

**KENOSHA COUNTY POLICIES AND PROCEDURES INDEX**

INTRODUCTION ..... 3

EMPLOYMENT POLICIES ..... 3

- I. Equal Employment Opportunity..... 3
- II. Harassment ..... 3
- III. Drug and Alcohol Free Workplace..... 3
- IV. Violence in the Workplace ..... 4
- V. Respectful Workplace ..... 4
- VI. Weapons ..... 5
- VII. Search ..... 6
- VIII. Ethics ..... 6
- IX. Electronic Communication ..... 6
- X. Personnel Records ..... 7
- XI. Personal Appearance/Dress Code..... 7

HIRING and PROMOTION PROCEDURE ..... 7

HOURS of WORK and ATTENDANCE POLICIES ..... 16

- I. Hours of Work..... 16
- II. Overtime..... 17
- III. Compensatory Compensation (Comp Time)..... 17
- IV. Time and Attendance..... 18
- V. Inclement Weather ..... 19

COMPENSATION and REVIEW POLICIES ..... 20

- I. Accurate Recording of Time ..... 20
- II. Pay Periods ..... 20
- III. Wages ..... 20
- IV. Safe Harbor..... 21

|       |   |    |
|-------|---|----|
| V.    | Performance Evaluations.....  | 21 |
|       | BENEFIT POLICIES.....   | 22 |
| I.    | Paid Time Off (PTO).....  | 22 |
| II.   | Paid Holidays .....   | 23 |
| III.  | Accident and Sickness Pay Maintenance Plan .....                              | 23 |
| IV.   | Employee Health Benefit .....   | 24 |
| V.    | Section 125 Plans .....   | 26 |
| VI.   | Wisconsin Retirement System (WRS) .....                                       | 26 |
| VII.  | Life Insurance.....   | 26 |
| VIII. | Worker’s Compensation.....  | 26 |
| IX.   | Tuition Reimbursement.....  | 27 |
| X.    | Leaves of Absence (FMLA, Funeral, Jury Duty, Military, Personal, Unpaid)..... | 27 |
| XI.   | Benefits for Part-Time Employees .....  | 29 |
|       | RULES and REGULATIONS .....   | 29 |
| I.    | Uniform Work Rules.....   | 29 |
| II.   | Progressive Discipline Policy.....  | 29 |
| III.  | Workplace Safety Violation Policy .....                                       | 34 |
| IV.   | Conflict Resolution Policy .....  | 35 |
|       | REDUCTION in FORCE .....  | 36 |
|       | RESIGNATION/DISCHARGE.....  | 37 |
|       | STATUTORY CONFLICTS .....   | 38 |
|       | POLICY CHANGES .....  | 38 |
|       | MODIFICATION of COUNTY BOARD POLICY .....                                     | 38 |
|       | POLICY ACKNOWLEDGMENT .....   | 38 |

## KENOSHA COUNTY POLICIES AND PROCEDURES

This employee handbook sets forth employment guidelines which employees are expected to follow and lets employees know what they can expect from the County. None of the statements or policies outlined in this policy booklet are meant to imply that the County is guaranteeing employment for anyone. This manual is not nor is it intended to be construed as an employment contract. Final interpretation and implementation of any of the policies or rules in this manual are vested solely with management. The policies, procedures and practices contained in this handbook are subject to change at any time by the County and are reviewed and revised periodically.

Communication is a joint responsibility shared by the County and its employees. Kenosha County welcomes questions about the information contained in this handbook or about any other aspect of the employee's job. Employee opinions and suggestions are important and employees are encouraged to talk to any member of management about issues at work that are a concern to them. The County will attempt to provide employees with honest, straightforward responses to their questions and comments.

### **Employment Policies**

#### I. Equal Employment Opportunity

Kenosha County is committed to a policy of equal opportunity for all employees. It is the County's policy to seek and employ the best qualified personnel in all positions in a manner which will not discriminate against or give preference to any person because of race, color, political affiliation, religion, age, sex, national origin, disability, ancestry, sexual orientation, military service, marital status, arrest record or any other discriminatory basis prohibited by State or Federal Law. Kenosha County's Affirmative Action Policy is available at <http://www.co.kenosha.wi.us/admin/personnel/policies.html>.

#### II. Harassment

Kenosha County is further committed to providing a work environment in which employees are treated with courtesy, respect and dignity. Kenosha County will not tolerate any form of harassment, verbal or physical. All employees are encouraged to bring any concerns to the attention of the Director of Personnel Services as set forth in the County's harassment policies, available at <http://www.co.kenosha.wi.us/admin/personnel/policies.html>.

#### III. Drug and Alcohol Free Workplace

Kenosha County recognizes that the use and/or abuse of illegal drugs and/or alcohol can have a significant impact on the workplace in terms of safety, work injuries, sick leave, undue medical expenses, absenteeism and productivity. Kenosha County recognizes its legal responsibilities to protect its employees from employees who use or abuse drugs and/or use or are impaired by alcohol on the job. The County is also concerned about its employees who use or abuse drugs and/or alcohol. Therefore, Kenosha County has established a drug and alcohol abuse policy available at <http://www.co.kenosha.wi.us/admin/personnel/policies.html>.

#### IV. Violence in the Workplace

The safety and security of all employees is of primary importance to Kenosha County. Threats, stalking, threatening and abusive behavior, or acts of violence against employees, visitors, customers, clients and residents, and/or County facilities or property by anyone on County premises, on a County-controlled site, or in connection with County employment or County business will not be tolerated (even those made in jest). Violations of this policy will lead to corrective action up to and including discharge and/or referral to appropriate law enforcement agencies for arrest and prosecution. Kenosha County reserves the right to take any necessary legal action to protect its employees.

Any person who makes threats, stalks, exhibits threatening behavior, or engages in violent acts on County premises, on a County-controlled site, or in connection with County employment or County business shall be removed from the premises as quickly as safety permits and shall remain off County premises pending the outcome of an investigation. Following investigation, the County will initiate an immediate and appropriate response. This response may include, but is not limited to, suspension and/or termination of any business relationship, reassignment of job duties, suspension or discharge, and/or civil or criminal prosecution of the person or persons involved.

All employees are responsible for notifying management of any threats that they witness or receive or that they are told another person witnessed or received. Even without a specific threat, all employees should report any behavior they have witnessed that they regard as potentially threatening or violent or that could endanger the health or safety of an employee when the behavior has been carried out on County premises, on a County-controlled site, or is connected to County employment or County business. Employees are responsible for making this report regardless of the relationship between the individual who initiated the threatening behavior and the person or persons being threatened.

The County will conduct an investigation in as confidential a manner as possible. Interviews, allegations, statements and identities will be kept confidential to the extent possible. However, the County will not allow the goal of confidentiality to be a deterrent to an effective investigation. A timely resolution of each complaint will be reached and communicated to the employee. Appropriate corrective action, up to and including discharge, will be taken promptly against any employee engaging in violent behavior. The corrective action issued will be proportional to the severity of the conduct. The alleged perpetrator's employment history and any similar complaints of prior inappropriate behavior will be taken into consideration.

#### V. Respectful Workplace

Kenosha County strives to maintain a workplace that fosters mutual respect and promotes harmonious, productive working relationships. The County believes in going beyond what is required by law and expects employees to treat each other in a manner in which they would like to be treated and to give to others the respect that is due to every individual whether it is a fellow employee, member of management, client, customer, vendor or visitor to our premises.

Therefore, Kenosha County prohibits any behavior that is discourteous or demeaning to other employees. Disrespectful behavior may include, but is not limited to, the following:

- Jokes that demean another individual or group of individuals;
- Name calling or nicknames that may be offensive;
- Taking credit for another individual's work or ideas;
- Refusing to communicate or speak with another individual;
- Offensive verbal, visual, or physical conduct;
- Repeated negative comments about others, either verbally or in writing;
- Threatening another individual;
- Invading another's privacy;
- Knowingly blaming other individuals for a mistake they did not make;
- Purposely invading another's personal space;
- Gossiping about another individual; and
- Any type of "bullying" behavior.

The County expects that everyone will act responsibly to establish a pleasant and friendly work environment. However, if an employee feels he/she has been subjected to any form of disrespectful behavior, the employee should report that conduct to his/her immediate supervisor, another member of management, or the Division of Personnel Services within seven calendar days of the offense. Employees are not required to approach the person who was disrespectful to them and may bypass any offending member of management. All employees should notify a member of management regarding any disrespectful behavior that they witness or are told another person received.

The County will conduct an investigation in as confidential a manner as possible. Interviews, allegations, statements and identities will be kept confidential to the extent possible. However, the County will not allow the goal of confidentiality to be a deterrent to an effective investigation. A timely resolution of each complaint will be reached and communicated to the employee. Appropriate corrective action, up to and including discharge, will be taken promptly against any employee engaging in disrespectful behavior. The corrective action issued will be proportional to the severity of the conduct. The alleged perpetrator's employment history and any similar complaints of prior disrespectful behavior will be taken into consideration.

## VI. Weapons

Despite some laws that allow people to carry firearms in public, Kenosha County prohibits all non-sworn County employees from possessing or carrying weapons of any kind in County buildings, in County vehicles, or while on County time. This includes:

- Any form of weapon or explosive;
- All firearms; and
- All other objects capable of inflicting death, bodily injury or property damage.

