

**ORDINANCE
ROCK COUNTY BOARD OF SUPERVISORS**

Supervisor Bostwick
INITIATED BY



September 6, 2023
DATE DRAFTED

Amending Chapter 18 of the Rock County Ordinances

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;
 4 and
 5
 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 October 1, 2023
 11
 12 **NOW, THEREFORE, BE IT RESOLVED**, that the Rock County Board of Supervisors
 13 assembled this 28th day of September, 2023 does hereby ordain and amend
 14 Chapter 18 of Rock County’s Code of Ordinance as follows (deleted language crossed out, added
 15 language underscored):

17 I. Section 18.109 is amended as follows:

| | |
|--------------|---------------------------------|
| | <u>Sheriff’s Office Command</u> |
| <u>Staff</u> | |
| | 18.109 |

23 In addition to the benefits provided to other ~~unilateral~~ employees, if the following provisions
 24 of the labor agreement with the Rock County Deputy Sheriffs Supervisors Association are
 25 modified, such modifications shall be extended to the Chief Deputy (Resolution 93-12A-118);
 26 Commanders (Resolution 91-11D-118); and Captains (Resolution 09-1B-189).

- 28 • Education
- 29 • Health insurance for retirees*
- 30 • Life insurance
- 31 • Retirement
- 32 • Sick Leave Accumulation
- 33 • Sick leave payout
- 34 • Sick leave payment
- 35 • Uniform allowance
- 36 • Worker’s compensation

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

43 II. Section 18.109 (a) is amended as follows:

| | |
|--|--------------------------------|
| | <u>Correctional Supervisor</u> |
| | 18.109(a) |

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

51
52 III. Section 18.205 is amended as follows:

53
54 Reclassification Requests
55 18.205

56
57 A reclassification is the re assignment of a position from one existing class to another class to
58 recognize a change in the duties and responsibilities of a position. Reclassification is
59 considered a promotion.

60
61 ~~Person in positions classified shall normally be advanced to the step with the next highest~~
62 ~~dollar amount in the new pay range. Future step increases will be paid according to the~~
63 ~~employee's new employee group or pay grid. In unusual circumstances, the reclassified~~
64 ~~individual may be placed in a higher step upon approval of the Human Resources Director~~
65 ~~and the County Administrator.~~

66
67 Reclassification requests shall normally be contained within the annual budget. In such
68 situations, prior to approval of the budget, the Human Resources Department shall audit the
69 position and make a written recommendation to the County Administrator who shall then
70 recommend approval or denial of reclassification requests. If a reclassification request is
71 denied, the position shall not be reconsidered for reclassification until there is a significant
72 change in the duties and responsibilities of the position. If, in exceptional cases, duties of a
73 position change during a budget year, the County Board may approve a reclassification
74 request upon the performance of a job audit and the recommendation of the Human
75 Resources Director and County Administrator and with the confirmation of the County Board
76 Staff Committee.

77
78 IV. Section 18.206 is amended as follows:

79
80 A reallocation is the re assignment of a position from one pay range to another pay range to
81 correct an error in the original assignment, to reflect changing labor market conditions, or to
82 reflect significant changes over a period of time in the duties and the responsibilities of the
83 position.

84
85 Salary adjustments shall be part of the budget process. If salary reallocations are approved,
86 they will become effective the first day of the fiscal year. ~~Persons in positions reallocated shall~~
87 ~~normally be advanced to the step with the next highest dollar amount in the new pay range.~~
88 ~~Future step increases will be paid according to the employee's new employee group or pay~~
89 ~~grid. In unusual circumstances, the reallocated individual may be placed in a higher step~~
90 ~~upon approval of the Human Resources Director and the County Administrator.~~

91
92 If the employee's current rate of pay is greater than the maximum of the new range, the
93 employee will be red-circled in accordance with section 18.411.

94
95 When a position becomes vacant and it is determined by the Human Resources Director and
96 the County Administrator that a reallocation of the position is necessary for recruitment
97 purposes, such reallocation may occur outside the budget process upon the confirmation of
98 the County Board Staff Committee and approval of the County Board.

99
100 V. Section 18.304 is amended as follows:

101
102 Human Resources shall be responsible for establishing and maintaining eligibility lists as may
103 be necessary or desirable upon authorization of the department. An established eligibility list
104 will be used to fill future vacancies for the same position. Before the next candidate on the
105 eligibility list will be considered, internal vacancies or new positions will be posted on the ~~bulletin~~
106 ~~boards~~ Human Resource's Intra-net page ~~throughout the county per policy.~~ In filling job
107 vacancies or new positions, employees within the department with the vacancy will be given
108 consideration. Both internal and external candidates may be considered. All candidates must
109 successfully complete a reference and background screen before final selection.

