

**ORDINANCE
ROCK COUNTY BOARD OF SUPERVISORS**

Amy Spoden, Act. HR Director
INITIATED BY



April 5, 2023
DATE DRAFTED

Amending Chapter 18 of the Rock County Ordinances

1 **WHEREAS**, Rock County has an established Personnel Ordinance; and,
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 3 **WHEREAS**, it is good practice to review the personnel ordinance language on an annual basis;
 4 and
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 6 **WHEREAS**, certain additional changes have been suggested by Employees and Department
 7 Managers; and,
 8
 9 **WHEREAS**, the County wants to incorporate these additional changes to the Personnel
 10 Ordinance effective April 10, 2023
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 12 **NOW, THEREFORE, BE IT RESOLVED**, that the Rock County Board of Supervisors
 13 assembled this 27th day of April, 2023 does hereby ordain and amend Chapter 18 of Rock
 14 County's Code of Ordinance as follows (deleted language crossed out, added language
 15 underscored):

17 I. Section 18.506 is amended as follows:

18 18.506 - Vacation

- 21 (a) ~~Unilateral employees hired prior to January 1, 2008, shall earn ten days paid~~
 22 ~~vacation after one year of continuous service. Thereafter, he/she they shall earn~~
 23 ~~one additional day per year for each year of continuous employment to a maximum~~
 24 ~~of twenty two days. Employees shall continue to earn vacation until the employee's~~
 25 ~~length of service would provide additional vacation under paragraph (b) below, at~~
 26 ~~which time they shall be placed on that schedule.~~
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 28 (b) Unilateral employees hired on or after January 1, 2022 April 10, 2023, shall earn
 29 vacation according to the following schedule:
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<u>Complete</u> <u>d Years of</u> <u>Service</u>	<u>Unilateral A & B</u>	<u>Unilateral C</u>
<u>Time of</u> <u>Hire</u>	5 Days <u>10Days</u>	7.5 Days <u>15 Days</u>
1 year	10 Days	15 Days
2 Years	11 Days	15 Days
3 Years	12 Days	15 Days
4 Years	13 Days	15 Days
5 Years	14 Days	20 Days
6 Years	15 Days	"
7 Years	16 Days	"
8 Years	17 Days	"
9 Years	18 Days	"
10 Years	19 Days	25 Days
11 Years	20 Days	"
12 Years	21 Days	"
13 Years	22 Days	"
14 Years	22 Days	"

15 Years	22 Days	“
16 Years	22 Days	”
17 Years	23 Days	”
18 Years	24 Days	”
19 Years	25 Days	”

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- (c) Vacation schedules for non unilateral employees are contained in the HR Policies and Procedures manual.
- (d) Credit for years of service may be awarded to an employee based on years of prior related experience plus years of service with the County. Prior related experience shall be determined by the Human Resources Director and the Corporation Counsel, and will only be awarded for service in jobs that are substantially related to the work performed for the County. This service credit shall be awarded at the time of initial employment, or at the time promoted into a new employee group.
- (e) An employee shall take earned vacation time within the twelve month period immediately following eligibility. Earned vacation time not taken within the designated twelve month period shall be forfeited, unless the Department Head and Human Resources Director specifically approves the carryover of an employee's vacation, in writing, due to an inability of the employee to utilize the time requested to be carried over because of work requirements or other legitimate reasons; or paid out according to HR Policy and Procedures. Vacation deferral or carry over of one (1) hour or more shall be requested by the employee in writing prior to his or her anniversary date, or within ten weeks of his or her anniversary date, and shall state with specificity the reason for the request. Failure to make a timely request shall result in the vacation being forfeited.
- (f) The amount of vacation days deferred shall not exceed the number of vacation days that the employee earns on that anniversary date. An employee may request to use vacation in advance. The employee will need to put their request in writing to their supervisor and department head for approval. If approved, the request is sent to HR for the final approval. Any time used will result in a reduction of the days available at their anniversary. (Example: an employee requests 2 days in advance, their anniversary allotment will be reduced by 2 days). ~~Vacation may be granted in advance only upon the approval of the Department Head and the Human Resources Director.~~