Employees are responsible for making sure that any item they possess is not prohibited by this policy.

While the County has a policy prohibiting weapons, nothing in this policy shall be construed as creating any duty or obligation on the part of the County to take any actions beyond those required of an employer by existing law.

## VII. Search

Employee access to Kenosha County premises is conditioned upon the County's right to inspect or search the person, or personal effects of any employee when reasonable suspicion of wrongdoing exists.

County owned offices, desks, file cabinets, closets, lockers, computer files, or similar places may be inspected with or without reasonable suspicion of wrongdoing with the authorization of the Director of Personnel Services. Because even a routine inspection or search might result in the viewing of an employee's personal possessions, employees are encouraged not to bring any item of personal property into the workplace that they do not want revealed to the County.

Any prohibited materials (or materials that may be found to be prohibited) that are found in an employee's possession during an inspection or search will be collected by the County and placed in a sealed container or envelope. The employee's name, date, circumstances under which the materials were collected, and by whom they were collected will be recorded and attached to the container or written upon the envelope. If, after further investigation, the collected materials prove not to be prohibited, they will be returned to the employee and the employee will sign a receipt for the contents. If the prohibited materials prove to be illegal and/or dangerous, they will not be returned to the employee, but will be turned over to the appropriate law enforcement agency.

Employees who refuse to cooperate with the County in regard to such searches will be issued corrective action up to and including discharge.

## VIII. Ethics

All who work for Kenosha County are expected to comply with the Kenosha County Code of Ethics. The Code of Ethics is available at [http://www.co.kenosha.wi.us/corpc/county\\_policies.html](http://www.co.kenosha.wi.us/corpc/county_policies.html).

## IX. Electronic Communication

Personal computers (PCs), data terminals, telephonic equipment, and all other electronic communications systems are tools provided to assist employees in performing their assigned job activities. The term electronic communications systems includes, but is not limited to, voice mail, e-mail, internet and intranet, cell phones, text messaging, smart phones, instant messaging or handheld computers. Improper use of the County's electronic information systems or its data files is a serious offense. Personal cell phones may be used for County business in accord with Department of Finance and Administrative Services Procedures. Kenosha County's policy outlining proper use of County-provided electronic equipment can be found at <http://www.co.kenosha.wi.us/admin/personnel/policies.html>.

## X. Personnel Records

Kenosha County is required to keep accurate, up-to-date employment records on all employees to ensure compliance with State and Federal regulations, to keep benefits information up to date, and to make certain that important mailings reach all employees. All information contained in personnel files is the property of the County and is considered confidential. Access to the personnel file is limited to the employee, the employee's supervisor and the Division of Personnel Services.

Employees must inform the County of any necessary updates to their personnel files such as a change in address, telephone number, emergency contact, marital status, number of dependents, military status or any other change in status. Employees also should inform their supervisor and the Division of Personnel Services of any outside training, professional certifications and education achieved. In addition to a general personnel file, the County maintains a separate medical file on each employee. Access to an employee's medical file is extremely limited and on a need-to-know basis only.

Employees will be permitted to review their personnel files at reasonable times with reasonable written notice. Requests for release of information will be honored when a written request is submitted by the employee. This paragraph does not apply to information covered by the open records laws.

## XI. Personal Appearance/Dress Code

An employee's appearance reflects Kenosha County's image to the public. All employees are expected to be clean, to be concerned with good personal hygiene, and wear clothing that is suitable for their job assignment and the office in which they work. Moderation and good taste in dress and grooming are expected of all employees. Unkempt appearance can offset many other fine qualities and can negatively reflect the County's image. As all employees reflect the County's image and are in contact with the public, the County asks that all employees refrain from wearing shorts, tennis shoes, short skirts, T-shirts, excessive jewelry, excessive perfume and tight or revealing apparel. Each County department/division will be expected to establish an employee dress code in accordance with the above standards.

### **Hiring and Promotion Procedure**

The purpose of the Kenosha County Hiring and Promotion Procedure is to establish a fair, open and uniform County personnel hiring and promotion procedure without use of any personal or political influence to further eligibility or appointment. In an effort to maintain an effective and responsive work force for the County, all hiring will be done through the Division of Personnel Services except as provided below.

This procedure governs personnel administration for all Kenosha County represented (union members), classified (formerly union members), grant funded and non-classified (formerly non-represented) employees and departments of the County of Kenosha, except where labor contracts and/or the civil service ordinance supersedes.

Also excluded are:

- Members of the Kenosha County Board of Supervisors;
- Members of Boards, Commissions and Committees;
- Elected County officials;
- Court-appointed employees;
- Members of the County Executive's staff;
- Emergency appointments; and
- Department Heads and Division Heads and their designated assistants.

## Recruitment

The Director of Personnel Services will develop and conduct an active recruitment program designed to meet current and projected County staffing needs.

### Notice of Job Openings

Notice of job openings which are to be filled will be given to the Director of Personnel Services in the form of a Personnel Requisition Form.

### Job Announcements and Publicity

- The Director of Personnel Services will issue job announcements and publicize vacancies through appropriate media.
- Job announcements will include the job title, job duties, salary range, job qualifications, closing date for applications, and other pertinent information.
- Job vacancies will be formally announced at least five working days prior to the closing date for filing applications. The announcements will be posted at locations considered appropriate by the Director of Personnel Services.

### Application Process

All applicants for employment and promotion will file applications and any other appropriate forms provided and required by the Division of Personnel Services.

- Non-classified and classified Kenosha County employees who have been employed for at least 12 months, have a satisfactory performance record, and have not been issued any corrective disciplinary action in the previous 12 months may apply for job vacancies without being subject to the application review process but will be allowed to participate in the remaining steps of the selection process on an equal footing with outside applicants who have successfully passed application review. In the event of extraordinary circumstances, any of the above criteria may be waived with the approval of the Director of Personnel Services.
- Represented employees applying for positions which are outside their bargaining unit who meet the above requirements and who meet the required education level of the vacant position, will not be subject to the application review procedure, but will be allowed to participate in the remaining steps of the selection process on an equal footing with outside applicants who have successfully passed application review. In the event of extraordinary circumstances, any of the above criteria may be waived with the approval of the Director of Personnel Services.

- Employee transfers and promotions should not create a direct or indirect supervisor/subordinate relationship with an immediate family member.

The order of consideration for County employees shall be the following:

- Non-classified employees shall be given first consideration for non-classified positions prior to represented and classified employees;
- Classified employees shall be given first consideration for vacancies in the same job title; and
- Temporary, seasonal and grant employees shall be given consideration over outside applicants.

Employees defined under this section shall not include any elected Kenosha County officials. If an elected official applies for a position subject to this hiring and promotion procedure, said elected official shall be subject to the same application process as any other person applying for a position with Kenosha County who is not currently employed by Kenosha County.

Those employees transferring under this provision shall carry with them County-wide seniority rights as provided for in their individual union contracts or County-wide length of service. Employees transferring under this provision shall carry with them County-wide fringe benefits of retirement, vacation accrual, paid time off (PTO), health insurance, dental insurance, life insurance and other fringe benefits as detailed in other County policies or in individual union contracts, provided no conflict exists between contracts.

#### Application Review

The Director of Personnel Services and the Department/Division Head shall reject any application if the applicant:

- Does not meet minimum qualifications established for the position;
- Has not provided a completed application form for review;
- Deliberately falsifies the application;
- Has been convicted of a crime which renders him/her unsuitable for the position;
- For new hires, has the following immediate family (including domestic partner relationships) as a supervisor in the same department/division: spouse, son, daughter, brother, sister, father, mother, father-in-law, mother-in-law, sister-in-law, brother-in-law, aunt, uncle, grandchild, step-child, step-parent, son-in-law and daughter-in-law;
- Is not within legal age limits required for the position;
- Has established an unsatisfactory employment record which demonstrates unsuitability for the position;
- Is a former County employee who was dismissed; and
- Attempts to use personal or political pressure to further their eligibility or appointments.

Whenever an application is rejected, notice of such rejection shall be sent by mail.

The Director of Personnel Services with the assistance of the Department/Division Head wherever possible, shall screen for only the best qualified applicants. Selection and screening

will be based upon the results of selection devices and evaluation of such factors as education, training, capacity, knowledge, skills, ability, character, physical and overall fitness for the position.

## Selection

### Selection Process

The selection process will be reliable, objective, and valid by a practical and job-related assessment of each applicant's skill and ability.

### Selection Devices

The Director of Personnel Services, with the Department/Division Head, will determine when formal selection devices are to be used to select applicants. Tests may be written, oral, physical (including pre-employment drug and alcohol screen), demonstration of skill, or an evaluation of training and experience; and such other tests as deemed appropriate by the Director of Personnel Services in conjunction with the Department/Division Head. Examinations may consist of one or more tests in any combination. Applicants shall not be questioned in any manner regarding matters of race, color, political affiliation, religion, age, sex, national origin, disability, ancestry, sexual orientation, military service, marital status, arrest record or any other topics prohibited by State or Federal Law.