110
111 (a) ~~Layoff List for unilateral employees.~~

112

113 ~~An employee laid off or demoted in lieu of layoff may be considered for re-~~
114 ~~employment when a vacancy occurs for which they are qualified. Human~~
115 ~~Resources shall notify said employee of any vacancy arising in the same job~~
116 ~~from which the employee was laid off. Said employee shall make application~~
117 ~~for the vacant position. Once application is made, the laid off employee shall~~
118 ~~participate in a competitive hiring process and, if most qualified, shall be~~
119 ~~required to accept an offer of employment for the position within 10 days of~~
120 ~~said offer. Failure to make application or accept an offer of employment for~~
121 ~~the position from which the employee was laid off shall result in the~~
122 ~~forfeiture of notification rights for future openings.~~

123
124 (ba) Open Competitive and Promotional Eligibility.

125
126 Human Resources may establish and maintain such open competitive and
127 promotional eligibility lists of applicants who have qualified for a particular
128 job or class of County positions.

129
130 (eb) Duration of Eligibility Lists.

131
132 The duration of eligibility lists shall be not less than one year, or as provided
133 for in a Department's Work Rules.

134
135 (ec) Removal of Candidates from Eligibility Lists.

136
137 Human Resources may remove candidates from an eligibility list if the
138 candidate:

- 139
- 140 (1) receives a regular appointment to a position in the same class or
141 another class having the same or higher pay grade.
 - 142
 - 143 (2) files a written statement indicating unwillingness to accept
144 appointment.
 - 145
 - 146 (2) declines an offer of employment under such conditions previously
147 indicated by the candidate as acceptable.
 - 148
 - 149 (4) fails to respond within a specified time period to any official written
150 inquiry regarding relative availability.
 - 151
 - 152 (5) fails to report for an interview or for duty at the time specified by the
153 Human Resources or appointing authority.
 - 154
 - 155 (6) is disqualified for employment under County policies or state law.
 - 156
 - 157 (7) factors covered under Section 18.301.

158
159 (ed) Human Resources shall notify each candidate in writing of their removal
160 from an eligibility list. The candidate may appeal their removal from an
161 eligibility list and, at the discretion of the Human Resources Director, the
162 candidate may be reinstated.

163
164 VI. Section 18.306 is amended as follows:

165
166 Probationary Period
167 18.306

168
169 ~~Except for Department Heads and the County Administrator, original appointments to all~~
170 ~~positions shall be made with a Probationary Period of one (1) calendar year.~~

171
172 ~~The length of the Probationary Period shall be specified in the written offer of employment, which~~
173 ~~will be written by the Human Resources Department.~~

- 174
175 ~~(1) Regular status begins on the first workday following completion of~~
176 ~~the Probationary Period.~~
177

- 178 (2) ~~The Probationary Period may be extended for a period of time not to~~
179 ~~exceed six (6) months, with prior approval of the Human Resources~~
180 ~~Director. This request must be made in writing citing the reason for~~
181 ~~the request.~~
182
- 183 (3) ~~An employee shall automatically be appointed at the end of the~~
184 ~~prescribed Probationary Period, unless the appointing authority,~~
185 ~~with approval of the Human Resources Director, notifies the~~
186 ~~probationary employee of the extension, or the unsuccessful~~
187 ~~completion of the Probationary Period at which time the employee~~
188 ~~shall have their Probationary Period extended or be dismissed.~~
189
- 190 (4) ~~Dismissal of an employee during the initial Probationary Period shall be~~
191 ~~at the sole discretion of the employer and without recourse to the~~
192 ~~grievance procedures herein provided.~~
193
- 194 (5) ~~An employee appointed to a position in an acting capacity by the~~
195 ~~County Administrator and subsequently selected as the regular~~
196 ~~employee in that position shall have their total time of continuous~~
197 ~~employment, including the time spent in an interim capacity,~~
198 ~~counted for seniority purposes, but shall serve at least a six-month~~
199 ~~Probationary Period after regular appointment. When an employee~~
200 ~~is in an acting capacity, the employee will continue to receive step~~
201 ~~increases as provided under Section 18.405.~~
202
- 203 (6) ~~Probationary employees, with the exception of Pool Staff, Relief~~
204 ~~Staff, and Project Staff, will not be permitted to apply for other~~
205 ~~positions until they have completed twelve months of employment.~~
206 ~~An employee who has completed at least six months of their~~
207 ~~probationary period, may sign for a lateral transfer in the same~~
208 ~~classification with in the same division. In unusual circumstances,~~
209 ~~this requirement may be waived in advance and in writing by the~~
210 ~~current Department Head and Human Resources Director.~~
211
- 212 (7) ~~Completion of the Probationary period does not guarantee continued~~
213 ~~employment for any specified period of time, nor does it modify or~~
214 ~~change the employee's at will status.~~
215
- 216 (8) ~~Probationary employees, who have not completed their initial twelve~~
217 ~~(12) month probationary period, who are either promoted, demoted, or~~
218 ~~accept a lateral transfer to another position, which results in a change of~~
219 ~~duties, will be required to serve a new one-year probationary period~~
220 ~~starting from the date of their new position.~~
221