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

- (g) Part-time employees whose regular workweek is sixteen hours or more shall earn vacation time on a pro rata basis directly proportionate to the amount of time worked in relation to the normal full time employment period. Part-time employees whose regular workweek is less than sixteen hours shall not earn vacation credits.
- (h) In the event an employee is on authorized sick leave and has insufficient sick leave credits to cover the period of absence, earned vacation time may be used for this purpose if the employee or employer so elects.
- (i) Upon separation (resignation or retirement), an employee shall be paid for the unused portion of their earned and accrued vacation credits ~~provided the employee has completed twelve consecutive months of service~~, except as modified by the rules governing resignation without sufficient notice. If a termination occurs, an employee shall be paid for the unused portion of their earned vacation credits only.
- (j) An employee who moves from one position to another in the County service, by transfer, promotion or re-assignment, shall be credited with their accumulated vacation leave in the new position.

- 91 (k) An employee who moves from one an employee group to another employee group
92 in the County service, by transfer, promotion or re-assignment, will have their
93 vacation entitlement determined by a number of factors (i.e. years of service, FTE
94 previously worked, entitlement under new employee group, etc.).
95
- 96 (l) An employee, whose appointment status is changed from temporary to regular
97 status without a break in service, shall receive vacation credits from the date of
98 their original appointment to temporary status.
99
- 100 (m) No credit for vacation leave shall be granted for time worked by an employee in
101 excess of their normal workweek.
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- 103 (n) Vacation credits shall not be earned by an employee during a leave of absence
104 without pay, a suspension without pay, or when the employee is otherwise in a non-
105 compensable status, should such period without pay exceed thirty working days in
106 any calendar year.
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- 108 (o) There shall be charged against accrued vacation only those days on which an
109 employee normally would have worked. In the event a legal holiday falls within the
110 vacation period, the holiday shall not be charged against vacation.
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- 112 (p) Use of vacation time must be approved in advance by the Department Head or his
113 or her designee. Use of vacation by appointed Department Heads must be
114 approved in advance by the County Administrator.
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- 116 (q) All vacation shall be utilized in not less than fifteen minute increments.
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- 118 (r) Unilateral "C" employees whose position has been moved to Unilateral "A" will
119 have their vacation allotment frozen at current level until the employee's length of
120 service would provide additional vacation under the Unilateral "A" schedule.
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122 II. Section 18.507 is amended as follows:

123 18.507-Workers Compensation

124 Worker compensation benefits will be provided in accordance with applicable statutory
125 provisions and administrative codes.
126

127 Rock County strives to insure all work assignments are performed safely and work areas are
128 maintained in a safe manner. The County promotes a light duty program for injured
129 employees on worker compensation. All on the job accidents must be reported to the ~~Human~~
130 ~~Resources Director or their designee~~ Risk Manager in the Corporation Counsel's Office
131 immediately and proper forms must be completed in full.
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135 III. Section 18.509 is amended as follows:

136 18.509 – Bereavement Leave

137 In the event of a death an employee may be excused from work without loss of pay for up to a
138 maximum of thirty-two (32) hours annually for the purpose of attending a person's wake,
139 visitation, memorial service, funeral, or make necessary arrangements regarding the person's
140 death, within a reasonable time after the occurrence.
141
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143 No more than (32) hours can be used for the same decedent.
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145 If additional time is required beyond the thirty-two (32) hours annually, an employee may
146 request to use accumulated vacation, holiday or comp-time. Sick leave may be used ~~for a parent,~~
147 ~~spouse, or child only~~ in accordance with 18.515.
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150 Bereavement leave cannot be accrued from one year to the next.
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152 Bereavement leave can be used in increments of quarter hours.
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154 A second or third shift employee may be excused from work the scheduled shift before or after
155 the event, provided the shift begin or ends on the same calendar date of the event.