In development of selection devices, the Director of Personnel Services will confer with Department/Division Heads, consultants, or others familiar with the knowledge, skills, and abilities required in the position.

Formal selection materials will be known only to the Director of Personnel Services. Every precaution will be exercised by all persons participating in the development and maintenance of test materials to ensure the highest level of test security.

### Weighting and Scoring of Examination

The Director of Personnel Services will establish minimum standards for each component of each examination, and may provide with respect to any such component that all applicants who fail to meet the minimum standards shall not be permitted to take any further component of the examination.

### Examination Announcements

Announcements of an open, competitive examination will be made at least one week prior to the date the examination is to be conducted. Announcements will be made through the Job Opportunity flyer and posted on the bulletin board in the Division of Personnel Services. Announcements may also be circulated through the Internet, press, radio, television, and other forms of public communication. Announcements will specify the date, place, and manner in which an application for examination shall be made.

Examinations will be conducted by the Director of Personnel Services or by persons so designated, at such times and places deemed to be practical, convenient and in the best interests of Kenosha County.

### Admission

Admission to competitive examinations shall be granted only to applicants whose qualifications satisfy the standards established by the Director of Personnel Services and the Department/Division Head.

### Applicant Background Investigation

The Director of Personnel Services may make such investigation of the background of applicants, including criminal conviction records, verifications of claimed experience and training, driving record and credit check as is determined necessary to establish the fitness, character and qualifications of applicants.

### Cancellation or Postponement

The Director of Personnel Services may cancel or postpone any selection device when there are an insufficient number of qualified candidates. Suitable notice will be given of such action. The Director of Personnel Services may discontinue offering any examination in the County when there are a sufficient number of names on the eligibility list to meet the needs of the County.

### Responsibilities of Applicants

All applicants are responsible for reporting to and participating in all tests or parts of an examination and furnishing all information or materials that are requested, in accordance with the examination announcement and such instructions as are furnished by the Division of Personnel Services. Candidates who fail to follow such instructions shall be disqualified. Applicants must notify the Division of Personnel Services immediately of any change in name, address, or phone number.

### Notification of Candidates

Each person competing in the selection process shall be given notice of whether he/she was certified as eligible.

### Eligibility Lists

The Director of Personnel Services will be responsible for establishing and maintaining eligibility lists as may be necessary or desirable. All eligibility lists shall be posted as category grouped. All lists shall have a life of one year, with the ability to extend for an additional six-month period if agreed to by the Department/Division Head and Director of Personnel Services.

### Responsibility of Eligibles

It will be the responsibility of all persons whose names appear on employment lists to inform the Division of Personnel Services, in writing, of any changes in name, address, phone number, or availability of employment.

A reemployment list for non-classified and classified employees will be determined in accordance with the Kenosha County Layoff, Reduction in Force and Recall Policy.

### Certification and Appointments

## Types of Appointments

- **Emergency Appointments:** For persons selected by departments with approval of the Director of Personnel Services to meet emergency situations. Such appointments will not exceed 60 working days, will not be renewed, and may be made without regard to an existing list.
- **Temporary Appointments:** A short-term appointment of an individual who meets qualification requirements for a position not to exceed an agreed upon time between the Department/Division Head and Director of Personnel Services based upon the work load and needs of the department/division.
  - Temporary appointments will be made from appropriate eligibility lists. If no list is available for temporary work, Director of Personnel Services shall appoint a qualified candidate.
  - The acceptance or refusal by an eligible candidate of a temporary appointment will not affect the applicant's standing on the eligibility list for permanent appointment.
  - If temporary employment is immediately followed by full-time or part-time employment in the same classification, service credit shall be awarded from the initial day of employment. Temporary appointments do not include fringe benefits.
- **Full-Time Appointments:** For persons from an employment list, a promotional list, a lay-off list, a reemployment list, or reinstatement list who are normally scheduled to work 40 hours per week for 52 weeks per year. Full-time employees are eligible for County provided fringe benefits after 90 days of full-time employment.
- **Part-Time Appointments:** Employees who are normally scheduled to work less than 40 hours per calendar week may be eligible for fringe benefits based on the classification of the job and nature of the work.
- **Seasonal Appointments:** For persons who work to meet seasonal program needs, not to exceed 180 calendar days in any 12 month period. Seasonal employees are not eligible for fringe benefits beyond pension and life insurance.
- **Grant Appointments:** For persons who work in grant funded positions on either a full-time or part-time basis. The terms of the grant specify the pay and benefits of such positions. Grant funded positions will be eliminated when the grant expires or funding is exhausted.

## Certification from Eligibility Lists

The Director of Personnel Services will submit a certification for appointment to the Department/Division Head. The Department/Division Head will make an appointment from among the names appearing on the certification.

- When eligibles are ranked and listed numerically by final examination score, the five persons having the highest ranking will be certified.
- When eligible persons are ranked and listed by category, all persons in the highest ranking category will be certified, with first consideration being given to Kenosha County employees within that category.

### Expanded Certification

As a result of the analysis of the work force that has been completed by department and equal employment opportunity job category and where there is evidence of under-representation, an expanded certification of eligible candidates may be used.

Expanded certification will be used only in those instances when the operating department and the Division of Personnel Services both agree. The class, equal employment opportunity job category, or department in general must have a hiring goal established for a minority, female, etc., and the hiring list used must be of an "open competitive" nature and will lead to an original appointment. Additionally, expanded certification will be used when, under normal certification, no minorities would be certified to the department for appointment.

Expanded certification will mean that the Division of Personnel Services will add the names of the two highest scoring minority applicants and/or the two highest scoring female applicants to the certification list for position in an under-represented class.

All persons so certified must meet all minimum qualifications and must have successfully completed the examination for the position to be filled.

### Evaluation Period

All new classified and non-classified employees will serve an evaluation period. County employees who receive a new position through job posting, promotion, or the like will serve an evaluation period in the new position.

The evaluation period is intended to give employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The County will use this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or the County may end the employment relationship during the evaluation period at any time with or without cause or advance notice. Classified and non-classified employees may be terminated at any time during the evaluation period and shall be considered at-will employees with no recourse to the County's disciplinary policy and grievance procedure.

All classified and non-classified employees work on an evaluation basis for the first 12 months after their date of hire, or after they start a new position. If the County determines that the designated evaluation period does not allow sufficient time to thoroughly evaluate the employee's performance, the evaluation period may be extended for a specific period with approval of the Director of Personnel Services.

Full-time classified employees are entitled to County benefits on their 91st day of employment. Part-time classified employees are entitled to County benefits on their 91st day of employment and on a pro-rated basis. Non-classified employees are entitled to County benefits from their first day of employment.

### Residency

Department Heads are required to reside within the corporate limits of Kenosha County within one year of their date of hire.

Sheriff's Department Corrections Professionals are required to reside within the boundaries described below within one year of their date of hire. The Sheriff has the ability to extend this period for 30 days.

- Bordered on the East by Lake Michigan, on the North by College Avenue in Milwaukee, on the South by Lake Cook Road in Illinois, and West by the Kenosha County boundary line, extended North and South to College Avenue and Lake Cook Road, respectively.

Deputy Sheriffs are required to reside within the boundaries described below on the first day of employment.

- Except for unit members assigned a vehicle that may be brought home and for whom residency in Kenosha County is required, the established residency boundary for all other unit members will include all of Kenosha and Racine Counties, and the portion of Walworth County bordered on the west by Highway 12 and the north by a line extended from the Racine/Kenosha County line extended west to Highway 12.

### Department Heads

Department Heads are County employees hired by the County Executive. The County Executive will submit to the County Board for review and approval the name of the individual to be hired. Department heads are "at will" employees who work at the pleasure of the County Executive.

### Hiring, Retention and Discharge of Division Heads

#### Hiring

Division Heads are County employees hired by the County Executive and approved by the County Board.

#### Discharge

Division Heads may be discharged only by one of the three following circumstances:

- Division Heads may be discharged at any time for cause, which includes the County's disciplinary process.
- Division Heads may be discharged in instances of position elimination or layoff.
- Division Heads may be discharged as per the following performance evaluation process:
  - Division Heads shall annually be given a performance evaluation to be performed by their Department Head. Because a variety of performance evaluation tools are available, the following standard shall apply:

- An acceptable performance evaluation receives a grade of "satisfactory" or "average" or a grade better than "satisfactory" or "average".
- An unacceptable performance evaluation receives a grade of "unsatisfactory" or "fair" or "poor" or any grade considered less than "satisfactory" or "average".
- If the Division Head receives an unacceptable performance evaluation, then the Department Head and Division Head shall enter into a corrective action plan for a period of not less than six months and not more than twelve months.
- The Corrective Action Plan shall be developed cooperatively between the Department Head and the Division Head. The plan shall contain specifics concerning the following elements:
  - Problem(s) identification;
  - Targeted goals for change;
  - What the Division Head will do;
  - What the Department Head will do;
  - Measurement standards and methodology; and
  - Signatures
- The plan shall be reviewed by the Division of Personnel Services for form, thoroughness, and workability. The Corrective Action Plan shall constitute a contract of job performance improvement.
- The Department Head and the Division Head shall formally meet at least monthly to review and document progress on the Corrective Action Plan.
- A Corrective Action Plan may include a series of interim performance improvement goals or desired outcomes called performance steps.
- Upon receiving an unacceptable performance evaluation, any step increase which may be or may have been due shall be withheld.
- Upon the successful fulfillment of the terms of the Corrective Action Plan, as determined by the Department Head, the Division Head shall return to normal status and any increase in salary which may have been withheld shall be granted the date of "return to normal" status but not granted retroactively. Such actions shall have not impact or effect on the Division Head's anniversary date or hire date.
- Failure, as determined by the Department Head and provided in writing to the Division Head, to achieve any performance step or to meet the expectations of the Corrective Action Plan at the end of the Corrective Action Plan term will lead to one of the following, as determined by the Department Head:
  - A modified or revised Corrective Action Plan;
  - A subsequent Corrective Action Plan; or
  - Discharge.
- In cases of discharge, a Division Head may request a meeting with the Department Head and the County Executive for the purpose of reviewing their performance in relation to the Corrective Action Plan.

