary date in 2016~~ Unilateral employees hired after January 1, 2008, shall earn vacation according to the following schedule:

Completed Years of Service	Unilateral A & B	Unilateral C
1 year	10 Days	15 Days
2 Years	110 Days	15 Days
3 Years	120 Days	15 Days
4 Years	130 Days	15 Days
5 Years	144 Days	20 Days
6 Years	152 Days	"
7 Years	163 Days	"
8 Years	174 Days	"
9 Years	185 Days	"
10 Years	196 Days	25 Days
11 Years	207 Days	"
12 Years	218 Days	"
13 Years	229 Days	"
14 Years	220 Days	"
15 Years	22 Days	"
16 Years	22 Days	"
17 Years	23 Days	"
18 Years	24 Days	"
19 Years	25 Days	"

Unilateral A & B Employees may use up to 5 of their 10 days after they have been with the County for six months. Unilateral C employees may use 7.5 of their 15 days after they have been with the County for six months. Any time used between six (6) months and one year, will result in a reduction of the days available after one year. (Example: a Unilateral B employee uses 2 days after six months but prior to his one year anniversary date, that person would have 8 days to use after completing one year of service. 10 - 2 = 8.)

(c) Vacation schedules for those employees covered by a bargaining agreement that has limited bargaining rights as of January 1, 2012 are contained in the HR Policies and Procedures manual.

1137
1138
1139 (d) Credit for years of service may be awarded to an employee based on years of prior
1140 related experience plus years of service with the County. Prior related experience shall
1141 be determined by the Human Resources Director and the Corporation Counsel, and
1142 will only be awarded for service in jobs that are substantially related to the work
1143 performed for the County. ~~This service credit shall be awarded at the time of initial
1144 employment, or at the time promoted into a new employee group.~~

1145 (e) An employee shall take earned vacation time within the twelve month period
1146 immediately following eligibility. Earned vacation time not taken within the
1147 designated twelve month period shall be forfeited, unless the Department Head and
1148 Human Resources Director specifically approves the carry over of an employee's
1149 vacation, in writing, due to an inability of the employee to utilize the time requested to
1150 be carried over because of work requirements or other legitimate reasons; or paid out
1151 according to HR Policy and Procedures. Vacation deferral or carry over of one (1)
1152 hour or more shall be requested by the employee in writing prior to his or her
1153 anniversary date, or within ten weeks of his or her anniversary date, and shall state
1154 with specificity the reason for the request. Failure to make a timely request shall result
1155 in the vacation being forfeited.

1156
1157 (f) The amount of vacation days deferred shall not exceed the number of vacation days
1158 that the employee earns on that anniversary date. Vacation may be granted in
1159 advance only upon the approval of the Department Head and the Human Resources
1160 Director.

1161
1162 Department Heads shall establish work and vacation schedules with the first
1163 consideration to be given to the efficient operation of the department. Senior
1164 employees in terms of length of service shall be given vacation schedule preferences
1165 when practicable. Deferral of vacation for the County Administrator shall be at the
1166 discretion of the County Board Staff Committee.

1167
1168 (g) Part-time employees whose regular workweek is sixteen hours or more shall earn
1169 vacation time on a pro rata basis directly proportionate to the amount of time worked
1170 in relation to the normal full time employment period. Part-time employees whose
1171 regular workweek is less than sixteen hours shall not earn vacation credits.

1172
1173 (h) In the event an employee is on authorized sick leave and has insufficient sick leave
1174 credits to cover the period of absence, earned vacation time may be used for this
1175 purpose if the employee or employer so elects.

1176
1177 (i) Upon separation, an employee shall be paid for the unused portion of his/her
1178 accrued vacation credits provided the employee has completed six consecutive
1179 months of service, except as modified by the rules governing resignation without
1180 sufficient notice.

1181
1182 (j) An employee who moves from one position to another in the County service, by
1183 transfer, promotion or re-assignment, shall be credited with his/her accumulated
1184 vacation leave in the new position.

1185
1186 ~~One employee group to another employee group language needed. An employee who
1187 moves from one an employee group to another employee group in the County service, by
1188 transfer, promotion or re-assignment, will have their vacation entitlement determined by a
1189 number of factors (i.e. years of service, FTE previously worked, entitlement under new
1190 employee group, etc).~~(k)

1191 n employee, whose appointment status is changed from
1192 temporary to regular
1193 status without a break in service, shall receive vacation credits from the date of
1194 his/her original appointment to temporary status.

1195 (l) No credit for vacation leave shall be granted for time worked by an employee in
1196 excess of his/her normal workweek.

1197
1198 (m) Vacation credits shall not be earned by an employee during a leave of absence

1199 without pay, a suspension without pay, or when the employee is otherwise in a non
 1200 compensable status, should such period without pay exceed thirty working days in
 1201 any calendar year.

1202
 1203 (n) There shall be charged against accrued vacation only those days on which an
 1204 employee normally would have worked. In the event a legal holiday falls within the
 1205 vacation period, the holiday shall not be charged against vacation.

1206
 1207 (o) Use of vacation time must be approved in advance by the Department Head or his
 1208 or her designee. Use of vacation by appointed Department Heads must be
 1209 approved in advance by the County Administrator.

1210
 1211 (q) All vacation shall be utilized in not less than thirty minute increments.
 1212

1213
 1214
 1215 18.507 Workers Compensation.
 1216

1217 Worker compensation benefits will be provided in accordance with applicable statutory
 1218 provisions and administrative codes.

1219
 1220 Rock County strives to insure all work assignments are performed safely and work areas
 1221 are maintained in a safe manner. The County promotes a light duty program for injured
 1222 employees on worker compensation. All on the job accidents must be reported to the
 1223 Human Resources Director or his/her designee immediately and proper forms must be
 1224 completed in full.

1225
 1226 Any employee, who is receiving worker's compensation, may at the employee's option,
 1227 take sufficient sick leave or vacation to make up the difference between the worker's
 1228 compensation payment and his/ her regular wage. When the employee's sick leave and/or
 1229 vacation account is exhausted, he/she shall receive worker's compensation payments only.
 1230 If an employee is on worker's compensation for a period of twelve (12) months, that
 1231 employee shall have his/her earned vacation paid out, unless the employee asks for
 1232 deferral of vacation payout in writing.
 1233

1234 Workers compensation supplemental benefits will be provided in accordance with HR
 1235 Policy and Procedures.
 1236

1237 18.508 Leave Of Absence Policy (Non FMLA).
 1238

1239 The County Administrator or the Department Head after consulting with the Human
 1240 Resources Director, may grant a regular employee leave without pay for a period up to
 1241 one year except for an educational leave, subject to the following conditions:
 1242

1243 (1) Leave without pay may be granted when it is in the best interest of the
 1244 County to do so. Requests for leave of absence shall be approved prior to
 1245 the taking of such leave. When such leave is requested as an extension of
 1246 sick leave, an acceptable physician's certificate shall be required.
 1247

1248 (2) At the expiration of a leave without pay, the employee shall be reinstated
 1249 to the position he/she vacated or to an equivalent position which is vacant
 1250 at the time, provided the employee meets the stated qualifications. If there
 1251 is not a suitable vacancy available, the employee's name shall be placed on
 1252 an appropriate reinstatement list.
 1253

1254 (3) Credit toward vacation and sick leave shall not be earned after 30 days
 1255 while an employee is on leave without pay. Insurance benefits may be
 1256 retained according to HR Policy and Procedure.
 1257

1258 (4) Leave without pay shall not constitute a break in service; however, if the
 1259 employee is absent more than thirty days during a calendar year, it shall
 1260 change the employee's anniversary date.
 1261

When a leave of more than thirty (30) consecutive days is taken, the employee's anniversary date shall be moved ahead by the total number of days of the leave.

- (5) A return to work earlier than the scheduled termination of leave date may be arranged by the supervisor and the employee, with the approval of the Human Resources Director.
- (6) Employees on leave of absence from the County may not be employed full time elsewhere. Employees holding employment elsewhere during a leave of absence shall be deemed to have voluntarily resigned from employment with Rock County.
- (7) If an employee is unable to return to work on the date stipulated, he/she may submit a written request to extend the leave of absence, subject to the approval of the County Administrator or Department Head and the HR Director. If, on the date following the expiration of the leave of absence, an extension is not requested and granted and the employee has not returned to his/her position, the employee shall be considered to have voluntarily resigned from County employment.
- (8) Unauthorized Absence. It is recognized that there may be extenuating circumstances for unauthorized absence, and due consideration shall be given each case. However, an employee who is absent from duty without approval shall receive no pay for the duration of the absence, and shall be subject to disciplinary action, which may include dismissal.

18.509 Bereavement Leave.

In the event of a death in an employee's immediate family, he/she may be excused from work without loss of pay according to the following schedule

to attend the wake, visitation, memorial service, funeral, or make necessary arrangements regarding the death, within a reasonable time from after the occurrence or grieve for the loved one.

Immediate family shall not include former "in-laws" due to divorce.

The appointing authority may require an obituary documentation to substantiate the leave.

Up to three days (24 hours) for spouse, domestic partner as defined by the state of Wisconsin, child, parent, mother-in-law, father-in-law, brother, or sister

b. Up to two days (16 hours) for an employee's stepparent, stepchild, grandparents, or grandchildren.

c. Up to one day (8 hours) for an employee's sister-in-law, brother-in-law, son-in-law, daughter-in-law, aunt, uncle, niece or nephew any member of the employees immediate family as defined in section 18.1025.