222 VII. Section 18.309 is amended as follows:

223
224 Double Fill of Positions
225 18.309

226
227 Any request for hiring in excess of the budgeted personnel roster must be approved by the
228 County Board. This would include cases where the Department Head requests an overlap of
229 personnel for more than ~~one~~ two payroll periods in order to train the new employee. The
230 request should be approved by the governing committee and County Board Staff Committee
231 prior to submission to the Board.
232

233 VIII. Section 18.404 is amended as follows:

234
235 Entrance Pay Rate
236 18.404

237
238 The entrance pay rate for new County employees shall normally be the minimum rate of the
239 pay range prescribed for the class. A Department Head may recommend that a particular
240 appointment be made above the entrance pay rate. Such requests must be made in writing,
241 approved in advance by the Human Resources Director in recognition of relevant experience
242 and /or exceptional qualifications.

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

IX. Section 18.405 is amended as follows:

In Range Increment
18.405

~~In range increments shall be based on satisfactory work performance and length of service in a class. Such increments shall not be granted automatically. Whenever an employee is promoted, their annual pay increments (step increase) shall be based on the length of service in that range or class. The employee shall have an overall performance evaluation of "satisfactory" or "meets expectations" or higher in order for an in range increment to be granted. 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. The performance of the employee will be evaluated in accordance with procedures outlined in Section 7 of this Ordinance.~~

X. Section 18.408 is amended as follows:

Pay Rate Adjustments
18.408

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

~~(a) Transfer~~

~~When an employee is transferred from one class to another with a common pay range, they shall continue to receive the same pay rate.~~

~~(b) Promotion~~

~~When an employee is promoted from one class to another having a higher pay range, they shall normally advance to the pay step in the new range which is immediately above their former rate of pay. In unusual circumstances, the promoted individual may be placed in a higher step upon prior approval of the Human Resources Director and the County Administrator.~~

~~(c) Demotion~~

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

~~(d) Reinstatement~~

~~When an employee is reinstated to their former job they shall normally be paid the same pay step as before leaving. When the employee is reinstated to a job with a lower pay range, the Human Resources Director shall decide on the new pay rate in accordance with the employee's experience and qualifications. In no case, will it exceed the maximum of the pay range to which the employee is assigned.~~

~~(e) Compensation During Temporary Assignment~~

302 ~~— In a situation where an employee is assigned all of the duties of a higher~~
303 ~~classification anticipated to be for a period in excess of ten (10) consecutive~~
304 ~~working days, the employee will be assigned a temporary pay rate in the~~
305 ~~range of the higher classified position. Payment for hours over 8 in a day~~
306 ~~or 40 a week will be paid according to the FLSA status of the higher position.~~
307 ~~Such pay will be for the period of the temporary assignment. Temporary~~
308 ~~assignments must be approved by the Human Resources Director. An~~
309 ~~employee who is temporarily assigned to a position with a lower pay range,~~
310 ~~for any period, shall not receive a reduction in pay. No such temporary~~
311 ~~assignment shall exceed six months unless approved by the County~~
312 ~~Administrator upon recommendation of the Human Resources Director.~~

314 XI. Section 18.409 is amended as follows:

315
316 Overtime
317 18.409

319 ~~“Unilateral A” employees earn overtime at time and one half over 40 hours per week.~~

321 ~~“Unilateral B” employees earn overtime at straight time over 40 hours per week.~~

323 ~~“Unilateral C” employees, who are exempt under the federal Fair Labor Standards Act~~
324 ~~(FLSA), do not earn overtime.~~

326 ~~For additional policies and procedures regarding overtime for unilaterals and other~~
327 ~~employees see the HR Policy and Procedure Manual.~~

329 XII. Section 15.805 is amended as follows:

331 Health and Dental Insurance
332 18.502

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

337 ~~B. For non-represented employees hired after September 1, 2009 into positions~~
338 ~~with an FTE of 0.5 or greater but less than 1.0 FTE Rock County will provide~~
339 ~~single coverage health insurance. If the employee chooses to select employee~~
340 ~~and spouse, employee and child, or family coverage, the employee will pay a~~
341 ~~pro-rated share of the premium difference between single coverage and the~~
342 ~~coverage of their choice based on their FTE [CB Resolution 14 12A 170].~~