### Consolidation of Years of Service

An employee who is reemployed by the County within three years of his/her resignation may request a bridge in service from the Director of Personnel Services if that employee had a

minimum of ten years of previous service with the County and had resigned in good standing. Said request must be made after the employee has been reemployed for a period of 24 months. This bridge in service applies only to County length of service for the purpose of benefits.

### Employment Protection for Non-Classified Employees

Non-classified employees below the level of Division Head who have successfully completed their probationary period, or evaluation period, are not subject to discharge except in the case of just cause.

### **Hours of Work and Attendance Policies**

#### I. Hours of Work

The standard workweek is 40 hours. The standard workday is eight hours for classified employees. Workday lengths for non-classified employees are determined primarily by their current workloads. General office hours are from 8:00 a.m. to 5:00 p.m. Monday through Friday. The workweek commences on Sunday morning at 12:00 a.m. and ends the following Saturday evening at 11:59 p.m.

The Department of Public Works, Brookside Care Center, the Division of Health and the Sheriff's Department will establish operating hours, meal and break periods that best serve the operational needs of their departments. Employees should consult the policies of these individual departments/divisions for clarification of work hours.

At times it may be necessary for a Department/Division to modify an employee's starting and quitting time as well as the number of hours worked to accommodate Kenosha County needs. Advance notice of such modifications will be provided when possible.

An unpaid meal period is provided to any employee who works a minimum of six hours per day. The normal meal period should occur approximately halfway through the workday. However, certain departments may require alternate meal periods. The length of the meal period may vary from 30 minutes to one hour according to the needs of the department.

Classified employees who receive a paid break period in lieu of an unpaid lunch are not to leave the premises during this paid break period without authorization from the employee's supervisor.

The County accommodates breastfeeding mothers who wish to express breast milk during the workday when separated from their children. The provisions of this section meet the requirements of the Fair Labor Standards Act as it relates to breaks for nursing mothers.

For up to one year after the child's birth, any employee who is breast feeding her child will be provided reasonable break times to express breast milk for her child. The County has designated certain rooms in employee-occupied buildings for this purpose. A small refrigerator reserved for the specific storage of breast milk is available. Any breast milk stored in the refrigerator must be labeled with the name of the employee and the date of expressing the breast milk. Any non-conforming products stored in the refrigerator may be disposed of. Employees storing milk in

the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage, refrigeration and tampering. Nursing mothers wishing to use this room must request/reserve the room by contacting the Division of Personnel Services. Additional rules for use of the room and refrigerator storage will be provided. Employees who work off-site or in other locations will be accommodated with a private area as necessary.

## II. Overtime

When business or department conditions require, employees may be needed to work overtime. When this occurs, the employee's supervisor will make every effort to provide timely advance notice. Such a request for overtime is considered to be voluntary. Mandatory overtime is required only under the following circumstance:

- Employees of the Sheriff's Department who work in law enforcement or in corrections;
- When the County Executive declares an emergency;
- For snow and ice removal for Division of Highways employees; and
- For Registered Nurses when patient care concerns require an extension of the workday.

The employee's supervisor must approve all overtime prior to the employee working overtime. All classified employees will be paid one and one-half times their regular rate of pay for all hours worked in excess of 40 in one workweek, except for those employees covered by the law enforcement exemption in the Fair Labor Standards Act. Employees covered by the law and enforcement exemption will work 171 hours over a 28 day period before earning overtime\*\*. Paid benefit time will be included as time worked in the computation of overtime. Classified employees who work as professionals (social workers, registered nurses, juvenile court intake workers) may be compensated by salary at the discretion of county administration.

Classified employees must be compensated for working overtime either with wages or, if department/division policies permit, compensatory time. Non-classified employees are not eligible to be paid overtime.

*\*\*For budget year 2012, Kenosha County will implement a 40 hour/week overtime practice and a 5/2-4/2 work schedule as a means to generate the same level of budget savings as the 171 hour/28 day overtime policy. The 5/2-4/2 schedule is implemented on a one-year trial basis with a full analysis of its viability at the end of budget year 2012. Fair Labor Standards Act overtime and overtime paid on a 171 hour/28 day basis remains the standard policy during the trial period and it becomes the responsibility of the Sheriff's Department to manage the 5/2-4/2 schedule in full compliance with FLSA.*

## III. Compensatory Compensation (Comp Time)

### Classified Employees

Classified employees may be eligible for compensatory time off at a rate of time and one-half for all hours worked in excess of 40 hours in one workweek, in lieu of overtime pay. The Department/ Division Head shall have the discretion to authorize either comp time or overtime pay. An employee shall not accumulate compensatory time off in excess of 240 hours at any time. Departments/Divisions with classified employees exempt from overtime and compensatory time may establish adjustable or flexible hour schedules.

Compensatory time may be accumulated during the period December 1 to May 31 and June 1 to November 30 of any calendar year. Any accumulated unused compensatory time off which has not been used at the close of the above six month period shall be paid for as earned wages or salary by the last day of June and December.

#### Non-Classified Employees

Non-classified, exempt employees are expected to structure their workday without hourly limits based on the nature and volume of their work and the time necessary to perform their assigned work, with the knowledge and approval of their supervisors.

#### IV. Time and Attendance

Kenosha County recognizes the need for employees to be absent from work due to illness or the need to take care of personal business during the normal workday. The County instituted paid time off (PTO) to provide for these needs as they arise. Employees also may qualify for a leave of absence for their own major illness, the major illness of a family member, the birth or adoption of a child, worker's compensation injury, personal circumstances, or military and/or reserve duty. Having provided for these situations, it is important to remember that excessive absenteeism, tardiness, and/or leaving early causes the burden of filling in for the absent employee to fall on other employees. It is a requirement of each job that an employee report to work punctually and work all scheduled work hours as well as any required overtime.

Situations when employees are not on an approved leave of absence and are absent from work without sufficient PTO to cover that absence, will be addressed through the normal corrective action process. Corrective action will be taken each time this occurs at a schedule determined by department/division policies.

Consecutive days of absence for the same reason may be deemed to be one incident. An employee who is absent for more than three consecutive days must bring a doctor's note in order for the consecutive days of absence to be counted as one incident.

Unexcused absences from work for two consecutive scheduled workdays without calling or notifying the County will be considered a voluntary resignation. The employee is deemed to have quit without notice and his/her employment will be terminated immediately. An appeal may be made in writing to the Director of Personnel Services. If it is determined that there were extenuating circumstances for the absence and failure to notify, the employee will be reinstated.

If at any time an employee corrects his/her excessive absence problem and has no unexcused absences during a six-month period, corrective action, if it becomes necessary again, should begin with a verbal warning. Department/division attendance policies may differ from this standard.

If an employee who has been with the County less than 90 days has an unexcused absence, he/she will be issued a written warning for that absence. If the new employee has no further incidents during the first 90 days of employment, the written warning will revert to a verbal warning. If an unexcused absence occurs again within the first 90 days of employment, the employee will be discharged.

Periodically, special circumstances will occur that warrant an employee being excused from work without sufficient PTO to cover the absence. To ensure fairness throughout the County, these types of requests require the approval of the Director of Personnel Services.

Occasionally, an employee will exhibit a pattern of absenteeism that requires corrective action despite having sufficient PTO to cover those absences (for example, consistently missing a specific day of the week, the day before or after a holiday, or the day before or after a scheduled vacation) unless they are approved to be absent.

An employee who is going to be absent, tardy, or leave early from work is responsible for notifying his/her supervisor as soon as possible, regardless of whether the employee has sufficient PTO to cover the absence. An employee who is absent and fails to notify his/her supervisor will be subject to corrective action for failure to notify. An employee who has been absent two consecutive days without calling to speak with his/her supervisor will be considered to have voluntarily resigned.

Occasionally, classified employees may be permitted to make up missed time with the prior approval of their supervisor. The supervisor will determine the exact amount of time the employee will be allowed to make up in a workweek. Each supervisor must be consistent in allowing employees to make up time within the department. No employee will be permitted to work more than 40 hours during the workweek for the purpose of making up time. No swapping of workdays is permitted except as permitted by the Sheriff's Department in its departmental policies.