For those employees working a non-traditional schedule they will only be able to use 8 hours per day and will have to make up the other hours per day through other benefit time (other benefit time does not include sick leave). For example, someone working a 4 ten hour a day schedule will only have one day (8 hours) in the case of a sister-in-law and the employee will have to make up the extra 2 hours for that day.

If additional time is required, an employee may request to use accumulated vacation, holiday or comp-time. Sick leave cannot be used.

In the event that an employee is required to act as a pallbearer for a funeral not otherwise eligible for funeral leave, he/she shall be granted up to one day to serve without the loss of pay.

All leaves under this section shall be prorated based upon the employee's FTE.

18.510 Jury Duty.

1325 Any employee called for jury duty in any court of competent jurisdiction shall be
 1326 granted time off from his/her regular and normal daily schedule of working hours with
 1327 pay, for such jury service provided such employee shall remit to Employer all fees
 1328 received from the Clerk of Courts for such service, and further provided that no claim
 1329 for overtime pay or compensatory time off shall be made by such employee as a result
 1330 of his/her jury services. If the employee does not remit the fee, he/she shall be considered
 1331 to be on leave of absence without pay while performing jury duty. The County shall pay a
 1332 reasonable amount for the difference if the employee has to pay parking fees and
 1333 reimbursement from the Court does not fully cover the fee.
 1334

1335
 1336 18.511 Medical Leave.
 1337

1338 Employees requiring a leave of absence for a period of medical disability shall request the
 1339 leave in accordance with HR Policy and Procedure. Employees are entitled to medical
 1340 leave in accordance with applicable Federal and State laws and HR Policy and Procedures.
 1341 Any leave granted under this section will run concurrently with State and Federal FMLA.
 1342

1343 18.512 Military Leave.
 1344

1345 An employee who leaves the service of the County to join the military forces of the
 1346 United States during time of war or other national emergency, or who is drafted into
 1347 the military service at any time, shall be granted military leave without pay, such leave to
 1348 extend through a date ninety days after being relieved from such service. Proof must be
 1349 filed with the Human Resources Director. Such employee shall be restored to the position
 1350 which he/she vacated or to a comparable position with full rights and without loss of
 1351 seniority or benefits accrued and not taken while serving in the position he/she occupied at
 1352 the time the leave was granted, provided that application is made to the Human Resources
 1353 Director within ninety days after the date of his/her honorable discharge, or fifteen days
 1354 after rejection, and is physically and mentally capable of performing the work of his/her
 1355 former position. Failure of an employee to notify the County within this time period of
 1356 his/her intention to return to work shall be considered as a termination of his/her
 1357 employment. Leave will be granted in compliance with State and Federal law.
 1358

1359 18.513 Military Reserve Leave.
 1360

1361 (1) An employee who, by reason of membership in the United States Military Reserve, or
 1362 ordered by the appropriate authorities to attend a training or encampment under the
 1363 supervision of the United States Armed Forces, or by reason of membership in the
 1364 National Guard, is required by the authorities thereof to do so, shall be granted a
 1365 leave of absence from his/her position without loss of pay for a period not to exceed
 1366 fifteen working days in any calendar year. It is intended that this shall be done
 1367 without financial penalty to the employee. The County will therefore pay such
 1368 employee for this time lost in an amount equaling the difference between his/her
 1369 daily military pay and the employee's normal County daily wage. To receive such
 1370 leave, the employee must file a copy of his/her orders with the Human Resources
 1371 Director as far in advance as is reasonable under the circumstances (preference is at
 1372 least two weeks advance notice) prior to date such training or encampment leave is
 1373 to commence.
 1374

1375
 1376 (2) An employee who has active membership in the U.S. Military Reserve or
 1377 National Guard and who is ordered to active duty in the U.S. Armed Forces shall be
 1378 granted military leave with supplemental pay equal to the difference between the
 1379 employee's basic military pay and his/her normal County daily wage. Supplemental
 1380 pay granted under this section is provided for the duration of an employee's military
 1381 service, not to exceed 5 years. Proof must be filed with the Human Resources
 1382 Director. To receive compensation the employee must submit a copy of his/her
 1383 Military Leave & Earnings statement to the County Payroll Office on a monthly
 1384 basis. The net pay to an employee may be an estimate with final pay reconciliation
 1385 by the County's Payroll Office after receipt of the employee's military pay vouchers,
 1386 either during the course of military service or after completion. Accrual of seniority
 1387 and benefits, and reinstatement rights and limitations, shall be consistent with those

1388 outlined in section (d) and as required by law. An employee who voluntarily
 1389 extends his/her military service shall not be granted supplemental pay, but may apply
 1390 for additional unpaid military leave under section (d). The effect of this subsection
 1391 is retroactive to January 1, 2004, and is subject to the rights of the various unions
 1392 representing County employees to object to said compensation policy prior to
 1393 implementation and request that this subsection be subject to the collective
 1394 bargaining process.

- 1395
 1396 (3) Any employee described in subsection (2) shall also be entitled to
 1397 continue paid coverage under the County's group medical plan for four (4)
 1398 weeks.

1400 18.514 Non Work Related Witness or Personal Litigation.

1401
 1402 A leave of absence without pay shall be granted to an employee upon his/her request to
 1403 appear under subpoena or in his/her own behalf in litigation involving personal or private
 1404 matters

1405
 1406
 1407
 1408 18.515 Sick Leave.

1409
 1410 Sick leave pay shall commence on the first day of any period of illness due to
 1411 accident, injury or disease.

- 1412
 1413 (1) All full-time employees shall earn one sick leave day per month of
 1414 continuous employment. All part-time employees whose regular workweek
 1415 is sixteen hours or more shall earn one sick leave day on a prorata basis
 1416 directly in relation to the normal full time employment period. All part-
 1417 time employees, who work less than sixteen hours per week, shall not earn
 1418 sick leave. Temporary and seasonal employees are not eligible for sick
 1419 leave.
- 1420
 1421 (2) Sick leave shall be granted after six months continuous service (from
 1422 original hire date) when an employee is required to be absent from work
 1423 because of:
- 1424
 1425 (a) illness of the employee.
- 1426
 1427 (b) illness of an employee's spouse. ~~or domestic partner (as defined by~~
 1428 ~~the State of Wisconsin).~~
- 1429
 1430 (c) illness of a minor child (includes stepchild, current foster child,
 1431 grandchild, or any other child they are legally responsible for and
 1432 can provide legal documentation supporting the responsibility) or
 1433 a child who meets the definition of a disabled adult child.
- 1434
 1435 (d) illness of a parent (includes stepparents and current foster
 1436 parents).
- 1437
 1438 (e) contact with or exposure to a contagious disease rendering the
 1439 employee's presence hazardous to fellow workers.
- 1440
 1441 (f) reasonable medical or dental attention that cannot be scheduled
 1442 during non working hours.
- 1443
 1444 (3) Sick leave shall accrue to a maximum of one hundred thirty days.
- 1445
 1446 (4) Employees who are absent from work for reasons which entitle them to
 1447 sick leave shall notify their supervisor as close to their regular starting time
 1448 as possible in accordance with Department Work Rules.
- 1449

- 1450 (5) A supervisor may identify a potential problem with an employee's sick
 1451 leave usage. Patterns that may indicate a problem with sick leave usage
 1452 include but are not limited to:
 1453
 1454 a) it occurs before or after a holiday,
 1455
 1456 b) it occurs before or after a scheduled day off,
 1457
 1458 c) an employee takes sick leave in excess of three days which has not been
 1459 reported to FMLA, or
 1460
 1461 d) the employee has a history of using short amounts of sick leave
 1462 repeatedly over an extended period of time.
 1463

1464
 1465 Once a potential problem with sick leave usage has been identified the
 1466 supervisor shall meet with the employee to discuss the reason(s) for the
 1467 absences. The goal of the meeting is to gather information, counsel the
 1468 employee and if there is an admitted problem, have the employee change
 1469 his/her behavior.
 1470

1471 When a problem has been identified and the employee has not voluntarily
 1472 changed their behavior, a Department Head or the Human Resources
 1473 Director may require the employee to submit a medical statement, stating
 1474 the specific illness, period of treatment, and date that the employee may
 1475 return to work.
 1476

1477 The Department Head or Human Resources Director may require an
 1478 employee to take a medical examination on returning from sick leave or on
 1479 such occasions that it is in the best interest of the County. The medical
 1480 examination shall be given by a physician designated by the Human
 1481 Resources Director.
 1482

1483 The Department Head or the HR Director may investigate the alleged
 1484 illness of an employee absent from work on sick leave. False or fraudulent
 1485 use of sick leave shall be cause for disciplinary action against the
 1486 employee, up to and including dismissal.
 1487

- 1488 (6) an employee on vacation who presents an acceptable medical certificate
 1489 giving the dates of illness may have that portion of his/her vacation leave
 1490 converted to sick leave.
 1491
 1492 (7) sick leave shall be debited in no less than quarter hour units.
 1493
 1494 (8) no credit for sick leave shall be granted for time worked by an employee in
 1495 excess of his/her normal workweek.
 1496
 1497 (9) a regular employee who moves from one department to another by transfer,
 1498 promotion or demotion shall have his/her total sick leave credits
 1499 transferred to the new department.
 1500
 1501 (10) Unilateral employees who resign or retire with ten or more years of con-
 1502 tinuous service shall be paid for one half of the accumulated sick leave
 1503 days, not to exceed a total of sixty-five days. In the event of the death of
 1504 an employee, the County shall make the same sick leave payment to the
 1505 employee's estate. In the event of a discharge, the employee will not
 1506 receive this benefit.
 1507
 1508