344 ~~C. Part-time employees who are normally scheduled to work less than twenty hours~~
345 ~~per week are not eligible for County health and dental benefits. Employees who~~
346 ~~normally work twenty hours or more per week are eligible to receive dental~~
347 ~~insurance and health benefits. Part-time employees may participate in vision~~
348 ~~insurance at their own cost provided it is allowable under the plan rules in effect at~~
349 ~~the time of participation.~~

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

354 A. B. Dental coverage will be provided consistent with coverage and copayments as
355 set by the County Board. Eligibility for coverage shall be governed by the policy
356 issued by the carrier/administrator. The employer shall pay 60% of applicable
357 premium of the lowest cost available plan and the employee shall pay the
358 remainder of the applicable premium.

360 XIII. Section 18.506 is amended as follows:

362 Vacation
363 18.506

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(a) Unilateral employees hired on or after April 10, 2023, shall earn vacation according to the following schedule:

| <u>Complete d Years of Service</u> | <u>Unilateral A & B</u> | <u>Unilateral C</u> |
|--|-----------------------------|---------------------|
| Time of Hire | 10 Days | 15 Days |
| 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 | " |

369

(e) Vacation schedules for non-unilateral employees are contained in the HR Policies and Procedures manual.

370

(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.

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(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 their anniversary date, or within ten weeks of their 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.

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(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).

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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.

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- 407 (g) ~~Part-time employees whose regular workweek is sixteen hours or more shall earn~~
408 ~~vacation time on a pro-rata basis directly proportionate to the amount of time~~
409 ~~worked in relation to the normal full-time employment period. Part-time~~
410 ~~employees whose regular workweek is less than sixteen hours shall not earn~~
411 ~~vacation credits.~~
- 412
- 413 (h) ~~In the event an employee is on authorized sick leave and has insufficient sick leave~~
414 ~~credits to cover the period of absence, earned vacation time may be used for this~~
415 ~~purpose if the employee or employer so elects.~~
- 416
- 417 (i) ~~Upon separation (resignation or retirement), an employee shall be paid for the~~
418 ~~unused portion of their earned and accrued vacation credits except as modified by~~
419 ~~the rules governing resignation without sufficient notice. If a termination occurs,~~
420 ~~an employee shall be paid for the unused portion of their earned vacation credits~~
421 ~~only~~
- 422
- 423 (j) ~~An employee who moves from one position to another in the County service, by~~
424 ~~transfer, promotion or re-assignment, shall be credited with their accumulated~~
425 ~~vacation leave in the new position.~~
- 426
- 427 (k) ~~An employee who moves from one an employee group to another employee group~~
428 ~~in the County service, by transfer, promotion or re-assignment, will have their~~
429 ~~vacation entitlement determined by a number of factors (i.e. years of service, FTE~~
430 ~~previously worked, entitlement under new employee group, etc.).~~
- 431
- 432 (l) ~~An employee, whose appointment status is changed from temporary to regular~~
433 ~~status without a break in service, shall receive vacation credits from the date of~~
434 ~~their original appointment to temporary status.~~
- 435
- 436 (m) ~~No credit for vacation leave shall be granted for time worked by an employee in~~
437 ~~excess of their normal workweek.~~
- 438
- 439 (n) ~~Vacation credits shall not be earned by an employee during a leave of absence~~
440 ~~without pay, a suspension without pay, or when the employee is otherwise in a~~
441 ~~non-compensable status, should such period without pay exceed thirty working~~
442 ~~days in any calendar year.~~
- 443
- 444 (o) ~~There shall be charged against accrued vacation only those days on which an~~
445 ~~employee normally would have worked. In the event a legal holiday falls within~~
446 ~~the vacation period, the holiday shall not be charged against vacation.~~
- 447
- 448 (p) ~~Use of vacation time must be approved in advance by the Department Head or their~~
449 ~~designee. Use of vacation by appointed Department Heads must be~~
450 ~~approved in advance by the County Administrator.~~
- 451
- 452 ~~(q) All vacation shall be utilized in not less than fifteen minute increments.~~
- 453
- 454 ~~(r) Unilateral "C" employees whose position has been moved to Unilateral "A" will~~
455 ~~have their vacation allotment frozen at current level until the employee's length of~~
456 ~~service would provide additional vacation under the Unilateral "A" schedule.~~

457

458 XIV. Section 18.507 is amended as follows:

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460 Workers Compensation
461 18.507

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

465

466 ~~Roek County strives to insure all work assignments are performed safely and work areas are~~
467 ~~maintained in a safe manner. The County promotes a light duty program for injured~~
468 ~~employees on worker compensation. All on the job accidents must be reported to the Risk~~
469 ~~Manager in the Corporation Counsel's Office immediately and proper forms must be~~
470 ~~completed in full.~~