## V. Inclement Weather

Because of the critical nature of County work, County offices need to be open and operating during all business hours. Inclement weather rarely warrants closing County offices during normal hours of operation and employees should be present during all required hours. However, each employee needs to make a personal judgment pertaining to his/her personal safety when traveling to and from work in certain conditions, understanding that any absence puts a greater burden on those employees who come to work despite difficult weather conditions. Loss of work time due to inclement weather will be charged against the employee's paid time off (PTO) balance. For employees who have no PTO remaining, the time absent will be charged as leave without pay.

Employees who work in 24/7 operations will be expected to make every effort to report to work during inclement weather, including accepting a ride to work in a weather-worthy vehicle when offered. Those employed by 24/7 operations who do not report to work must provide evidence of an extraordinary circumstance to avoid discipline.

## **Compensation and Review Policies**

### **I. Accurate Recording of Time**

#### **Classified**

All classified employees are required to accurately record their time each workday. Each employee should record his/her time using the appropriate procedure for the department or division in which the employee works. Classified employees have a limited number of minutes before their shift to mark their time unless overtime has been authorized. Similarly, employees have a limited number of minutes after the start of their shift before wages are deducted. Employees who have an unpaid meal period are also required to mark their time, if possible. Time recording shall be in accordance with Kenosha County payroll procedures.

#### **Non-classified**

All non-classified employees are required to accurately record benefit time on their timecards when taken. Time recording shall be in accordance with the Kenosha County payroll procedures.

### **II. Pay Periods**

With some exceptions, County employees are paid on the bi-weekly basis. All employees are paid by direct deposit to the bank account(s) they designate. Deposits are made on the Friday following the two-week work period. In the event a holiday falls on a payday Friday, every effort will be made to deposit wages on the last workday prior to the holiday.

### **III. Wages**

Wages are determined through analysis of the nature of the work performed by the employee and the occupational market within which the employee works. Wage schedules are reviewed and changed, if necessary, annually as part of the budget process.

In addition to regular hourly wages, some employees earn shift differential for working second shift, third shift and weekends where applicable. Employees who carry shift differential earn the difference as their base wage. The base wage does not change when an employee works another shift which carries a higher or lower shift differential.

Step progression under the current wage schedules will continue for classified employees hired prior to union contract expiration. Step progression will not apply to Division of Highway

employees hired after November 1, 2011. The County Executive will be responsible for implementing wage schedules for employees hired after contract expiration and thereafter.

Reimbursable items such as uniforms, tools, etc. are included in the wage package.

Candidates for County jobs will be given a complete list of wage-related information at the time of hire.

#### IV. Safe Harbor Policy

Non-classified employees generally must receive their full salary for any week in which they perform any work, without regard to the number of days or hours worked. However, non-classified employees need not be paid for any work week in which they perform no work at all for the Kenosha County.

There are certain circumstances where deductions from the salaries of non-classified employees are permissible under the Fair Labor Standards Act (FLSA). Such circumstances include:

- Full day absences for personal reasons such as vacation or personal days.
- Full day absences for sickness or disability which may be reimbursed by the County's Accident and Sickness Leave benefit plan.
- Full day disciplinary suspensions for major safety violations or significant infractions of important written workplace conduct rules.
- To offset amounts received as payment for witness or jury fees, or for military pay.
- Family and Medical Leave absences (full day absences).
- The first or last week of employment in the event you work less than a full week.
- Any other deductions allowed by state or federal law.

Non-classified employees who believe that an improper deduction has been made to their salary, should immediately report this information to their direct supervisor, or to the Director of the Division of Personnel Services.

Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made.

#### V. Performance Evaluations

All County employees must be evaluated by their supervisor at least once per year on the employees anniversary date. Criteria upon which employees are evaluated include, but are not limited to, accuracy, quality of work, quantity of work, dependability, adaptability, job knowledge, organization, judgment, initiative, ability to get along with others, attitude and attendance. Evaluations become a permanent record in an employee's personnel file and are considered for pay, promotions, transfers, disciplinary action and workforce reductions.

## **Benefit Policies**

### I. Paid Time Off

Effective January 1, 2012, employees will have a “bank” of time to use for vacation, sick, and personal reasons based on eligible years of service with Kenosha County. This bank is referred to as paid time off (PTO). During the vacation to PTO transition period, employees will be required to exhaust earned/accrued vacation benefit time prior to using PTO. PTO does not include designated paid holidays. Holiday benefit time is given to employees in addition to PTO.

In general, classified employees are eligible to use PTO on their 91st day of employment. Non-classified employees’ PTO is available from their first day of employment.

Employees increase the number of PTO days as their years of service increase, indicated in the chart below:

| <u>Years of Service</u>                        | <u>PTO Days per Year</u>                      |
|--|---|
| 1 <sup>st</sup> calendar year                  | Prorated (one day for each two months worked) |
| 2 <sup>nd</sup> through 6 <sup>th</sup> years  | 15 days                                       |
| 7 <sup>th</sup> through 14 <sup>th</sup> years | 20 days                                       |
| 15 plus years                                  | 25 days                                       |

Employees who have earned more than 25 paid days off (vacation and casual or personal) by December 31, 2011, will retain their number of paid days off, up to a maximum of 30 days, in their PTO bank for the balance of their employment with Kenosha County.

In the above example, for years two through six, after 15 days are used no more PTO time is available for the remainder of the calendar year. Any employee who does not have sufficient PTO to cover an absence will be subject to corrective action under the attendance policy.

The County makes the full balance of PTO available in January of each year.

PTO is paid at an employee’s regular straight-time hourly rate.

If employees resign, retire or otherwise terminate employment with the County with PTO days remaining in their PTO bank, they will not receive pay for those days.

To schedule PTO, all employees (classified and non-classified) must secure their supervisor’s written approval in advance, except in the case of emergency. Each department/division has its own guidelines on scheduling and advance notice of paid time off. All PTO is subject to the needs of the department/division.

PTO days can be scheduled individually or in blocks of days. PTO can be scheduled in hourly increments only if such increments are not limited by the department/division.

PTO is reported on employees' Kronos ledger or time card. Employees are responsible for accurately tracking their paid time off.

Employees can carry over up to five PTO days from year to year. This is to encourage employees to save PTO for emergencies that may occur at the end of the year. All other PTO not used in the calendar year is forfeited. Employees may not cash out unused PTO.

## II. Paid Holidays

Kenosha County normally observes the following holidays during the year: New Year's Day, the Friday before Easter Sunday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day after Thanksgiving, Christmas Eve Day, Christmas Day and New Year's Eve Day. Some departments/divisions substitute Veterans Day for the day after Thanksgiving. Martin Luther King Day may be observed as an unpaid day off with supervisor approval. Non-classified employees will be required to authorize such deduction in pay by submitting a voluntary leave without pay form to the Division of Finance.

If one of the above holidays falls on a Saturday, it is generally observed on the preceding Friday. If the holiday falls on a Sunday, it is generally observed on the succeeding Monday.

Employees who work in 24/7 operations observe holidays with policies that meet the needs of the department/division. Those employees should consult their department/division policies.

Holidays are paid at an employee's regular straight-time hourly rate. Employees must work their scheduled workday before and after the holiday in order to be paid for the holiday, unless they are approved to be absent.

## III. Accident and Sickness Pay Maintenance Plan

The following benefits will be paid in a case of a non-occupational accident, hospitalization, out-patient surgery and/or illness:

Classified employees will receive 100% of their regular pay starting on the fourth working day absent and through the 30th calendar day absent due to accident, hospitalization, out-patient surgery or illness. Non-classified employees will receive 100% of their regular pay starting on the first working day absent and through the 30th working day absent due to accident, hospitalization, out-patient surgery or illness. From the 31st calendar or working day to the 365th calendar day, all employees will receive two-thirds (2/3rds) of their regular pay. Regular pay means an employee's regular straight-time hourly rate.

Benefits under this plan are not limited to one accident, hospitalization, out-patient surgery and/or illness per year, but are available for each separate occurrence. If an employee has received benefits hereunder and there should be a recurrence of the same condition or illness, no waiting period will apply if the recurrence is within two weeks of return to work. If there is a recurrence after two weeks at work, another three-day waiting period will apply.

No payments will be made under the Accident and Sickness Pay Maintenance Plan unless the employee submits the required form to the Division of Personnel Services, which will make the necessary arrangements for the payment of benefits.

If, while an employee is being paid under the Accident and Sickness Pay Maintenance Plan, a wage increase occurs during his/her absence, he/she will be paid benefits reflecting the increase.

Benefits will be paid under the Accident and Sickness Pay Maintenance Plan for pregnancy or for any matter relating to pregnancy. The benefits will start after a physician has certified that the employee is no longer able to work as the result of disability resulting from pregnancy, and will continue until such time as the doctor certifies that the employee is able to return to work.

State and Federal Family Medical Leave will run concurrently with Accident and Sickness Leave in accordance with the County's Family Medical Leave Policy. Employees will be charged accrued/earned vacation to cover the Accident and Sickness Leave waiting period whenever the leave does not qualify for State Family and Medical Leave.