1511 When subpoenaed to appear before a court, public body, or commission in connection
 1512 with County business on regular work time, the employee shall be paid at his/her regular
 1513 rate of pay and the employee shall remit his/her fee to the County.
 1514

1515 Employees who are off duty and are subpoenaed to appear in court as a result of their
 1516 work assignment shall receive a minimum of two hours pay at the rate of time and one
 1517 half. If the employee is required by the court to be present in court for time over and
 1518 above the minimum, the employee will be paid at the rate of time and one half.
 1519 Employees shall be reimbursed for mileage costs incurred because of court appearances
 1520 required under this provision. Employees shall sign and turn over to the County any and
 1521 all fees and reimbursements paid because of court appearances resulting from their work
 1522 assignment.
 1523

1524 Subpoena Cancellation Pay. Employees who are subpoenaed to testify on off duty time
 1525 and are not notified of the cancellation or dismissal of said subpoena at least twenty-
 1526 four hours prior to the time scheduled for appearance, shall be paid two hours of pay at
 1527 their regular rate of pay. There shall be a maximum of two (2) canceled subpoenas per
 1528 day.
 1529

1530 18.517 Training/Educational Leave.
 1531

1532 Employees may be granted a full time leave of absence without pay to further their
 1533 education for a period not to exceed eighteen months if it is determined to be in the best
 1534 interest of the County.
 1535

1536 At the expiration of the leave, the employee may be reinstated to his/her position if it is
 1537 available or an equivalent position if one is available and if it is determined to be in the
 1538 best interest of the County.
 1539

1540 For language covering leaves with pay, see HR Policies and Procedures.
 1541

1542 18.518 Voluntary Public Service Leave.
 1543

1544 County employees may be allowed time off with pay to serve on public or nonprofit
 1545 boards, committees, or commissions if such service received the prior approval of the
 1546 County Board Staff Committee.
 1547

1548 18.519 Voting.
 1549

1550 Any employee who can satisfactorily show that he/she cannot vote during his/her off
 1551 duty hours shall be allowed time off with pay to cast his/her ballot in all legally
 1552 constituted elections.
 1553

SECTION 6

CONDITIONS OF EMPLOYMENT

1554
 1555
 1556 18.601 Communications and Confidentiality.
 1557

1558 Communication is a joint responsibility shared by the County and all employees. No
 1559 information, which is confidential in nature, concerning the internal operations of the
 1560 County, including but not limited to the release of records of the County, may occur
 1561 except through, and with the permission of, the County Administrator or individual
 1562 Department Head if designated by the County Administrator.
 1563

1564 If requests for information are received by employees, whether on or off duty, from any
 1565 person, then the employee is required to politely decline to provide such information
 1566 and to direct that individual to the County Administrator or Department Head for a
 1567 response to that inquiry.
 1568

1569 Because of an employee's responsibilities at the County, an employee may have access
 1570 to confidential County, resident, personnel or other sensitive information. This may
 1571 include information concerning a resident's financial status, the County's business

1572 practices including purchasing and negotiating strategies, and employee records. This
 1573 sensitive information can not be disclosed to any personnel who do not have a
 1574 legitimate business need to know such information or to persons outside of the County
 1575 without the determination of the County Administrator or Department Head designated
 1576 by the Administrator. All employees are responsible for protecting the confidentiality of
 1577 this information.
 1578

1579 The County acknowledges the right of its employees, as citizens in a democratic society,
 1580 to speak out on issues of public concern. When those issues are related to the County,
 1581 however, the employee's expression must be balanced against the interests of the
 1582 County. In situations in which the employee is not engaged in the performance of
 1583 professional duties, the employee should state clearly that his or her expression
 1584 represents personal views and not necessarily those of the County.
 1585

1586
 1587 18.602 Conflict of Interest.
 1588

1589 Except for the salary or compensation received from the County, no County employee
 1590 shall use his/her office or position for personal financial gain or the financial gain of
 1591 his/her family. No employee shall engage in his/her own business activity, accept private
 1592 employment or render services for private interests when such employment, business
 1593 activity or service is incompatible with the proper discharge of the employees official
 1594 duties or would impair his/her independence or judgment or action in the performance of
 1595 the employee's official duties. Such employment, business activity or service shall not be
 1596 engaged in or promoted during normal working hours for which such employee is being
 1597 remunerated by the County and such employment, business activity or service shall not in-
 1598 volve the use of County facilities or materials. No employee shall use or disclose
 1599 "privileged information" gained in the course of or by reason of the employee's official
 1600 position or activities. Failure to comply with these conditions shall be considered grounds
 1601 for discipline up to and including immediate dismissal.
 1602

1603 18.603 County Administrator (Tenure).
 1604

1605 The County Administrator shall hold his/her position at the pleasure of the County Board.
 1606 The action of the County Board in removing the County Administrator shall be final.
 1607 Dismissal actions against the County Administrator may be initiated by individual
 1608 supervisors as per County Board rules.
 1609

1610 18.604 County Equipment (return of).
 1611

1612 Employees leaving County employment must return County identification cards, keys,
 1613 tools and equipment on or before their last day of work.
 1614

1615 18.605 County Residence.
 1616

1617 Key County officials, as determined by the County Administrator, shall reside in the
 1618 County.
 1619

1620 18.606 Demotions.
 1621

1622 Demotions may be used in lieu of layoff, or may be used as a disciplinary measure or can
 1623 be voluntary. Demotions must be approved in advance by the Human Resources Director.
 1624

1625 18.607 Discipline /Investigations.
 1626

1627 The purpose of discipline is correcting job behavior and performance problems of
 1628 employees. Employees shall be informed of standards of conduct and performance. No
 1629 disciplinary action will be taken until a thorough investigation has been completed.
 1630 Employees under investigation shall have the right to union representation during the
 1631 investigatory process. If a local union does not choose to represent the employee, the
 1632 employee will be allowed to have a representative of their choice who is not a supervisor
 1633 or manager within Rock County. The representative will be limited to listening and
 1634 advising the employee but will not be allowed to speak in place of the employee.

1635 Unilateral employees other than Department Heads shall be allowed to have a
 1636 representative of their choice who has equal or less authority than they do. Employees
 1637 may be placed on a Paid/Non Paid Administrative Leave during the investigation. Rules
 1638 and standards shall be consistently applied. Penalties shall be uniform and shall match the
 1639 infraction. Persons administering corrective discipline shall systematically document the
 1640 case. Records of written reprimands, suspensions, demotions and terminations shall be
 1641 provided to Human Resources and kept in the employee's personnel file. Written
 1642 reprimands will remain in effect for a period not to exceed one year, and at the end of such
 1643 period shall be removed from the employee's personnel file. Records of suspension shall
 1644 remain in the Employee's personnel file for a period of two years and at the end of such
 1645 period shall be removed from the Employee's personnel file. (This section does not
 1646 necessarily apply if the employee is represented by an attorney.)
 1647
 1648

1649 Suspensions, demotions, and terminations shall be discussed with the Human Resources
 1650 Director or the County Administrator before such actions are taken. In the event that the
 1651 immediate dismissal action is required and the HR Director or the County Administrator
 1652 cannot be reached, the employee shall be suspended with pay pending investigation.
 1653

18.608

1654 Disciplinary Action (Grounds for).
 1655

1656 The following shall be grounds for disciplinary action ranging from a written reprimand to
 1657 immediate discharge depending upon the seriousness of the offense in the judgment of
 1658 management:
 1659

- 1660 (a) Dishonesty or falsification of records.
- 1661
- 1662 (b) Use, possession, distribution, selling, or being under the influence of alcohol or
 1663 illegal drugs while on Rock County premises or while conducting business
 1664 related activities off Rock County premises. The legal use of prescribed drugs is
 1665 permitted on the job only if it does not impair an employee's ability to perform
 1666 the essential functions of the job effectively and in a safe manner that does not
 1667 endanger other individuals in the workplace.
 1668
- 1669 (c) Unauthorized use or abuse of County equipment or property.
- 1670
- 1671 (d) Theft or destruction of County equipment or property.
- 1672
- 1673 (e) Work stoppages such as strikes or slow downs.
- 1674
- 1675 (f) Insubordination or refusal to comply with the proper order of an authorized
 1676 supervisor.
- 1677
- 1678 (g) Unlawful conduct defined as a violation of or refusal to comply with pertinent
 1679 laws, ordinances and regulations.
- 1680
- 1681 (h) Habitual tardiness, unauthorized or excessive absence or abuse of sick leave, or
 1682 repeated attempts to use unpaid leave when the employee does not have benefit
 1683 time available.
 1684
- 1685 (i) Use of official position or authority for personal or political profit or advantage.
- 1686
- 1687 (j) Disregard or repeated violations of safety rules and regulations.
- 1688
- 1689 (k) Incompetence, unprofessional or poor work performance.
- 1690
- 1691 (l) Discrimination because of race, color, creed, national origin, marital status, sex,
 1692 sexual orientation, or any other grounds prohibited by State or Federal law.
- 1693
- 1694 (m) Violations of Section 18.601 "Communications and Confidentiality".
- 1695
- 1696 (n) Failure to call in or report to work.
- 1697

1698 (o) Sleeping during scheduled work hours.

1699
1700 (p) Being disrespectful or bullying in dealing with fellow employees or the general
1701 public.

1702
1703 (q) Failure to exercise good professional judgment and/or failure to conform to the
1704 County's or your Department's goals and mission.