471

472 Any employee, who is receiving worker's compensation, may at the employee's option, take
473 sufficient sick leave or vacation to make up the difference between the worker's compensation
474 payment and their regular wage. When the employee's sick leave and/or vacation account is
475 exhausted, they shall receive worker's compensation payments only. If an employee is on
476 worker's compensation for a period of twelve (12) months, that employee shall have their
477 earned vacation paid out, unless the employee asks for deferral of vacation payout in writing.
478

479
480 XV. Section 18.508 is amended as follows:
481

482 Leave of Absence Policy
483 18.508

484
485 The County Administrator or the Department Head after consulting with the Human
486 Resources Director, may grant a regular employee leave of absence (with or without pay) for a
487 period up to six months except for an educational leave, subject to the following conditions:
488

489 (1) Leave of absence (with or without pay) may be granted when it is in
490 the best interest of the County to do so. Requests for leave of absence
491 shall be approved prior to the taking of such leave. When such leave
492 is requested as an extension of sick leave, an acceptable physician's
493 certificate shall be required.
494

495 (2) At the expiration of a leave of absence, the employee shall be
496 reinstated to the position they vacated or to an equivalent position
497 which is vacant at the time, provided the employee meets the stated
498 qualifications. If there is not a suitable vacancy available, the
499 employee's name shall be placed on an appropriate reinstatement
500 list.
501

502 (3) Credit toward vacation and sick leave shall not be earned after 30
503 days while an employee is on leave without pay. Insurance benefits
504 may be retained according to HR Policy and Procedure.
505

506 (4) Leave without pay shall not constitute a break in service; however, if
507 the employee is absent more than thirty days during a calendar year,
508 it shall change the employee's anniversary date.
509

510 When a leave without pay of more than thirty (30) consecutive days
511 is taken, the employee's anniversary date shall be moved ahead by
512 the total number of days of the leave.
513

514 (5) A return to work earlier than the scheduled termination of leave date
515 may be arranged by the supervisor and the employee, with the
516 approval of the Human Resources Director.
517

518 (6) Employees on leave of absence from the County may not be
519 employed full time elsewhere. Employees holding employment
520 elsewhere during a leave of absence shall be deemed to have
521 voluntarily resigned from employment with Rock County.
522

523 (7) If an employee is unable to return to work on the date stipulated, they
524 may submit a written request to extend the leave of absence, subject
525 to the approval of the County Administrator or Department Head
526 and the HR Director. If, on the date following the expiration of the
527 leave of absence, an extension is not requested and granted and the
528 employee has not returned to their position, the employee shall be
529 considered to have voluntarily resigned from County employment.
530

531 (8) Unauthorized Absence. It is recognized that there may be
532 extenuating circumstances for unauthorized absence, and due
533 consideration shall be given each case. However, an employee who
534 is absent from duty without approval shall receive no pay for the
535 duration of the absence, and shall be subject to disciplinary action,
536 which may include dismissal.

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III. Section 18.509 is amended as follows:

~~18.509~~ Bereavement Leave

~~In the event of a death an employee may be excused from work without loss of pay for up to a maximum of thirty two (32) hours annually for the purpose of attending a person's wake, visitation, memorial service, funeral, or make necessary arrangements regarding the person's death, within a reasonable time after the occurrence.~~

~~No more than (32) hours can be used for the same decedent.~~

~~If additional time is required beyond the thirty two (32) hours annually, an employee may request to use accumulated vacation, holiday or comp time. Sick leave may be used for a parent, spouse, or child only in accordance with 18.515.~~

~~Bereavement leave cannot be accrued from one year to the next.~~

~~Bereavement leave can be used in increments of quarter hours.~~

~~A second or third shift employee may be excused from work the scheduled shift before or after the event, provided the shift begin or ends on the same calendar date of the event.~~

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

XVI. Section 18.510 is amended as follows:

Jury Duty
18.510

~~Any employee called for jury duty in any court of competent jurisdiction shall be granted time off from their regular and normal daily schedule of working hours with pay, for such jury service provided such employee shall remit to Rock County Treasurer's Office all fees received from the Clerk of Courts for such service, and further provided that no claim for overtime pay or compensatory time off shall be made by such employee as a result of their jury services. If a second or third shift employee is selected to serve on a jury panel, the employee will not be required to work their next scheduled shift, if such shift begins on the same calendar day. If the employee does not remit the fee, they shall be considered to be on leave of absence without pay while performing jury duty. The County shall pay a reasonable amount for the difference if the employee has to pay parking fees and reimbursement from the Court does not fully cover the fee.~~