The County Employee Health Benefit may be extended for up to six months following the expiration of the A&S benefit. Requests to extend the health benefit must be made to the Division Director of Personnel Services.

#### IV. Employee Health Benefit

Kenosha County makes available to its employees a comprehensive employee health benefit which includes dental and prescription plans. Single or family coverage is available to full-time County employees. Part-time employees may be eligible if they work 20 hours or more per week.

New classified employees are enrolled in the benefit on their 91st day of employment. Non-classified enrollment is determined through negotiation on the employee's compensation package. Employees who choose not to enroll in the employee health benefit do not receive additional wages in lieu of the benefit. Employees may enroll at a later date with a qualifying event or during open enrollment.

Current employees may amend their coverage during open enrollment which typically occurs in the autumn of each year.

Plan benefits, claim procedures, limitations and other details are available in the summary plan description.

Employees may be eligible to continue the Kenosha County health benefit by paying the monthly premium in accordance with State and Federal law concerning a qualifying event. This may occur as the result of resignation, layoff, reduction in hours, injury or illness and other leaves of absence.

Employees hired before January 1, 2012, who are 60 years of age and have had 15 or more years of continuous employment with the County immediately preceding voluntarily terminating employment, are eligible to retain the employee health benefit at no premium contribution by the separating employee. If the retiring employee was covered by a family policy at the time of retirement, he/she shall be eligible to retain such family coverage. The County's premium obligation shall terminate when the employee becomes eligible for Medicare. If the employee decides to purchase supplemental Medicare benefits, he/she shall pay the cost of such coverage.

Employees who retire under the conditions of the above paragraph shall receive the same health insurance benefits, pay the same co-payments and deductibles and remain in the same risk pool as active employees.

Employees who voluntarily terminate employment at 57, 58 or 59 years of age and have had 30 or more years of continuous employment with the County immediately preceding separation, are eligible to retain hospital-surgical-major medical, dental and prescription coverage with fifty percent (50%) of the cost of said coverage to be paid by the separating employee. Upon reaching the age of 60, the employee shall be covered by the provisions of the above paragraph.

Non-Classified, sworn, employees who voluntarily terminate employment between the ages of 53 and Medicare eligibility will have the premium for hospital, surgical, major medical coverage paid by the County for themselves and for their families, provided that the employee had family coverage at the time of separation. An employee may leave employment at age 50 with the understanding there is no county-paid insurance between age 50 and age 53 unless they participate at their own expense or are covered as a spouse of another county employee. If they do not participate at their own expense, the employee must show proof of insurance during that time before they can return to the County's insurance plan at age 53.

The County shall be under no obligation to continue full payment of such coverage in case a plan of national health insurance should be established, or the payment for such coverage made by the County shall be reduced in proportion to benefits which may be provided by the government under any plan, and if the plan eventually provides for full coverage, the county obligation to pay for such coverage shall cease when the government program becomes effective.

Non-Classified, sworn, employees who retire on or after December 31, 2009 shall receive the same health insurance benefits and remain in the same risk pool as active employees.

Employees who retire as the result of a disability will be permitted to continue health coverage through the employee health benefit until Medicare eligible at the employee's own expense.

In the event a retired employee dies before reaching Medicare eligibility, his/her surviving spouse will be permitted to continue coverage, if covered by a family plan, under a single plan at the budgeted rate until the surviving spouse reaches Medicare eligibility at the surviving spouse's own expense.

For employees not covered by the preceding paragraphs, the County agrees to include retiring employees in the group for which the County shall negotiate a comprehensive hospital-surgical-major medical coverage policy including dental coverage. Retiring employees may voluntarily

continue the hospital-surgical-major medical and dental coverage. Each retired employee who elects to continue said coverage shall pay the entire cost of said coverage. Any retiring employee electing to carry said coverage after retirement shall so notify the Division of Personnel Services in writing at least 30 days before the effective date of his/her retirement. Said retired employee shall also be required to pay the monthly premium for said coverage one month in advance.

Employees who retire after January 1, 2012, must discontinue enrollment in the Kenosha County self-funded employee health benefit when they reach Medicare eligibility. Medicare-eligible employees may enroll in the County-sponsored Medicare supplement or purchase their own supplement plan.

In the event early retirement packages are determined to be in the best financial interest of Kenosha County each individual package shall be presented by the Director of the Division of Personnel Services to the Division of Finance through the administrative proposal process for fiscal review and County Executive approval.

#### V. Section 125 Plans

Kenosha County offers a pretax contribution option for employees known as a Section 125 plan. The plan is a benefit that allows employees to make contributions toward costs related to medical, prescription, dental and vision out-of-pocket expenses before tax is taken from their wages. Employees must enroll in the Section 125 Plan annually during open enrollment.

#### VI. Wisconsin Retirement System (WRS)

Most County employees are enrolled in the Wisconsin Retirement System pension benefit. All non-protective category employees who are eligible for WRS enrollment pay the employee share of the contribution through wage deduction on a pre-tax basis. The employer share is paid by Kenosha County.

#### VII. Life Insurance

Life insurance for County employees is secured through WRS. The County pays for the basic life insurance benefit which is in the amount of one year's salary. Employees have the opportunity to purchase additional life insurance at their own expense.

#### VIII. Worker's Compensation

Worker's compensation is a form of accident and disability insurance to protect an employee in the event of a job-related work injury or illness. An employee who is absent due to injury or illness caused during the course of his/her duties shall receive statutory benefits as required by the Wisconsin Worker's Compensation Act.

## IX. Tuition Reimbursement

An employee may be eligible for reimbursement of education expenses. The policy which sets forth the guidelines for tuition reimbursement is available at <http://www.co.kenosha.wi.us/admin/personnel/policies.html>.

## X. Leaves of Absence

### Family Medical Leave (including Family Military Leave)

Kenosha County provides job protected, unpaid leave to eligible employees as required by the Wisconsin and Federal Family and Medical Leave Acts. The policy which sets forth the guidelines for eligibility and use of such leaves is available at <http://www.co.kenosha.wi.us/admin/personnel/policies.html>.

### Funeral Leave

In the event of a death of an employee's father, mother, husband, wife, brother, sister, son, daughter, father-in-law, mother-in-law, step-parent or step-child (a step-child is one living with or who was raised by the step-parent) and grandchild, such employee will be paid for straight time lost from scheduled work not to exceed three working days within a seven day period following the date of death, except in special circumstances.

In the event of a death of an employee's brother-in-law, sister-in-law, grandparent, great grandparent, great grandchild, son-in-law, daughter-in-law, aunt or uncle, such employee will be paid for straight time lost from scheduled work not to exceed one scheduled workday falling between the date of death and the date of the funeral, both inclusive, except in special circumstances.

Funeral leave is paid at the employee's straight-time hourly rate for the payroll period in which the date of death occurred. The employee may be required to furnish verification of the date of death, date of funeral and relationship to the deceased.

### Jury Duty/Witness Service

Any employee called for jury duty shall immediately notify his/her supervisor and shall receive his/her regular pay for such time, provided he shall deposit any compensation he received for jury duty with the County Treasurer and receive his/her regular pay in turn. Employees called for jury duty but not assigned to serve will return to their assigned jobs as soon as dismissed. Employees who routinely work second or third shift will coordinate absence due to jury duty with the Department/Division Head.

Employees called to testify as a voluntary witness at the request of the County, by subpoena or otherwise, will be paid for such time. If employees are subpoenaed to appear in court as witnesses for non-County related business, they will be excused from work in order to comply

with subpoena. Employees will not be paid for the time off, but may use PTO to cover their absence from work.

### Military Leave

Any employee who enters the Armed Forces of the United States while employed with Kenosha County shall have the period spent in the Armed Forces considered as time spent working in computing their paid time off.

Employees called to active duty or who enlist in the Armed Forces of the United States shall be granted leaves of absence and their length of service shall accumulate, providing they report for work within 90 days of discharge. If unable to do so because of illness or injury, their leave shall be extended.

Upon return from military leave, the employee shall be returned to a position and pay in keeping with Federal regulations.

An employee who is a member of a military reserve and who may be called upon for reserve training or service shall receive his/her regular pay for such training or service (not to exceed two weeks for any one call-up), provided he/she shall deposit his/her military base pay with the County Treasurer and receive his/her regular pay in turn.

### Personal Leave

Applications for unpaid leave of absence for personal reasons shall be made in writing to the Department Head with a copy to the Division of Personnel Services. All employees must have one year of service before any personal leave will be granted. A leave may not be granted for the purpose of taking other employment; however, the term "other employment" shall not include elective federal, state, county or municipal offices or union duties.

The granting of such leave and the length of time for such leave shall be contingent upon the reason for the request. The Department Head may grant a personal leave of absence without pay for 30 calendar days or less. Leaves of absence without pay for more than 30 calendar days but not exceeding six months may be granted by the Department Head with the approval of the County Board Committee responsible for the department. Personal leaves of absence requested for a period in excess of six months may be granted by the Department Head with the approval of the County Board of Supervisors.

### Education Leave

Leaves of absence not to exceed two years may be granted to those employees who desire to improve their ability and job knowledge through further education. The procedure for obtaining such leave shall be the same as that of personal leave.