1705
1706
1707 Other circumstances may warrant disciplinary action and will be treated on a case by case
1708 basis.

1709
1710 18.609 Exit Interview.

1711
1712 An exit interview shall be conducted when possible with every employee who is
1713 separating from County employment regardless of his/ her length of service, position or
1714 circumstances or separation.

1715
1716 18.610 Gifts And Gratuities.

1717
1718 No County employee shall use their position to solicit or accept for himself/herself or
1719 another person any gift, campaign contribution, gratuity, favor, services, promise of future
1720 employment, entertainment, loan or any other thing of monetary value. This does not
1721 include acceptance of loans from banks or other financial institutions on customary terms
1722 of finance for personal use, such as home mortgage loans, the acceptance of unsolicited
1723 advertising or promotional material, such as pens and calendars, and acceptance of an
1724 award for meritorious public or personal contributions or achievements.

1725
1726 18.611 Harassment.

1727
1728 It is the policy of Rock County that all employees should be able to enjoy a work
1729 environment free from all forms of harassment. Employees who engage in harassment
1730 not only hurt others, but they also expose both themselves and the County to potential
1731 legal liability. Consequently, Rock County will not condone or tolerate any conduct in
1732 the workplace on the part of its employees (whatever their positions), elected officials,
1733 vendors, or members of the public, if that conduct violates the right of someone else to
1734 be free from harassment. County employees who violate this policy will be subject to
1735 appropriate discipline, up to and including termination. (See HR Policies and
1736 Procedures for a detailed description of the procedures employees should follow in
1737 regard to this policy.)

1738
1739 18.612 Hours of Work.

1740
1741 The normal workweek for County employees shall be forty hours per week. Most County
1742 employees work from 8:00 a.m. to 5:00 p.m. Monday through Friday. However, since
1743 some County services are provided outside the Monday through Friday, 8:00 a.m. to 5:00
1744 p.m. schedule, some County employees may have different work schedules which are
1745 designated in Department work rules.

1746
1747 Non standard work schedules may be approved by a Department Head, when doing so is
1748 in the interest of County operations. Notice of non standard work schedules shall be made
1749 to Human Resources and payroll.

1750
1751 Staffing needs and operational demands may necessitate variations in starting and
1752 ending times, days of the week worked, as well as variations in the total hours that may
1753 be scheduled each day and week.

1754
1755 Employees included in Sections 18.1001, 18.1010, and 18.1018 are considered salaried
1756 exempt employees. These employees must cover a partial day taken off with paid
1757 vacation, sick leave or comp time (where applicable). If the employee has insufficient
1758 paid time to cover the entire day off, the employee must take the entire day off without
1759 pay.
1760

1761 18.613 Layoffs.
 1762
 1763 The appointing authority may layoff an employee: a) whenever it is necessary to reduce
 1764 the workforce for any reason (e.g. lack of work, lack of funds, abolishment of a position,
 1765 etc.), b) when an employee has exhausted all available leave options and is unable to
 1766 return to work, or c) when an employee has failed to successfully complete their
 1767 probationary period after a promotion.
 1768

1769 In situation (a) above, no regular employees shall be laid off while there are temporary or
 1770 probationary employees serving in the same classification, in the same department.
 1771 Layoffs shall be based on the needs of the County.
 1772

1773 The appointing authority shall notify each person laid off of all his/her rights. Regular
 1774 employees shall receive at least thirty (30) calendar days notice prior to layoff. Layoff
 1775 plans shall be approved by the Human Resources Director before they are implemented.
 1776

1777 Laid-off employees shall be held in a layoff pool for a period of time equal to their length
 1778 of service, but in no case longer than two years.
 1779

1780 18.614 Lunch Periods and Break Time.
 1781

1782 (a) Lunch Periods.
 1783

1784 Lunch periods are normally scheduled midway in an eight hour shift. Lunch
 1785 periods shall not be longer than one hour nor shorter than thirty minutes.
 1786

1787 (b) Break Time.
 1788

1789 Employees may leave their workstation and return fifteen minutes later for two
 1790 breaks in an eight hour shift, one during the first four hours of their first shift, and
 1791 the second during the last four hours of their shift. Breaks not taken are lost.
 1792 Breaks cannot be accumulated or used to extend lunch periods or to shorten the
 1793 workday.
 1794

1795 Lunch periods and break times are to be arranged between the employee and
 1796 his/her supervisor or Department Head. Since most County offices remain open
 1797 continuously on normal work days between 8:00 a.m., and 5:00 p.m., it is the
 1798 Department Head's responsibility to assure that lunch periods and breaks are
 1799 scheduled so that adequate staff coverage is provided at all times.
 1800

1801 Employees who are on a non standard work schedule or work 2nd or 3rd shift shall
 1802 follow Department Work Rules for lunches and breaks.
 1803

1804 (c) The Lunch Period and Break Times can not be combined to the start or end of the
 1805 shift in order to come in late or leave early.
 1806

1807 18.615 More Than One County Position.
 1808

1809 No person shall hold more than one full or part-time County position at the same
 1810 time without written consent of the County Administrator.
 1811

1812
 1813
 1814
 1815
 1816 18.616 Nepotism.
 1817

1818 Members of immediate families shall not be hired or transferred into a position that would
 1819 create a direct or indirect superior subordinate relationship. This policy does not include
 1820 situations where the superior subordinate relationship would be incidental.
 1821

1822 18.617 Outside Employment.
 1823

1824 The County's policy on outside duties or employment shall be as follows: County
 1825 employees may engage in outside employment, unless such employment conflicts with or
 1826 affects the performance of their duties. Prior to engaging outside employment, the County
 1827 employee must give written assurance prescribed by the Human Resources Director that
 1828 said employment does not violate Section 18.602 of the Rock County Ordinance. The fact
 1829 that an employee has reported outside employment does not mean that management has
 1830 given its approval to that employment.

1831
 1832 18.618 Outside Services.

1833
 1834 All fees, gratuities, honorarium or any other form of compensation for outside services
 1835 performed during normal County work hours or while being paid by the County shall
 1836 be turned over to the County and any such activities for which said compensation is
 1837 paid shall be reported to the County Board Staff Committee. This subsection shall not
 1838 be construed to apply to activities performed after regular work hours, or while an
 1839 employee is on a bona fide vacation, or taking a floating or other holidays, or to part-
 1840 time employees. Failure to comply with these conditions shall be considered grounds
 1841 for discipline up to and including immediate dismissal.

1842
 1843 18.619 Payday.

1844
 1845 Employees shall be paid biweekly on alternate Fridays, except when those days fall on a
 1846 holiday in which case employees shall receive their pay on the day preceding the
 1847 holiday. If an employee is on vacation or leave of absence, his/her pay shall be mailed
 1848 to him/her upon request. (See HR Policy and Procedures.)

1849
 1850 18.620 Pre-Employment Physicals.

1851
 1852 New full time and regular part-time employees may be required to pass a physical
 1853 examination before they are employed. Such exams shall measure the individual's
 1854 physical capabilities in terms of the job to be performed. When pre-employment physicals
 1855 are required, they shall be conducted by a licensed physician at the County's expense.

1856
 1857 18.621 Political Activity.

1858
 1859 Employees are precluded from engaging in political activity that interferes with their
 1860 normal work performance or is conducted during hours for which the employee is being
 1861 paid by the County. Employees may not use County equipment or property for political
 1862 purposes. Employees are specifically prohibited from using their County position or their
 1863 official authority with the County for the purpose of directly or indirectly coercing any
 1864 person to hold or contribute monetary or other types of assistance to any political
 1865 candidate, party or purpose.

1866
 1867 Under provisions of the federal Hatch Act, employees who are principally employed in an
 1868 activity which is financed in whole or in part by federal loans or grants cannot:

- 1869
 1870 (a) use his/her official authority or influence for the purpose of interfering
 1871 with or affecting the result of an election or nomination for office;
 1872
 1873 (b) directly or indirectly coerce, attempt to coerce, command, or advise a state
 1874 or local officer or employee to pay, lend or contribute anything of value to a
 1875 party, committee, organization, agency or person for political purposes; or
 1876
 1877 (c) be a candidate for partisan elective office.

1878
 1879 18.622 Professional Liability Insurance.

1880
 1881 The County shall provide professional liability insurance for employees for performance
 1882 of their duties within the scope of their employment.

1883
 1884 18.623 Resignations.