~~Should an employee not be selected to serve on a jury panel, the employee will report back to work within one hour of dismissal by the court.~~

~~If the employee chooses not to return to work, they may use available benefit time to take the rest of the day off. Sick Leave cannot be used.~~

XVII. Section 18.511 is amended as follows:

Medical Leave
18.511

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

XVIII. Section 18.514 is amended as follows:

Non Work Related Witness or Personal Litigation
18.514

600 A leave of absence without pay shall be granted to an employee upon their request to appear
601 under subpoena or in their own behalf in litigation involving personal or private matters
602

603
604 XIX. Section 18.515 is amended as follows:
605

Sick Leave
18.515

606
607
608
609 Sick leave pay shall commence on the first day of any period of illness due to accident, injury or
610 disease.

611
612 ~~(1) All full time employees shall earn one sick leave day per month of~~
613 ~~continuous employment. All part time employees whose regular~~
614 ~~workweek is sixteen hours or more shall earn one sick leave day on a~~
615 ~~prorate basis directly in relation to the normal full time employment~~
616 ~~period. All part time employees, who work less than sixteen hours~~
617 ~~per week, shall not earn sick leave. Temporary and seasonal~~
618 ~~employees are not eligible for sick leave.~~

619
620 ~~(2) Sick leave shall be granted, after it has been earned, when an~~
621 ~~employee is required to be absent from work because of:~~

622
623 ~~(a) Illness of the employee.~~

624
625 ~~(b) Illness of an employee's spouse~~

626
627 ~~(a) Illness of a minor child (includes stepchild, current foster child, grandchild,~~
628 ~~or any other child they are legally responsible for and can provide legal~~
629 ~~documentation supporting the responsibility).~~

630
631 ~~(b) Illness of an adult child.~~

632
633 ~~(c) Illness of a parent (includes stepparents and current foster~~
634 ~~parents).~~

635
636 ~~(f) Contact with or exposure to a contagious disease rendering~~
637 ~~the employee's presence hazardous to fellow workers.~~

638
639 ~~(g) Reasonable medical or dental attention that cannot be scheduled~~
640 ~~during non working hours.~~

641
642 {

643
644 ~~(3) Sick leave shall accrue to a maximum of one hundred thirty days.~~

645
646 ~~(4) Employees who are absent from work for reasons which entitle them~~
647 ~~to sick leave shall notify their supervisor in accordance with~~
648 ~~Department Work Rules.~~

649
650 ~~(5) A supervisor may identify a potential problem with an employee's~~
651 ~~sick leave usage. Patterns that may indicate a problem with sick~~
652 ~~leave usage include but are not limited to:~~

653
654 ~~a) It occurs before or after a holiday,~~

655
656 ~~b) It occurs before or after a scheduled day off,~~

657
658 ~~c) An employee takes sick leave in excess of three days which has not~~
659 ~~been reported to FMLA, or~~

660
661 ~~d) The employee has a history of using short amounts of sick leave~~
662 ~~repeatedly over an extended period of time.~~

663

664 ~~_____ e) It occurs on a day that an employee previously requested off and~~
665 ~~_____ was denied.~~

666 _____
667 _____
668 ~~_____ Once a potential problem with sick leave usage has been identified~~
669 ~~_____ the supervisor shall meet with the employee to discuss the reason(s)~~
670 ~~_____ for the absences. The goal of the meeting is to gather information,~~
671 ~~_____ counsel the employee and if there is an admitted problem, have the~~
672 ~~_____ employee change their behavior.~~

673 _____
674 ~~_____ When a problem has been identified and the employee has not~~
675 ~~_____ voluntarily changed their behavior, a Department Head or the~~
676 ~~_____ Human Resources Director may require the employee to submit a~~
677 ~~_____ medical statement, stating the specific illness, period of treatment,~~
678 ~~_____ and date that the employee may return to work.~~

679 _____
680 ~~_____ The Department Head or Human Resources Director may require an~~
681 ~~_____ employee to take a medical examination on returning from sick leave~~
682 ~~_____ or on such occasions that it is in the best interest of the County. The~~
683 ~~_____ medical examination shall be given by a physician designated by the~~
684 ~~_____ Human Resources Director.~~

685 _____
686 ~~_____ The Department Head or the HR Director may investigate the~~
687 ~~_____ alleged illness of an employee absent from work on sick leave. False~~
688 ~~_____ or fraudulent use of sick leave shall be cause for disciplinary action~~
689 ~~_____ against the employee, up to and including dismissal.~~

690 _____
691 ~~_____ (6) An employee on vacation who presents an acceptable medical~~
692 ~~_____ certificate giving the dates of illness may have that portion of their~~
693 ~~_____ vacation leave converted to sick leave.~~