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

IV. Section 18.515 is amended as follows:

18.515 – Sick Leave

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

- (1) All full-time employees shall earn one sick leave day per month of continuous employment. All part-time employees whose regular workweek is sixteen hours or more shall earn one sick leave day on a prorata basis directly in relation to the normal full time employment period. All part-time employees, who work less than sixteen hours per week, shall not earn sick leave. Temporary and seasonal employees are not eligible for sick leave.
- (2) Sick leave shall be granted after it has been earned, when an employee is required to be absent from work because of:
 - (a) Illness of the employee.
 - (b) Illness of an employee's spouse
 - (c) Illness of a minor child (includes stepchild, current foster child, grandchild, or any other child they are legally responsible for and can provide legal documentation supporting the responsibility).
 - (d) Illness of an aAdult child.
 - (e) Illness of a parent (includes stepparents and current foster parents).
 - (f) Contact with or exposure to a contagious disease rendering the employee's presence hazardous to fellow workers.
 - (g) Reasonable medical or dental attention that cannot be scheduled during non-working hours.
 - ~~(h) If additional time is required beyond the thirty-two (32) hours of annual bereavement leave, sick leave may be used for bereavement activities related to a parent, spouse, or child.~~

V. Section 18.612 is amended as follows:

18.612 – Hours of Work

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

Nonstandard work schedules may be approved by a Department Head, when doing so is in the interest of County operations. Notice of nonstandard work schedules shall be made to Human Resources and payroll.

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

Employees included in Sections 18.1002, ~~18.011~~, 18.1013, and 18.1020 are considered salaried exempt employees. These employees must cover a partial day taken off with paid vacation, sick leave or comp time (where applicable). If the employee has insufficient paid time to cover the entire day off, the employee must take the entire day off without pay.

221 VI. Section 18.620 is amended as follows:

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223 18.620 – Pre-Employment Physicals

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

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231 VII. Section 18.707 is amended as follows:

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233 18.707 – Performance Improvement Plan

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235 The Performance Improvement Plan (PIP) is a great way to give struggling employees the
236 opportunity to succeed while still holding them accountable for past performance. The PIP
237 may be done in conjunction with a performance evaluation or as a stand-alone assessment.
238 The goal of the PIP is to improve performance and provide guidance to the employee, and the
239 documentation helps put the employee back on track. The employee may need more training
240 or help in understanding what is expected of them in order to be successful in meeting the
241 criteria of the PIP. The supervisor should document the areas of the employee's performance
242 that need improvement, as well as establish a provisional action plan for improvement. The
243 employee is expected to demonstrate continued improvement. The supervisor will monitor
244 and provide feedback to the employee regarding their performance on the PIP and may take
245 additional disciplinary action, if warranted, through the progressive discipline process, up to
246 and including termination at any time. During a performance improvement plan, the
247 employee is not eligible to sign a job posting without approval from the Human Resources
248 Director. At the completion of the Performance Improvement Plan, the supervisor shall
249 document the outcome in writing and provide a copy to the Human Resources Office.

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FISCAL NOTE:

Minimal fiscal impact.

Sherry Oja
Finance Director

LEGAL NOTE:

The County Board is authorized to take this action pursuant to §§ 59.03 and 59.52(8), Wis. Stats.

Richard Greenlee
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.

Josh Smith
County Administrator

Executive Summary

Amending Chapter 18 of the Rock County Ordinances

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 2022 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 107 employee comments. The Human Resources Department identified several areas that were brought to their attention during 2022.

A draft of the proposed changes was reviewed with the County Administrator. 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.

Rock County Personnel Ordinance

- **18.506-Vacation**
Eliminate out of date language. Update language to increase vacation at time of hire. Provide clarification of current process related to payout of unused vacation upon separation. Provide clarification on the request/use of advance vacation.
- **18.507-Worker Compensation**
Updating language to reflect current process
- **18.509-Bereavement Leave**
Updating language to reflect the ability to use sick time in accordance policy.
- **18.515-Sick Leave**
Addition of wording to 18.509 (d). Elimination of 18.509 (h).
- **18.612-Hours of Work**
Correction of ordinance reference.
- **18.620-Pre-Employment Physical**
Updating language from physician to provider.

- **18.707-Performance Improvement Plan**

Addition of language in regards to signing a posting when on a performance improvement plan.