1885

1886 Employees covered by the Unilateral Pay Plan in positions in Pay Range 16 or lower, and
 1887 wishing to leave Rock County employment shall submit a resignation in writing to their
 1888 Department Head at least two weeks in advance of their planned departure. Employees in
 1889 positions in Pay Range 17 or higher, shall submit their resignation in writing at least four
 1890 weeks in advance of their planned departure (see Unilateral Pay Grid).
 1891

1892 Non FLSA exempt employees not covered by the Unilateral Pay Plan wishing to leave
 1893 Rock County employment shall submit a resignation in writing to their Department Head
 1894 at least two weeks in advance of their planned departure. FLSA exempt employees shall
 1895 submit their resignation in writing at least four weeks in advance of their planned
 1896 departure.
 1897

1898 Employees who do not give sufficient notice shall lose the vacation benefits they are
 1899 accruing for use after they reach their next anniversary date, unless such requirement is
 1900 waived by the Human Resources Director. It is expected that employees will give as much
 1901 notice as possible in order to facilitate recruitment and orientation of new staff members.
 1902 A resignation, once accepted, may not be rescinded.
 1903

1904 18.624 Safety.
 1905

1906 Safety is very important to each employee and Rock County. Employees must conduct
 1907 themselves carefully at all times. All employees must act in a safe manner and practice
 1908 good safety procedures. Similarly, all work areas are to be kept clean and free from
 1909 debris, and tools and equipment are to be kept clean and in good repair.
 1910

1911 The employer will comply with all applicable safety laws and regulations in order to
 1912 provide a safe and secure workplace for its employees and clients.
 1913

1914 Any accident, hazards or potentially unsafe conditions of equipment are to be reported
 1915 to an employee's supervisor immediately for action. If the unsafe condition can be
 1916 corrected immediately as to avoid any additional hazard, then the employee should
 1917 implement the corrective action.
 1918

1919 Any employee who is injured or becomes ill while performing service related to his or
 1920 her employment must contact his or her supervisor immediately on the same day the
 1921 injury or illness occurs and report the incident. If necessary the employee should secure
 1922 the necessary medical attention on the job site to the extent practicable.
 1923

1924 The first report of injury form must be in filled out completely, usually the day of the
 1925 incident, if not, as soon as possible.
 1926

1927 The employer has established the following protocols for evacuation of the premises.
 1928 When employees are advised to evacuate the building, the employees should:
 1929

- 1930 • Stop all work immediately.
- 1931 • Contact outside emergency response agencies, if needed.
- 1932 • Shut off all electrical equipment and machines, if possible.
- 1933 • Walk to the nearest exit, including emergency exit doors.
- 1934 • Exit quickly, but do not run. Do not stop for personal belongings.
- 1935 • Proceed, in an orderly fashion, to a parking lot near the building.
- 1936 • Do not reenter the building until instructed to do so.
- 1937 • Employees must know the location of fire extinguishers, emergency exits
 1938 and first aid kits.
 1939

1940 18.625 Telephone.
 1941

1942 As a condition of employment, employees must have a telephone or a place of telephone
 1943 contact. Employees shall be requested to notify the Department Head of any change of
 1944 name, address, telephone number or contact place.
 1945

1946 18.626 Travel.
 1947

The County shall reimburse employees for actual necessary and reasonable itemized travel costs incurred while on official authorized County business. Commuting expenses between an employee's residence and normal place of employment are not reimbursable. All travel must be authorized by the Department Head in order to be eligible for reimbursement. Department Heads shall inform the County Administrator of any out of County travel plans. There will be no reimbursement for meals within the County, except as authorized by the Board Chair or Vice Chair. Employees shall receive mileage reimbursement at the IRS allowed rate for all authorized travel in their personal automobile. Employees shall be required to complete an expense voucher before reimbursement will be made. All automobile allowances in all County departments shall be paid in a manner similar to that in which salaries are paid. Receipts are required for air, train, bus or taxi travel, hotels or motels, meals, conference registration and all other items (except tolls) in excess of five dollars. Clerical employees who are required to return to work to take minutes at evening meetings shall be reimbursed for mileage to and from their residence. (This reimbursement is taxable to the employee.)

Meals allowed while in travel status:

- Breakfast - up to \$8.00 including tip, may be claimed when the employee is out of the County prior to 7:00 a.m. on county business. The breakfast rate will be paid for meals prior to 10:30 a.m.
- Lunch - up to \$10.00 including tip, may be claimed when the employee is out of the County between 10:30 a.m. and 2:30 p.m. on county business.
- Dinner - up to \$20.00 including tip, may be claimed when the employee is out of the County after 6:00 p.m. on county business. The dinner rate will be paid for meals after 2:30 p.m.

The above are maximums and it is not the intent that the employees should always spend the maximum allowed.

Meals are allowed when an employee is on County business out of Rock County. An itemized receipt from the point of purchase showing the details for what was purchased shall be required for reimbursement for all meals. No reimbursement shall be authorized for alcoholic beverages.

SECTION 7

PERFORMANCE EVALUATION

18.701 Policy.

The performance evaluation program is used to assess an employee's work effectiveness and to suggest constructive actions on how he/she may improve. Performance evaluation reports shall be considered in decisions affecting placement, salary advancement, overtime assignment, promotions, demotions, dismissal, order of layoff, reemployment, and training.

18.702 Administration.

Each employee shall be evaluated at the following periods:

(a) Probationary Period.

Each employee shall be evaluated midway through their probationary period and one month prior to the completion of the probationary period.

(b) Annual.

Each employee shall receive an annual performance evaluation close to his/her anniversary date, or at another specified time if the Department Head elects to evaluate members of a classification or the whole department together at one time.

(c) Special.

A special performance evaluation shall be completed:

- (1) whenever there is significant change in the employee's performance,
- (2) whenever a supervisor permanently leaves his/her position, in which case, the supervisor shall complete a performance report on each employee under his/her supervision that has not been evaluated within six months prior to the date the supervisor expects to leave.

18.703 Rater.

The rater shall normally be the employee's immediate supervisor. The rater shall be responsible for completing a performance evaluation on forms prescribed by the Human Resources Director at the time prescribed for each employee under his/her supervision. The Human Resources Director, upon approval of the County Administrator, may also initiate rating procedures and mechanisms involving the Governing Committee, peers and/or subordinates.

The County Administrator shall be evaluated by the County Board Staff Committee.

18.704 Review of Performance Report.

Supervisors serving as raters shall review all performance reports with Department Heads before discussing the report with the employee and before the report is filed in the employee's personnel folder. If the rater plans to recommend the denial of an in-grade salary increment, the report shall be discussed with the Human Resources Director prior to review with the employee.

18.705 Human Resources Director.

The Human Resources Director shall be responsible for the overall administration of the employee performance evaluation programs and shall advise and assist employees, raters and Department Heads to ensure that performance evaluation procedures are handled according to the provisions of this Section.

18.706 Employee

If the employee does not agree with any information contained in the performance report, a removal or correction of that information may be mutually agreed upon by the employee and the rater. If an agreement cannot be reached, the employee may submit a written statement explaining the employee's position to the Human Resources Director. The Human Resources Director shall attach the employee's statement to the disputed portion of the performance report.

SECTION 8

GRIEVANCE PROCEDURE

18.801 Policy.

This grievance procedure is intended to meet all of the requirements set out in Wisconsin Statute Section 66.0509 (1m) and passed into law as Act 10 by the 2011 Wisconsin Legislature.

2070 It is the policy of the County to treat all employees equitably and fairly in matters affecting
 2071 their employment. Each employee of the County shall be provided ample opportunity to
 2072 understand and resolve matters affecting employment, which the employee believes to be
 2073 unjust. The presentation of a formal grievance shall be considered to be the right of each
 2074 regular County employee without fear of reprisal. Nothing contained herein alters the "at
 2075 will" status of those employees.
 2076

2077 The County Administrator shall not have access to the grievance procedure.
 2078

2079 Department Heads shall not have access to the grievance process based on Wisconsin
 2080 Statutes Section 59.18 (2)(b).
 2081

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 2083
 2084 18.802 Definitions.
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2086 "Arbitrary and capricious" means a decision which was made on unreasonable grounds
 2087 or without any proper consideration of circumstances.
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2089
 2090 "Grievance" means a formal complaint by an employee concerning: employee discipline,
 2091 employee termination, or workplace safety.
 2092

2093 "Employee discipline" shall include written reprimands, suspensions without pay,
 2094 and demotions.
 2095

2096 "Termination" means a separation from employment, but does not include job loss
 2097 resulting from a reduction in force.
 2098

2099 "Workplace safety" shall include violations of state and federal laws and regulations
 2100 on health and safety.
 2101

2102 The following personnel actions shall not be subject to the grievance process:
 2103 oral or written evaluations; counseling; job coaching; placing an employee on
 2104 paid administrative leave pending an internal investigation; change in job
 2105 assignments; voluntary quits; layoff or failure to return to work when recalled;
 2106 retirement; job abandonment or failure to report to work; inability to perform job
 2107 duties due to physical or medical limitations; and loss of required licensure,
 2108 certification or other requirement necessary to perform the job.
 2109

2110 "Preponderance of the evidence" means the greater weight of the evidence - superior
 2111 evidentiary weight, that, though not sufficient to free the mind wholly from doubt, is
 2112 still sufficient to incline a fair and impartial mind to one side of the issue rather than the
 2113 other.
 2114

2115 18.803 Administration.
 2116

2117 The Human Resources Director shall supervise and administer the grievance process.
 2118 Supervisors and Department Heads shall keep the Human Resources Director informed of
 2119 all grievances in process.
 2120

2121 18.804 Filing a Grievance
 2122

2123 This grievance procedure is available to all unilateral County employees (except
 2124 Department Heads and elected County Officials), members of a bargaining unit that
 2125 previously contained a grievance procedure, seasonal and temporary employees of the
 2126 County.
 2127

2128 Limitations:
 2129

- 2130 1. A grievance that may be brought by or on behalf of a law enforcement officer using
 2131 the procedure specific in Wis. Stat. Section 59.26(8) may not be brought under this
 2132 section.

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2. A grievance that may be brought by or on behalf of an employee under a grievance procedure that is contained in a collective bargaining agreement may not be brought under this section.

2139 18.805 Discussion of Problem with Immediate Supervisor.

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Any employee having a problem regarding his/her employment shall first discuss the problem with his/her immediate supervisor. If the problem is not settled to the employee's satisfaction and is a grievance according to Section 18.802, the employee may present his/her grievance according to Section 18.806.

2147 18.806 Grievance Procedure.

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A formal grievance of an employee shall be handled in accordance with the following procedure.