694 _____
695 ~~_____ (7) Sick leave shall be debited in no less than quarter hour units.~~

696 _____
697 ~~_____ (8) No credit for sick leave shall be granted for time worked by an~~
698 ~~_____ employee in excess of their normal workweek.~~

699 _____
700 ~~_____ (9) A regular employee who moves from one department to another by~~
701 ~~_____ transfer, promotion or demotion shall have their total sick leave~~
702 ~~_____ credits transferred to the new department.~~

703 _____
704 ~~_____ Employees who resign or retire with ten or more years of continuous service~~
705 ~~_____ shall be paid for one half of the accumulated sick leave days, not to exceed a~~
706 ~~_____ total of sixty five days. In the event of the death of an employee, the County~~
707 ~~_____ shall make the same sick leave payment to the employee's estate. In the event~~
708 ~~_____ of a discharge, the employee will not receive this benefit.~~

709 _____
710 XX. Section 18.516 is amended as follows:

711 _____
712 _____ Subpoenaed Witness
713 _____ 18.516

714 _____
715 ~~_____ When subpoenaed to appear before a court, public body, or commission in connection with~~
716 ~~_____ County business on regular work time, the employee shall be paid at their regular rate of pay and~~
717 ~~_____ the employee shall remit their fee to the County.~~

718 _____
719 ~~_____ Employees who are off duty and are subpoenaed to appear in court as a result of their work~~
720 ~~_____ assignment shall receive a minimum of two hours pay at the rate of time and one half. If the~~
721 ~~_____ employee is required by the court to be present in court for time over and above the minimum,~~
722 ~~_____ the employee will be paid at the rate of time and one half. Employees shall be reimbursed for~~
723 ~~_____ mileage costs incurred because of court appearances required under this provision. Employees~~
724 ~~_____ shall sign and turn over to the County any and all fees and reimbursements paid because of court~~
725 ~~_____ appearances resulting from their work assignment.~~

726 _____
727 ~~_____ Subpoena Cancellation Pay. Employees who are subpoenaed to testify on off duty time and are~~
728 ~~_____ not notified of the cancellation or dismissal of said subpoena at least twenty four hours prior to~~

729 the time scheduled for appearance, shall be paid two hours of pay at their regular rate of pay.
730 There shall be a maximum of two (2) canceled subpoenas per day.

731
732 Employees subpoenaed to appear before a court, public body, or commission for reasons outside
733 of their County employment will be given time off of work if they must appear during their
734 normally scheduled shift. The time away from work will be covered by the employee's benefit
735 time or will be leave without pay if the employee does not have appropriate benefit time to cover.

736
737 XXI. Section 18.517 is amended as follows:

738
739 Training/Educational Leave
740 18.517

741
742 Employees may be granted a full time leave of absence without pay to further their education for
743 a period not to exceed eighteen months if it is determined to be in the best interest of the County.

744
745 At the expiration of the leave, the employee may be reinstated to their position if it is available or
746 an equivalent position if one is available and if it is determined to be in the best interest of the
747 County.

748
749 For language covering leaves with pay, see HR Policies and Procedures.

750
751 XXII. Section 18.611 is amended as follows:

752
753 Harassment
754 18.611

755
756 It is the policy of Rock County that all employees should be able to enjoy a work environment
757 free from all forms of harassment. Employees who engage in harassment not only hurt others,
758 but they also expose both themselves and the County to potential legal liability. Consequently,
759 Rock County will not condone or tolerate any conduct in the workplace on the part of its
760 employees (whatever their positions), elected officials, vendors, or members of the public, if that
761 conduct violates the right of someone else to be free from harassment. County employees who
762 violate this policy will be subject to appropriate discipline, up to and including termination. (See
763 HR Policies and Procedures for a detailed description of the procedures employees should follow
764 in regard to this policy.)

765
766 XXIII. Section 18.613 is amended as follows:

767
768 Layoffs
769 18.613

770
771 The appointing authority may layoff an employee: a) whenever it is necessary to reduce the
772 workforce for any reason (e.g. lack of work, lack of funds, abolishment of a position, etc.), b) when
773 an employee has exhausted all available leave options and is unable to return to work, c) when
774 an employee has failed to successfully complete their probationary period after a promotion or
775 d) when an employee can no longer perform the essential functions of the job.

776
777 In situation (a) above, no regular employees shall be laid off while there are temporary or
778 probationary employees serving in the same classification, in the same department. Layoffs shall
779 be based on the needs of the County.

780
781 The appointing authority shall notify each person laid off of all their rights. Regular employees
782 shall receive at least thirty (30) calendar days' notice prior to layoff in situation a) above. Layoff
783 plans shall be approved by the Human Resources Director before they are implemented.