## Unpaid Time Off

Employees may be eligible to receive five unpaid voluntary leave days in any calendar year. Unpaid days must be scheduled in advance to accommodate department operational needs. Such days must be approved by management in the same manner as PTO. Employees will forfeit their ability to carry over unused PTO in an amount equal to any unpaid voluntary leave days taken.

## XI. Benefits for Part-Time Employees

Part-time employees who work 20 hours or more per week may be eligible for fringe benefits based on the classification of the job and the nature of the work. In general, part time employees will receive benefits based on the number of posted weekly hours for the position. (e.g. 20 hours per week equals 50% benefits, 32 hours per week equals 80% benefits, etc.)

## Rules and Regulations

### I. Uniform Work Rules

It is the basic responsibility of every County employee to live and work in the spirit of self-discipline. However, the enforcement of rules is necessary when violations of the principles of self-discipline occur. The County will prepare, issue and enforce Uniform Work Rules and safety regulations necessary for safe, orderly and efficient operation. The Uniform Work Rules are available at <http://www.co.kenosha.wi.us/admin/personnel/policies.html>.

Any employee who fails to maintain proper standards of conduct at all times or who violates any of the Uniform Work Rules shall be subject to corrective action, up to and including discharge, in accordance with the County's progressive discipline policy.

Employees must comply with their respective department/division rules in addition to the Uniform Work Rules. In the case of a conflict between the Uniform Work Rules and the department/division rules, the department/division rules shall govern. It is the responsibility of an employee who is uncertain about a conflicting rule to obtain clarification from the Department/Division Head or supervisor.

It is the County's policy that each Department/Division Head and supervisor administers all rules in a consistent and fair manner.

### II. Progressive Discipline Policy

When it becomes necessary to address an employee's actions in the workplace, general guidelines of acceptable business conduct will govern. Depending upon the nature and seriousness of the employee's actions, disciplinary action may begin at any step of the disciplinary process, with an overriding commitment toward a constructive and corrective discipline action rather than a punitive system. The process should ensure that employees are informed of exactly what behavior needs to be corrected, advised of the measures they must take to correct unacceptable behavior, and given adequate opportunity to correct the behavior.

## Procedure

All disciplinary action must be timely and authorized by the Director of Personnel Services prior to being issued. A copy of the document must be sent to the Division of Personnel Services after all signatures have been obtained for recording and retention in the employee's personnel file. All documents relating to disciplinary actions will remain in the employee's personnel file and will become a part of the employee's entire work record.

The Division of Personnel Services will keep a record of all disciplinary actions taken and the infraction that caused the action. This log then forms the basis of the uniform application of discipline.

## Levels of Disciplinary Action

The various levels of discipline are: verbal reprimand, written reprimand, suspension, disciplinary probation, and discharge.

### Verbal Reprimand

A verbal reprimand is issued for a first offense of a minor infraction or the first incident of sub-standard work performance. The immediate supervisor of the employee will meet with the employee and inform the employee of the specific behavior that is unacceptable. The employee must be told clearly what the infraction is, how to correct the problem and what further disciplinary action may result for failure to comply with recommended corrective action. Verbal reprimands must be documented for the personnel file in order to substantiate the start of progressive discipline.

Verbal reprimands will remain active for six to twelve months as determined by the supervisor and Director of Personnel Services. Examples of first offense verbal reprimands include, but are not limited to:

- First late arrival (tardy) for scheduled shift;
- First time extending the length of a break or meal period;
- Isolated mistake with minor consequences or a job duty is done incorrectly;
- Failure to submit accident and sickness benefit forms on time;
- A missed punch in the time/attendance system; and
- First time dress code violation.

### Written Reprimand

A written reprimand may follow an active verbal reprimand issued to an employee for a repeated offense. Also, a written reprimand may be issued for a new offense of a more serious nature; therefore, a verbal reprimand therefore need not precede a written reprimand. The written reprimand shall be issued to the employee by the immediate supervisor. The supervisor shall explain the reasons for the issuance of the written reprimand; again, suggestions for correcting the behavior are provided together with a warning of what discipline, up to and including dismissal, may be taken in the future if behavior or performance does not improve.

Written reprimands will remain active for one to two years as determined by the supervisor and Director of Personnel Services. Examples of first offense written reprimands include, but are not limited to:

- Inappropriate or rude interaction with a member of the public or a co-worker, such as a raised voice, sarcastic comments, or impatience;
- Failure to show up for a scheduled shift (unexcused);
- Insubordination such as talking back to a member of management or failure to perform assigned duty;
- Lack of adherence to performance standards;
- Repeatedly failing to submit accident and sickness benefit forms on time; and
- Repeatedly missing punches in the time/attendance system.

#### Appeal Procedure for Verbal and Written Reprimands

Employees who feel they have received a written or verbal reprimand unjustly may appeal directly to the Finance/Administration Committee (Committee) of the County Board by providing notice in writing to the Director of Personnel Services within seven calendar days of receiving the discipline. The written communication must refute in detail the disciplinary action taken by the County. The Committee will consider both the discipline and the employee's communication and determine:

- If the Committee will dismiss the matter or conduct a hearing; or
- If the Committee will refer the matter to an Independent Hearing Officer for a formal hearing and recommendation.

#### Disciplinary Suspension

A suspension is a temporary removal of the employee from the payroll. A suspension may be recommended when lesser forms of disciplinary action have not corrected an employee's behavior. A suspension may also be recommended for first offenses of a very serious nature.

Disciplinary suspensions remain active for an employee's entire length of employment. Examples of very serious infractions include, but are not limited to:

- Insubordination such as talking back to a member of management or failure to perform assigned duty;
- Major deviations from the work rules, including a violation of safety rules;
- Having any measurable level of alcohol in employee's system while on the job;
- Falsification or misuse of time sheets, County records or documents;
- Fighting;
- Excessive absenteeism;
- Theft or any form of dishonesty;
- Harassment of any form;
- Resident abuse; and
- An incident of verbal abuse to a member of the public, a co-worker, management or an individual in the County's care, custody or control.

The number of days recommended for suspension will depend on the severity of the act.

Commission of the above offenses may also result in a recommendation for discharge.

### Disciplinary Probation

An employee may be placed on disciplinary probation for a designated period of time for significant performance deficiencies that are determined to be within the employee's ability and intent to correct. The employee's immediate supervisor shall counsel the employee regarding performance issues, job performance standards, an improvement plan, and specifically state what action will be taken if the employee fails to complete improvement goals.

### Discharge

Discharge may be recommended for an employee when other disciplinary steps have failed to correct improper action by an employee, or for first offenses of an extremely serious nature. Such action may be justified because the offense is so severe as to make a warning unnecessary (that any employee normally would know that such behavior is completely unacceptable). In these cases, the employee should be placed on administrative leave pending a complete investigation of the situation prior to discharge. Examples of extremely serious infractions include, but are not limited to:

- Having any measurable level of alcohol or drugs in employee system while on the job;
- Possession of an unauthorized weapon or firearm while on the premises;
- Insubordination;
- Physical or sexual assault;
- Theft of County property or funds;
- Sleeping while on duty;
- Off duty misconduct;
- Sexual harassment or discrimination;
- Acts of fraud or dishonesty;
- Consistently failing to meet performance expectations;
- Excessive absenteeism;
- Resident abuse; and
- Isolated mistake with major consequences or potential liability which would include an act which exhibits lack of due care and/or neglect of duty.

### Internal Review for Suspensions and Discharges

Before a disciplinary suspension or discharge is implemented, the following system of internal administrative review will be followed to ensure that the discipline policy is followed in a uniform and equitable manner:

#### Employee infraction of rules, including continued failure to meet performance standards:

- Department/Division Head or supervisor conducts investigation; and
- Employee is provided with notice of investigation and his/her rights including the right to a hearing if charges are brought forward.

Due cause meeting:

- Department/Division Head and supervisor review results of investigation and recommend level of discipline to Director of Personnel Services; and
- A maximum level of discipline is authorized by Director of Personnel Services based on equitable and uniform discipline County-wide.

Written notice to employee:

- The employee is informed in writing of the discipline charges brought, his/her rights (which include the right to representation, the right to an open or closed meeting, the right to see/hear evidence produced to show misconduct and question witnesses, the right to present evidence and witnesses on his/her behalf and to rebut recommendations for discipline and certain basic “rudimentary rights” as guaranteed by Loudermill), and the date, time and place of the pre-disciplinary hearing to discuss the charges.

Pre-disciplinary hearing:

- Conducted by Impartial Hearing Officer;
- Supervisor involved attends;
- Director of Personnel Services attends;
- Employee must attend and representative of his/her choosing attends;
- Witnesses may be called by the department or by the employee. Such witnesses will be provided sufficient time off from work to appear at the pre-disciplinary hearing; and
- Charges will be discussed, with ample time provided for a complete presentation of charges and for rebuttal and defense by the employee.

Results of pre-disciplinary hearing:

As a result of the discussion, facts and material presented in the pre-disciplinary meeting, the Impartial Hearing Officer may:

- Take disciplinary action as determined in the due cause meeting;
- Reduce the level of disciplinary action determined in the due cause meeting; or
- Take the matter under advisement for no longer than ten calendar days and issue a decision.