2152 STEP 1. Supervisor.

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The employee shall, within seven (7) calendar days of the event giving rise to the grievance or within ten calendar days of the date he/she could reasonably be expected to have knowledge of the grievance, present his/her formal grievance in writing on the form designated by the County to his/her immediate supervisor unless the immediate supervisor is the subject matter of the grievance, in which case, the employee may immediately proceed to Step 2. If the Department Head is the subject matter of the grievance, the employee may immediately proceed to Step 3. The supervisor shall within three (3) calendar days meet and discuss the grievance with the employee and then reply in writing within three (3) calendar days.

2164 STEP 2. Department Head.

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In the event that the immediate supervisor's decision is not satisfactory to the employee or the immediate supervisor is the subject matter of the grievance, the employee may within seven (7) calendar days, present the grievance in writing to his/her Department Head. The Department Head, or his/her designee, shall, within five (5) calendar days, meet and discuss the grievance with the employee and then reply in writing within five (5) calendar days.

2173 STEP 3. Human Resources Director.

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In the event that the Department Head's decision does not satisfy the employee's grievance or if the Department Head is the subject matter of the grievance, the employee may, within seven (7) calendar days, present the grievance in writing to the Human Resources Director. The Human Resources Director shall arrange to meet within ten (10) calendar days of receipt of the grievance with the employee, his/her representative, if any, and any other person the Human Resources Director deems necessary. If, in the judgment of the Human Resources Director, a hearing is necessary to ascertain the facts surrounding the dispute, one shall be scheduled as soon as practicable. After the hearing, the Human Resources Director shall respond to the grievance in writing to the employee within ten (10) calendar days.

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By mutual agreement between the Employer and the Employee the timelines in Steps 1, 2 and 3 may be extended.

2190 STEP 4. Impartial Hearing Officer (IHO).

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In the event the decision of the Human Resources Director does not resolve the grievance, the employee may, within seven (7) calendar days, request a hearing before an Impartial Hearing Officer and pay the filing fee (if one is established) by the County Board. The cost of the impartial hearing officer shall be equally shared by the parties.

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- a. The Human Resources Director shall upon receipt of a written hearing request, provide the employee with the name of an Impartial Hearing Officer. The Impartial Hearing Officer must not be an employee of the County. The Impartial Hearing Officer may be an employee of another county or municipality, a retired human resources professional, a lawyer, a professional mediator/arbitrator or other qualified individual as determined by the County Administrator.
- b. The Impartial Hearing Officer shall be impartial and may not have any prior knowledge of the grievance.
- c. The Human Resources Director will contact the hearing officer and schedule a meeting with the employee and the IHO to discuss the hearing. This meeting shall occur within two weeks of the date the Human Resource Director receives the request for the hearing. If the employee does not respond to the HR Director's attempt to schedule the meeting or does not attend a scheduled meeting, the request for a hearing shall be considered withdrawn and the decision of the HR Director shall stand.
- d. The Impartial Hearing Officer may decide the case on the existing record or may conduct a hearing. A hearing will be scheduled within 30 calendar days of receipt of the hearing request and filing fee. The Impartial Hearing Officer may reschedule the hearing with permission of both parties.
- e. The Impartial Hearing Officer, with the consent of both parties, may use his/her best efforts to mediate the grievance.
- f. The employee has a right to be represented at the hearing (at the employee's expense) by a person of the employee's choosing.
- g. The County has the burden of proof in a reprimand, suspension or termination grievance to show that its actions were not arbitrary or capricious. The employee has the burden of proof in a workplace safety grievance.
- h. The standard required of the party with the burden of proof in all cases is a preponderance of the evidence.
- i. The hearing shall be recorded by a court reporter, who will make a record of the proceedings, and the costs will be shared equally by the parties.
- j. Formal rules of civil procedure will not be followed.
- k. Both parties may introduce exhibits and present witnesses. Witnesses shall be sworn to tell the truth.
- l. The Impartial Hearing Officer shall provide a written decision within thirty (30) calendar days following the close of the record. The written decision should include a case caption; the parties and appearances; a statement of the issues, findings of fact; any necessary conclusions of law; the final decision and order; and any other information the hearing officer deems appropriate.
- m. The Impartial Hearing Officer shall have the power to sustain or deny the grievance. He or she shall have the power to order only the following remedies: withdrawal of a written reprimand, reduction of suspension, transfer to original position from demoted position, reinstatement with or without some or all back pay. The Impartial Hearing Officer may recommend other remedies, however, all other remedial authority shall be subject to the determination and approval of the County Board, and shall be addressed by the County Board in the event the grievance is sustained.

2258 STEP 5. County Board.
2259

2260 An employee or the County, within ten (10) calendar days of receipt of the hearing
2261 officer's decision, may appeal the decision to the County Board by filing a written
2262 notice of appeal with the County Clerk.
2263

- 2264 a. The written notice of appeal must contain: (1) a statement explaining the reason
2265 for the appeal, (2) a copy of the written grievance filed with the County, (3) the
2266 County's response to the grievance, and (4) a copy of the Impartial Hearing
2267 Officer decision. The notice of appeal may not contain any information that was
2268 not admitted into evidence at the hearing.
2269
- 2270 b. The appeal will be placed on the agenda for a County Board meeting that is held
2271 at no longer than sixty (60) calendar days after the County Clerk receives a
2272 written notice of appeal. The appeal will be noticed for consideration in closed
2273 session pursuant to Wis. Stat. Section 19.85(1)(b) pertaining to dismissal,
2274 licensing, or suspension of a public employee. The County Clerk will provide a
2275 copy of the meeting notice to the employee, and the employee may request that
2276 an open session be held.
2277
- 2278 c. The employee has the right to representation by a person of the employee's
2279 choosing and at the employee's request. The employee and the employee's
2280 representative may attend the closed session.
2281
- 2282 d. The employee or the employee's representative and a representative of the
2283 County may address the County Board for an equal period to be determined by
2284 the County Board Chair. The appealing party will go first and may reserve a part
2285 of his/her time for rebuttal. The responding party will go second. The appealing
2286 party may present a rebuttal, if he/she has reserved any time and not used it.
2287
- 2288 e. The employee and the employee's representative, and the person speaking on
2289 behalf of the County, will be excluded from any closed session during the
2290 County Board's discussion or deliberation.
2291
- 2292 f. The County Board's consideration of the appeal will be limited to a review of
2293 the Impartial Hearing Officer's written decision, the appealing party's reason(s)
2294 as to why the decision is wrong, and the response by the other party along with
2295 any oral presentations made by the parties.
2296
- 2297 g. Should the County Board Chair become aware of some relevant piece of
2298 information that could have had a significant impact on the decision of the
2299 impartial hearing officer, that neither party was aware of, or could have been
2300 expected to be aware of, prior to the impartial hearing officer's decision, the
2301 County Board Chair, with the advice of the Corporation Counsel, may take
2302 whatever action he/she deems appropriate so as not to disadvantage either party,
2303 and report such action to the County Board.
2304
- 2305 h. The County Board shall give due deference to the decision and recommendation
2306 of the Impartial Hearing Officer and his/her decision shall not be overturned
2307 unless the Board finds by a simple majority vote that: (1) the hearing was not
2308 conducted fairly, (2) there was fraud or corruption on the part of the hearing
2309 officer, or (3) the hearing officer made an error in fact or law.
2310
- 2311 i. In the event the County Board does not sustain the Impartial Hearing Officer's
2312 decision, then the Board may render a new decision and remedy, or take other
2313 action as appropriate.
2314
- 2315 j. The County Board Chair shall prepare and sign a written determination
2316 reflecting the County Board decision. The County Board Chair may enlist the
2317 assistance of the Corporation Counsel in preparing the determination. A copy of
2318 the determination will be provided to the employee within ten (10) calendar days
2319 following the County Board's decision.
2320

k. The County Board's decision is final and may not be appealed.

18.807 Grievances of Termination.

All grievances regarding termination shall be initiated at the third step of the grievance procedure.

SECTION 9

TRANSACTIONS AND RECORDS MANAGEMENT

18.901 Policy.

The development and maintenance of an effective personnel transaction procedure and personnel records management system is essential to a sound personnel program. All appointments, separations, and other personnel transactions shall be made on forms designated by the Human Resources Director. The primary purpose of these systems and procedures shall be to:

- (a) Establish and maintain clear lines of authority for the processing of personnel transactions and management of personnel records.
- (b) Establish and maintain uniform, easily accessible and complete employment records of all County employees and employee transactions.

The Payroll Unit shall convert data from personnel transactions to payroll records and shall maintain cumulative records of vacation, overtime, sick leave, and payroll deductions. Payroll records and data shall be developed in cooperation with the Human Resources Director and Finance Director to provide current and meaningful personnel and position information, summaries and statistics.

All employees shall be responsible for notifying their supervisor of any changes, which affect their personal status.

18.902 Public Inspection.

Information as to the name, class title and salary of employees and former employees is available for public inspection at times in accordance with procedures prescribed by the Human Resources Director. Other information shall be considered confidential and shall be available as authorized by State and Federal law.

18.903 Destruction Of Records.

Employee service records shall be kept for seven years ~~after separation from County employment. Applications and examinations may will~~ be destroyed after two years.

18.904 Reports.

The Human Resources Director shall provide the Board and the County Board Staff Committee with reports and information relating to personnel actions upon request or as may be appropriate.

SECTION 10

DEFINITIONS

18.1001 Accrued benefits.

This refers to vacation benefits that the employees are accumulating which they will only be able to use once they reach their next anniversary date.