784
785 Laid-off employees shall be held in a layoff pool for a period of time equal to their length of
786 service, but in no case longer than two years.

787
788 XXIV. Section 18.623 is amended as follows:

789
790 Resignations
791 18.623

792

793 Employees covered by the Unilateral Pay Plan in positions in Pay Range 16 or lower, and wishing
794 to leave Rock County employment shall submit a resignation in writing to their Department Head
795 at least two weeks in advance of their planned departure. Employees in positions in Pay Range
796 17 or higher, shall submit their resignation in writing at least four weeks in advance of their
797 planned departure (see Unilateral Pay Grid).

798
799 Non-FLSA exempt employees not covered by the Unilateral Pay Plan wishing to leave Rock
800 County employment shall submit a resignation in writing to their Department Head at least two
801 weeks in advance of their planned departure. FLSA exempt employees shall submit their
802 resignation in writing at least four weeks in advance of their planned departure.

803
804 Employees who do not give sufficient notice shall lose the vacation benefits they are accruing for
805 use after they reach their next anniversary date, unless such requirement is waived by the Human
806 Resources Director. It is expected that employees will give as much notice as possible in order to
807 facilitate recruitment and orientation of new staff members. A resignation, once accepted, may
808 not be rescinded.

809 XXV. Section 18.702 is amended as follows:

810 Administration
811 18.702

812
813 Each employee shall be evaluated at the following periods:

814
815 (a) Probationary Period (of one year).

816
817 Each employee shall be evaluated during their probationary period and one
818 month prior to the completion of the probationary period.

819
820 (b) Probationary Period (of less than one year).

821
822 ~~Each employee shall be evaluated prior to the completion of the~~
823 ~~probationary period.~~

824
825 (eb) Annual.

826
827 Each employee shall receive an annual performance evaluation prior to
828 October 1 of each calendar year, close to their anniversary date, or at another
829 specified time if the Department Head elects to evaluate members of a
830 classification or the whole department together at one time.

831
832 (ec) Special.

833
834 A special performance evaluation shall be completed:

835
836 (1) Whenever there is significant change in the employee's performance,

837
838 (2) Whenever a supervisor permanently leaves their position, in which
839 case, the supervisor shall complete a performance report on each
840 employee under their supervision that has not been evaluated within
841 six months prior to the date the supervisor expects to leave.

842
843 (2) When an employee has accepted a new position with in Rock County,
844 the current supervisor should complete a performance evaluation for
845 the employee if they have not received a performance evaluation in
846 the last six months.

847
848 XXVI. Section 18.1021 is amended as follows:

849
850 Flexible Time
851 18.1021

852
853 Time off allowed at the discretion of the Department Head, in recognition of excess hours
854 worked by an FLSA exempt employee not receiving overtime, consistent with HR Policy and
855 Procedures.

856
857 XXVII. Section 18.1031 is amended as follows:

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Pay Range
Grade
18.1031

A salary range to which positions are assigned, consisting of a minimum wage rate, designated as “Step 1,” and multiple additional steps, culminating in a maximum wage rate. All positions shall be compensated at one of the steps contained in the pay range to which the position is assigned.

XXVIII. Section 18.1039 is amended as follows:

Reallocation
18.1039

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 (e.g. moving the ~~Medical Record Manager~~ Engineering Tech position from ~~Unilateral Pay Range Grade I 19~~ to Unilateral Pay Grade K Range 20). The incumbent in the position shall move with the position.

XXIX. Section 18.1040 is amended as follows:

Reclassification
18.1040

The reassignment of a position from one existing class to another existing or newly created class to recognize a change in the duties and responsibilities of a position (e.g. 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.

If the incumbent in the position is not qualified for the position, an open recruitment shall be conducted to fill the position.

XXX. Section 18.1055 is amended as follows:

Unilateral Employees
~~18.1055~~

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

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

FISCAL NOTE:

This resolution incorporates policy changes with the new wage grid. Any additional expenditures would be part of the new wage grid program considerations.

Ryan Wiesen
Assistant 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:

These changes to the Personnel Ordinance are intended to accomplish two goals in concert with related changes to the Human Resources Policy and Procedure Manual. First, they will implement changes consistent with the new wage grid. The intent is that the changes will go into effect on October 1 to align with the timing of wage grid implementation. This will ensure that any discrepancies in references to how staff are compensated, for example, are made consistent among the wage grid, the Personnel Ordinance, and HR Policy and Procedure Manual. Second, this also implements a long-standing goal of reducing redundancy between the Personnel Ordinance and the HR Policy and Procedure Manual, which will help eliminate confusion for staff regarding which document to refer to when they are seeking guidance on HR rules. I recommend approval.

Josh Smith
County Administrator