In no event shall the level of disciplinary action taken be greater than the maximum determined in the due cause meeting.

Written notice to employee:

Written notice of disciplinary action to be taken, if any, is given to the employee stating effective date and time of action. Written notice of the employee’s right to appeal the decision is also provided with the written disciplinary decision.

Appeal Procedure for Suspensions and Discharges

Employees may appeal the disciplinary action issued by the Impartial Hearing Officer directly to the Finance/Administration Committee (Committee) of the County Board by providing notice in writing to the Director of Personnel Services within ten calendar days of receiving the

disciplinary decision. The Director of Personnel Services will arrange for the Committee to hear the appeal within 30 calendar days of receipt of the written notice.

The Committee will hear the appeal within 30 calendar days of written notice and issue a decision within ten calendar days of the meeting.

### III. Workplace Safety Violation Policy

It is the policy of Kenosha County to provide employees with a fair means through which to seek local administrative redress for alleged violations or misinterpretations of expectations regarding workplace safety issues.

Workplace safety shall mean any alleged violation of any standard established under State law or rule, or Federal law or regulation, relating to workplace safety. Workplace safety does not include conditions of employment unrelated to physical health and safety matters, including, but not limited to, hours, overtime, sick, family, or medical leave, work schedules, breaks, vacation, performance reviews, and compensation.

#### Grievance and Dispute Resolution

##### Verbal Grievance

Within seven calendar days of the actual or reasonable knowledge of a workplace safety issue and prior to filing a written grievance, the employee must discuss the dispute with his/her supervisor. The supervisor and employee must informally attempt to resolve the dispute. The supervisor shall notify the Department/Division Head of this meeting and the results of the meeting.

##### Written Grievance Submission

An employee must file a written grievance within seven calendar days if informal resolution of the grievance was not reached with the supervisor. The grievance must be in writing and must be given to the Department/Division Head with a copy to the Risk Manager. The grievance shall contain a clear and concise statement of the pertinent facts, identify the workplace rules allegedly violated, the dates the incidents occurred, the identities of persons involved, documentation related to the grievance in possession of the grievant, the steps taken to informally resolve the dispute and the results of those discussions, all reasons why the actions of the supervisor should be overturned, if applicable, and the remedy that should be issued.

##### Administrative Response

The Department/Division Head will meet with the employee within seven calendar days of receipt of the written grievance to discuss voluntary resolution of the grievance. If those discussions do not resolve the grievance, then administration will provide a written response to the grievance within seven calendar days of the meeting. The written response shall contain a statement of the date the meeting between the Department/Division Head and the grievant occurred, the decision to sustain or deny the grievance and the deadline for the grievant to appeal the grievance through the appeal process.

### Impartial Hearing

The decision of the Department/Division Head, with approval by the Risk Manager, shall be final unless the grievant files a written appeal requesting a hearing before an Impartial Hearing Officer. The written appeal shall be filed with the Director of Personnel Services with a copy to Department/Division Head and within ten calendar days of the Department/Division Head's response. A hearing will be held on the matter within 30 calendar days of the written appeal. The Impartial Hearing Officer shall file a written response within ten calendar days of the close of the hearing.

### Appeal for Review

The non-prevailing party may appeal the written response issued by the Impartial Hearing Officer directly to the Finance/Administration Committee of the County Board by providing notice in writing to the Director of Personnel Services within ten calendar days of receiving the written response. The Director of Personnel Services will arrange for a review of the written response issued by the Impartial Hearing Officer with the Finance/Administration Committee.

### Decision of the Finance/Administration Committee

The Committee will hear the appeal of the written response and issue a decision within ten calendar days.

## IV. Conflict Resolution Policy

Kenosha County intends to foster a healthy, responsive work environment. However, in any work situation, employment problems may occur—misunderstandings or disputes regarding conditions of employment, job duties, work performance, work relationships, or management decisions.

The County places great confidence in an employee's ability to satisfactorily resolve most of these conflicts by working with his/her immediate supervisor. For problems requiring further attention, the County offers alternatives, both formal and informal, based on the following premises:

- The County will make every effort to maintain open lines of communication between employees and management and expects the same from its employees;
- The supervisor-employee relationship is critical to successful work performance and will be important in the resolution of problems; and
- An employee's standing with the County will not be jeopardized in any way by the appropriate use of the conflict resolution procedure.

These conflict resolution processes cannot be used to challenge performance reviews, terminations resulting from reductions in force, or written policies, procedures, and handbooks.

There are two mechanisms for dealing with work-related problems: informal problem solving and formal problem review. The steps are as follows:

#### Informal Problem Solving

Whenever possible and appropriate, employees should discuss and attempt to resolve conflicts with their immediate and next-level supervisors. Most problems will be solved satisfactorily at this level. In cases where employees feel it is necessary to address a problem with someone not directly involved, they are encouraged to contact the Division of Personnel Services for assistance.

#### Formal Problem Review

If an employee cannot reach a mutually satisfactory conclusion through informal means, he/she may initiate a formal problem review. The steps are as follows:

- Within seven calendar days of the date of the incident or problem, the employee must prepare a written summary of the problem and submit it to the next-level supervisor or a management representative. The management representative and employee will meet to discuss the concerns. In most cases, a response will be issued within seven calendar days of receipt of the written summary.
- If the employee remains dissatisfied with the results, he/she may, within seven calendar days of your receipt of the response, request a meeting with the Director of Personnel Services, who will then review the case with management. The Director of Personnel Services will make a final determination or recommendation to the Department/Division Head.

### **Reduction in Force**

If a reduction in staff is deemed necessary because of economic needs, consolidation of facilities, restructuring of operations, combining of departments or functions, and streamlining or elimination of departments, functions, or jobs, the Department Head of the area to be affected will work with the Director of Personnel Services to document the business reason for such and the process for the restructuring. This may include an analysis of business needs to determine the appropriate criteria to use, development of a communication plan, job reevaluations, and salary administration.

Job-related criteria will be the primary factor in selecting which classified and non-classified employees will remain with the County. The criteria used will be determined based on the reason for the reduction in force and the determination of the budgetary and departmental needs. Job-related criteria may include an employee's current performance (as noted by the most current performance review), competencies, skills, responsibilities, experience, leadership, education and training, personal commitment, and length of service with the County.

An employee who is laid off will be placed on a reemployment list for a period of one year for an available assignment to a position in the job title and department in which he/she was assigned prior to being placed on the reemployment list.

If more than one employee from the same job title and department is on the reemployment list, the best qualified employee based on job-related criteria will be appointed to the first available position in the job title and department in which the employee was assigned prior to being placed on a reemployment list. Length of service with the County will be taken into consideration if all other qualifications are equal, as determined by the Director of Personnel Services.

An employee whose name appears on a reemployment list may be appointed to a position other than the position to which he/she is eligible for reemployment. If the position is in the same or lower job title, upon satisfactory completion of the evaluation period, the employee's name would be removed from the reemployment list. If the appointment is to a position in a higher job title, upon meeting all qualifications and completing the appropriate evaluation period, the employee's name would be removed from the reemployment list.

Names shall be removed from the reemployment list when:

- The employee is appointed from the reemployment list to any position;
- The employee declines an appointment to any position; or
- The employee's name has remained on the reemployment list for twelve months.

An employee on the reemployment list who is appointed to a position shall return to work as soon as possible following the date of notice but no later than two weeks from that date. An employee who fails to report for work within the two-week recall period shall be considered to have voluntarily terminated his/her employment with the County. Exceptions to the return to work requirement may be made at the discretion of the Director of Personnel Services.

It will be the responsibility of all persons whose names appear on reemployment lists to inform the Division of Personnel Services, in writing, of any changes in address, phone number or availability of employment. Persons who fail to do so may be considered to have forfeited their reinstatement or other placement rights.

Under certain circumstances, workweek reductions may be imposed in lieu of layoff. Employees assigned to reduced workweeks in lieu of layoff shall have their pay and benefits eligibility administered on a prorated basis effective from the date of reduction.

### **Resignation/Discharge**

It is recommended employees provide two weeks or more working notice of their intent to resign or retire from County employment. The employee is to give written notification to his/her Department/Division Head or supervisor with a copy to the Director of Personnel Services.

Employees who fail to provide two weeks working notice will jeopardize a status of "resignation in good standing."

### **Statutory Conflicts**

To the extent that any policy may conflict with federal, state, or local laws, the County will abide by the applicable federal, state or local law.

### **Policy Changes**

Kenosha County reserves the right to suspend, revise or revoke any of its policies, procedures, and/or practices at any time with or without notice.

### **Modification of County Board Policy**

Minor revisions to County Board Policy will be administratively implemented with notice to Finance/Administration Committee of the Kenosha County Board of Supervisors. Substantial changes to County Board Policy will be presented and adopted by the County Board.

### **Policy Acknowledgment**

Every employee is required to read and acknowledge they understand all of the Kenosha County employment policies by signing a Personnel Policy Acknowledgment Form at the time of hire and periodically thereafter as they may be revised, and/or revoked.

Questions pertaining to any policy should be directed to the Division of Personnel Services, 262-653-2800.