- 2381 18.1002 Administrative Personnel.
 2382
 2383 Administrative employees act as an advisor, limited function department head, or a
 2384 specialist in a management or supportive service who meet all the following criteria:
 2385
 2386 (a) A primary duty of the employee includes the performance of office or non-manual
 2387 work directly related to the management or general business operations of the
 2388 County or its citizens.
 2389
 2390 (b) A primary duty of the employee includes the exercise of discretion and independent
 2391 judgment with respect to matters of significance.
 2392
- 2393 18.1003 Allocation.
 2394
 2395 The assignment of a position to a pay range.
 2396
- 2397 18.1004 Anniversary Date.
 2398
 2399 The date an employee begins County employment. The anniversary date may be modified
 2400 by subsequent personnel actions – leave of absence and layoff.
 2401
- 2402 18.1005 Appointing Authority.
 2403
 2404 A County official who has the authority to appoint and remove individuals to and from
 2405 positions in the County service.
 2406
- 2407 18.1006 Board.
 2408
 2409 The Rock County Board of Supervisors.
 2410
- 2411 18.1007 Class.
 2412
 2413 One or more positions which are substantially alike in duties and responsibilities to
 2414 warrant using the same title, similar qualifications, selection procedures and the same pay
 2415 range.
 2416
- 2417 18.1008 Class Description.
 2418
 2419 A written description of a class containing the class title, a general statement of the duties
 2420 and responsibilities, examples of duties performed, and minimum qualifications required.
 2421
- 2422 18.1009 Class Title.
 2423
 2424 The official designation or name of the class as stated in the class description. The class
 2425 title shall be used on all personnel records and other official personnel actions.
 2426
- 2427 18.1010 Classification Plan.
 2428
 2429 The sum total of all job class descriptions in the County service and a system showing
 2430 salary and classification relationships.
 2431
- 2432 18.1011 County Administrator.
 2433
 2434 The person hired by the Rock County Board of Supervisors as the chief administrative
 2435 officer for the County.
 2436
- 2437 18.1012 Demotion.
 2438
 2439 The assignment of an employee from one class to another class with a lower pay range.
 2440
- 2441 18.1013 Department Head.
 2442
 2443 A County official with the responsibility for the operation of a County department.

2444		
2445		
2446	18.1014	<u>Disciplinary Action.</u>
2447		
2448		The action taken to discipline an employee, including: written reprimand, suspension
2449		without pay, demotion, and discharge.
2450		
2451		
2452	18.1015	<u>Earned Benefits.</u>
2453		
2454		Those benefits that employees have on the books which are currently available to use
2455		(ie. vacation after reaching an anniversary date, sick leave earned a day a month,
2456		floating holiday , etc.).
2457		
2458	18.1016	<u>Eligible Candidate.</u>
2459		
2460		A person certified by the Human Resources Director as meeting the training and
2461		experience requirements and as successfully completing all parts of the selection process
2462		when formal selection devices are used.
2463		
2464	18.1017	<u>Eligibility List.</u>
2465		
2466		A list of Eligible Candidates to fill positions in a particular job class.
2467		
2468	18.1018	<u>Employee.</u>
2469		
2470		An individual who is employed by the County and is paid in part or in whole through the
2471		County payroll.
2472		
2473	18.1019	<u>Entrance Pay Rate.</u>
2474		
2475		The rate of pay a newly hired employee is assigned at commencement of employment.
2476		
2477		
2478		
2479	18.1020	<u>Executive Personnel.</u>
2480		
2481		An executive employee is an administrator who meets all of the following criteria:
2482		
2483		(a) The employee's primary duty consists of management of the County or a
2484		customarily recognized department or division of the County.
2485		
2486		(b) The employee customarily and regularly directs the work of two or more other
2487		employees.
2488		
2489		(c) The employee has the authority to hire or fire other employees, or their
2490		recommendations as to the hiring, firing, advancement, promotion or any other
2491		change of status of other employees is given particular weight.
2492		
2493	18.1021	<u>Flexible Time.</u>
2494		
2495		Time off allowed at the discretion of the Department Head, in recognition of excess hours
2496		worked by an FLSA exempt employee not receiving overtime, consistent with HR Policy
2497		and Procedures.
2498		
2499	18.1022	<u>Full Time Equivalent (FTE).</u>
2500		

- 2501 A way to measure the amount of time a person assigned to a county position is
 2502 scheduled to work. An FTE of 1.0 means that the position is equivalent to a full time
 2503 position, while an FTE of 0.5 means that the position is only half time. FTE is
 2504 measured in tenths from 0.1 to 1.0.
 2505
- 2506 18.1023 Grievance.
 2507
 2508 A formal complaint by an employee concerning: employee discipline, employee
 2509 termination, or workplace safety.
 2510
- 2511 18.1024 Human Resources Director.
 2512
 2513 The Director of the Rock County Human Resources Department and the person
 2514 responsible for implementing all County Personnel Policies and Procedures.
 2515
- 2516 18.1025 Immediate Family.
 2517
 2518 Spouse, child, step-child, parent, step-parent, sibling, mother-in-law, father-in-law, sister-
 2519 in-law (the sister of one's spouse or the wife of one's brother or the wife of one's spouse's
 2520 brother), brother-in-law (the brother of one's spouse or the husband of one's sister, or the
 2521 husband of one's spouses sister), son-in-law, daughter-in-law, grandparent, grandchild or
 2522 step grandchild, ~~domestic partner (as defined by the state of Wisconsin)~~ aunt (the sister of
 2523 one's father or mother, or the wife of one's uncle), uncle (the brother of one's father or
 2524 mother, or the husband of one's aunt), niece, and nephew. Immediate family shall not
 2525 include former "in-laws" due to divorce.
 2526
- 2527 18.1026 In Range Increment.
 2528
 2529 A pay step within a pay range.
 2530
- 2531 18.1027 Layoff.
 2532
 2533 The involuntary separation of an employee because of lack of work, lack of funds, or the
 2534 abolishment of a position.
 2535
- 2536 18.1028 Limited Term Employee (LTE).
 2537
 2538 An employee who is hired to perform a job for a determinant amount of time with a
 2539 specific ending date at the time of hire and who meets all of the qualifications to perform
 2540 the job. Limited Term Employees are not eligible to receive fringe benefits other than
 2541 Wisconsin Retirement if anticipated to work enough hours in a year to qualify for
 2542 Wisconsin Retirement System coverage. Employees working as a Limited Term
 2543 Employee may not work more than 25 hours per week.
 2544
- 2545 18.1029 Part-time Employees.
 2546
 2547 Employees shall be considered part-time when they are normally scheduled to work less
 2548 than 40 hours per calendar week, or on a regular 5-2 / 5-3 work rotation on a 15 day work
 2549 cycle.
 2550
- 2551 18.1030 Pay Plan.
 2552
 2553 A schedule of pay ranges for all classes of positions in the County that are not covered by
 2554 a Collective Bargaining Agreement.
 2555
- 2556 18.1031 Pay Range.
 2557
 2558 A salary range to which positions are assigned, consisting of a minimum wage rate,
 2559 designated as "Step 1," and multiple additional steps, culminating in a maximum wage
 2560 rate. All positions shall be compensated at one of the steps contained in the pay range to
 2561 which the position is assigned.
 2562

18.1032 Pool

An employee who is hired to perform a certain job and who meets all of the qualifications to perform the job (eg. Pool Psvch Techs. Pool C.N.A. Pool RN). Pool staff are not guaranteed a set number of work hours. Specific rules and guidelines for the completion of Pool duties are contained within Departmental Work Rules. Pool are not eligible to receive fringe benefits other than Wisconsin Retirement if anticipated to work enough hours in a year to qualify for Wisconsin Retirement System coverage. Employees working as a Pool may not work more than 25 hours per week.

18.103332 Position.

A grouping of duties and responsibilities to be performed by an employee. A position may be filled or vacant, full time or part-time, regular or temporary.

18.3 Position Description.

A written document that describes the individual employee's duties and responsibilities and is specific to that position.

18.10354 Probationary Employee.

A person who has been properly appointed to a regular Rock County position and who is serving in his/her Trial Period to determine if he/she can do the job.

18.10365 Probationary Period.

The probationary period is a try out time for the employee. It is also used for determination of certain benefits.

18.10376 Promotion.

The assignment of an employee from one class to another class with a higher pay range.

18.10387 Reallocation.

The reassignment of a position from one pay range to another to correct an error in the original assignment, to reflect changing labor market conditions, or to reflect significant changes over a period of time in the duties and the responsibilities of the position (eg. moving the Medical Record Manager position from Unilateral Pay Range 19 to Unilateral Pay Range 20). The incumbent in the position shall move with the position.

18.10398 Reclassification.

The reassignment of a position from one existing class to another class to recognize a change in the duties and responsibilities of a position (eg. a position is currently assigned as a Planner III and is reclassified to a Senior Planner). The incumbent in the position shall move with the position if they are qualified for the position.

18.104039 Regular Appointment.

An assignment of an eligible candidate to a budgeted County position.

18.10410 Regular Employee.

A person who has been properly appointed to a regular Rock County position and has successfully completed the Probationary Period.

18.10421 Reinstatement.

To restore or be placed back into a former or substantially equivalent position.

2626		
2627	18.1043	<u>Relief</u>
2628		
2629		<u>An employee who is hired to perform a certain job and who meets all of the qualifications to perform the job (eg. Relief Youth Specialist). Relief Staff are not guaranteed a set</u>
2630		<u>number of work hours. Specific rules and guidelines for the completion of Relief duties</u>
2631		<u>are contained within Departmental Work Rules. Relief staff are not eligible to receive</u>
2632		<u>fringe benefits other than Wisconsin Retirement if anticipated to work enough hours in a</u>
2633		<u>year to qualify for Wisconsin Retirement System coverage. Employees working as a</u>
2634		<u>Relief Staff may not work more than 25 hours per week.</u>
2635		
2636		
2637	18.10442	<u>Retiree.</u>
2638		
2639		An employee who terminates employment with the County to immediately and actively
2640		draw an annuity from the Wisconsin Retirement System (WRS).
2641		
2642		
2643		
2644		
2645	18.10453	<u>Seasonal Employee.</u>
2646		
2647		An employee who is hired for a period of time to do a specific function (example: cut the
2648		grass), which cannot cumulatively exceed a period of nine months in a calendar year.
2649		Seasonal Employees are not eligible to receive fringe benefits other than Wisconsin
2650		Retirement if anticipated to work enough hours in a year to qualify for Wisconsin
2651		Retirement System coverage. Employees working as a Seasonal employee may not work
2652		more than 25 hours per week.
2653		
2654	18.10464	<u>Selection Device.</u>
2655		
2656		A formal measurement device used to evaluate and/or rank applicants for County
2657		positions.
2658		
2659	18.10475	<u>Seniority.</u>
2660		
2661		Seniority is continuous length of service as a County employee. Seniority shall, upon
2662		completion of the Probationary Period, begin with the original date of continuous
2663		employment subject to the conditions of 18.1004. Seniority shall be used to determine
2664		accrual of vacation and sick leave.
2665		
2666	18.10486	<u>Supervisor.</u>
2667		
2668		The person responsible for the assignment, direction and evaluation of the work of another
2669		employee, usually a full time County employee.
2670		
2671	18.10497	<u>Temporary Appointment.</u>
2672		
2673		An appointment of an individual who meets the qualifications for a position appointed to
2674		fill that position for an unspecified term. Temporary Appointees may be eligible for fringe
2675		benefits.
2676		
2677	18.105048	<u>Termination.</u>
2678		
2679		The removal of an employee from the payroll for voluntary or involuntary reasons,
2680		including dismissal, resignation, retirement or death.
2681		
2682	18.105149	<u>Transfer.</u>
2683		
2684		The assignment of an employee from one position to another in the same class or to a class
2685		with the same pay range.
2686		
2687	18.10520	<u>Travel Status.</u>
2688		

2689 An employee shall be considered to be in "travel status" when he or she is on County
 2690 business outside of the County either for an entire day (before 7:00 a.m. and after 6:00
 2691 p.m.); or for part of a day before 7:00 a.m.; after 6:00 p.m.; and/or between the hours of
 2692 10:30 a.m. and 2:30 p.m.
 2693
 2694
 2695

2696 18.10534 Underslotting.
 2697

2698 The filling of a vacant position at a lower classification.
 2699
 2700

2701 18.10542 Unilateral Employees
 2702

2703 Those County employees who are not covered by a collective bargaining agreement,
 2704 excluding the County Elected Officials and the County Administrator. The Unilaterals
 2705 are divided into three groups for purposes of overtime and vacation:
 2706

- 2707 • Unilateral A's are "Non-Exempt". This means that they are subject to the
 2708 requirements of the Fair Labor Standards Act (FLSA). The FLSA is federal law
 2709 that requires, among other things, that employees who work more than 40
 2710 hours in a week get paid time and one half for any overtime hours.
 2711
- 2712 • Unilateral B's are "Exempt" from provisions of the FLSA due to the nature of
 2713 their position. However, the County has chosen to pay them straight time
 2714 overtime after 40 hours a week even though the County is not required to do
 2715 this by federal law.
 2716
- 2717 • Unilateral C's are "Exempt" from provisions of the FLSA due to the nature of
 2718 their position. Employees in these positions do not receive any form of
 2719 overtime but are allowed to "flex" their time in accordance with HR Policy and
 2720 Procedure.
 2721

2722
 2723
 2724 18.10553 Upgrade.
 2725

2726 The reassignment of a position from one existing class to a current or newly created class
 2727 to recognize a change in the duties and responsibilities of a position. When a position is
 2728 upgraded, an open recruitment shall be conducted to fill the position (eg. HR Secretary to
 2729 HR Office Coordinator).
 2730
 2731

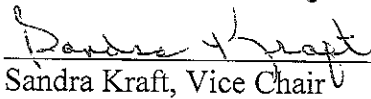
2732 18.10564 Work Schedule.
 2733

2734 The standard work schedule for County employees is Monday – Friday, 8:00 a.m. to 5:00
 2735 p.m. with a one hour lunch period. All full time employees are expected to work at least
 2736 40 hours per week unless work rotation (i.e. 5-2/5-3), or a Department Work Rule dictates
 2737 otherwise.
 2738

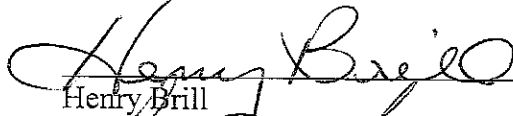
Respectfully Submitted,

COUNTY BOARD STAFF COMMITTEE

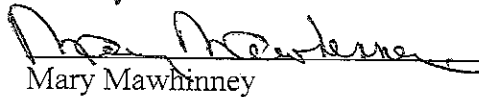

J. Russell Podzilni, Chair

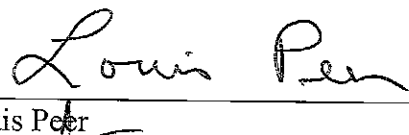

Sandra Kraft, Vice Chair

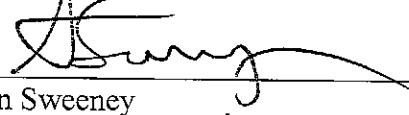

Eva Arnold

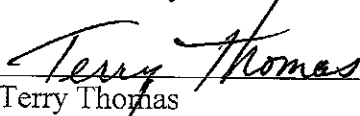

Henry Brill


Betty Jo Bussie


Mary Mawhinney


Louis Peer


Alan Sweeney


Terry Thomas

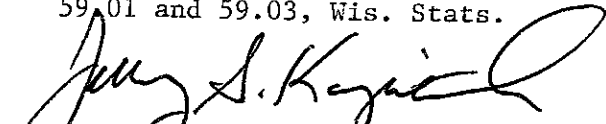
FISCAL NOTE:

Minimal fiscal impact.


Sherry Oja
Finance Director

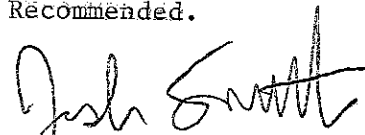
LEGAL NOTE:

The County Board is authorized to take this action pursuant to secs. 59.01 and 59.03, Wis. Stats.


Jeffrey S. Kuglitsch
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.


Josh Smith
County Administrator

Executive Summary

Rock County has a Personnel Ordinance that establishes a uniform personnel program for Rock County. The ordinance is reviewed annually and suggestions for modifications are brought forward to the County Board Staff Committee and the County Board.

It is important to give our workforce a voice in the process, and in 2016 a survey was sent to managers and employees to solicit input into suggestions for modifications to the current personnel ordinances and for suggestions for new ordinances. Overall there were 204 individuals that responded to the survey and there were 48 suggestions for ordinance modifications. In addition the Human Resources Department identified several areas that were brought to their attention during 2015.

A draft of the proposed changes was reviewed with the County Administrator, the formerly represented employee groups, and the Department Heads. There were some additional suggestions offered and a final version of proposed changes was compiled.

These changes are summarized below and a full version of the Ordinance language is included with the resolution.

Proposed Personnel Ordinance Changes

Summary

- 18.102 – Modify employee protected status language to be all inclusive.
- 18.109 – Update resolution references in Command Staff provision, add provision for Correctional Supervisor.
- 18.112 F – Add in new bullet on Department Head functions to develop and monitor the budget.
- 18.206 – Add a reference to red circle in reallocation requests.
- 18.301 – Insert with or without a reasonable accommodation to an applicant's ability to perform the duties of a position. Add in new component that allow an applicant who was not chosen the ability to review their recruitment results and request the HR Director to review.
- 18.304 – Clarify the eligibility list language to state that if an eligibility list is created that it will be used for future recruitments for the same position while following the requirements for posting and filling vacancies.
- 18.306 – Increase requirement for length of service for an employee to apply for a new position and clarify eligibility for a probationary employee to sign for a lateral transfer.
- 18.401 – Simplify pay plan language to County employees.
- 18.502 – Health and Dental Insurance updated with 2014 resolution language.
- 18.506 – Modify vacation language so that it is equal across employee groups with days earned by length of service, beginning with their 2016 anniversary date allocation. Clarify what happens if an employee changes employee groups.
- 18.509 – Modify bereavement leave to define what it can be used for and to simplify to up to 3 days for all defined immediate family members.
- 18.515 – Remove Domestic Partner reference for sick leave, and include grandchild if grandparent has supporting responsibility.
- 18.706 – Add new language that states an employee has the right to augment a performance evaluation and have that include with the evaluation in their personnel file.
- 18.806 – Modify the IHO definition in the Grievance section and require that the cost of the IHO be split be the parties.
- 18.903 – Clarify the time line for destruction of records to seven years after separation from County employment.
- 18.1025 – Delete Domestic Partner from definition of immediate family.
- 18.1032 – Add in new definition of Pool employee.
- 18.1043 – Add in new definition of Relief employee.