

**EMPLOYEE AND GENERAL  
ADMINISTRATIVE POLICY  
MANUAL**



**COUNTY OF CALUMET**  
STATE OF WISCONSIN

The ***Calumet County Employee and General Administrative Policy Manual*** expresses the guidelines of Calumet County regarding County policy, but it is not a contract with employees.

The County may modify this policy at any time.

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# Chapter One – Introduction

## SECTION 1 – INTENT & SCOPE

- 1.01 Intent.** It is the intent of the Calumet County Board of Supervisors (hereinafter “Board”) to establish a uniform Calumet County Employee and General Administrative Policy Manual (“Manual”). The rules, regulations and policies shall apply to all employees of the County.
- 1.02 No Contract Intended.** While this Manual complements existing ordinances and laws, it is not intended to create nor should it be construed to constitute a contract. Should any provision of this Manual be found to be in violation of federal or state law, regulation, administrative code, or interpretation of a court of competent jurisdiction, the law, regulation, code, or interpretation of the court shall have precedence, except as it pertains to the designation of an individual as an employee.
- 1.03 Non-Discrimination.** It is the intent that employment practices and policies within the County conform to the provisions of law relating to non-discrimination in employment. Department Heads and supervisors are expected to follow state and federal employment laws in all hiring and employment practices in their Departments. Employment notices required by law to be posted are located at each of the County’s official worksites.
- 1.04 Application of Policies to Represented Employees.** When these policies provide a greater benefit level than those specifically provided in a collective bargaining agreement, the bargained agreements will determine the level of benefits for the employees. However, wherever the collective bargaining agreement is silent, the policies and procedures set forth in this Manual will prevail.
- 1.05 Amendments to Policies.** The County reserves the right to change the handbook with or without notice, in its discretion. No Department Head or supervisor has authority to create a contract or any agreement contrary to the foregoing. Further, no Department Head or supervisor has the authority to modify, amend, or alter the terms of these policies without the written consent of the County Administrator or designee(s). In order to provide effective and efficient administration of County government, the County Administrator may make exceptions to the Policies on a case-by-case basis.
- 1.06 Review & Acknowledgement.** Employees shall sign the form at the back of this Manual indicating they have received and read a copy of this Manual—or any subsequent revisions—and return the form to the Department of Administration to be placed in the employee’s personnel file.
- 1.07 Questions Regarding Application/Interpretation.** All employee questions regarding the application or interpretation of this Manual first should be directed to the Department of Administration.

## SECTION 2 – AT WILL EMPLOYMENT

- 2.01 At Will Employment.** Wisconsin is considered an at-will state for purposes of employment, which means that employment with the County is voluntarily entered into, and the employee is free to terminate their own employment at-will at any time, with or without cause. Similarly, the County may terminate the employment relationship at-will at any time, with or without notice or cause.

## SECTION 3 – WORK RULES

- 3.01 Work Rules.** Departments may develop work rules specific to their operations and/or department in a manner consistent with this Manual, state and federal regulations, and any County resolutions or ordinances. All such work rules that pertain to matters of wages, benefits, hours of work, or conditions of employment, shall be reviewed with the Human Resources Director prior to implementation.

## SECTION 4 – CHAIN OF COMMAND

- 4.01 Chain of Command.** In order to provide effective services, Calumet County depends on an effective chain of command. While the establishment of policy in the County resides by law with the Board, or its designee, the Administrator, as the chief administrative officer of the County, is the primary professional advisor to the County and head of its management team. Department Heads, and those Supervisors subordinate to the Department Heads, are part of the management team, and the Department Heads report to the Administrator. This chain-of-command represents a means of establishing orderly lines of organization and communication as management personnel coordinate to promote effective services for the community.
- 4.02** The Administrator is responsible for the development, supervision, and operation of the County, its departments, its employees and facilities, and is given the latitude to determine the best method of implementing the policy decisions of the Board. Employees have the obligation to facilitate the professional advisement of the County through the chain of command.
- 4.03 Matters Requiring Administrative Attention.** All staff members and supervisors shall be responsible to their respective Department Head and through the Administrator. Employees shall refer matters requiring administrative attention to their supervisor, who shall refer such matters to the next higher authority, when necessary, and through the Administrator and, if applicable, to the Board. Each employee is to keep the person that the employee reports to informed of the employee's activities by whatever means the supervisor deems appropriate. If an employee has any questions, opinions or suggestions about the information contained in this Manual or about any other aspect of their job, then those questions, opinions or suggestions must be directed through the chain of command.
- 4.04 Meeting Attendance.** The County Administrator, Department Heads and employees, as directed by their immediate supervisor, shall attend all meetings of the County Board and of the Home Committee having policy making responsibilities over their department, when feasible. Administrative participation shall be by professional counsel, guidance, and recommendation, as distinct from deliberation, debate, and voting of Board members.
- 4.05 Directives/Requests.** Any employees who receive directives or requests, to which they are not otherwise authorized to respond, from any individual citizen, business representative or elected or appointed official are to immediately report such directive or request to the employee's supervisor. No such specific directives or requests from such persons are to be fulfilled unless permission to do so is given by the employee's supervisor.

## Chapter Two – Employment Policies

### SECTION 1 – POSITION CLASSIFICATION

- 1.01 Regular Employee Status.** Regular Employee status is assigned by the County to both full-time and part-time positions that are expected to remain employed by Calumet County on a regular, ongoing basis as long as the work is required or necessary, the individual employee(s) performs satisfactorily, and financial status of the County and/or the department supports the continuing existence of the position.
- 1.02 Non-Regular Employee Status.**
- a) Casual. Employees typically employed on an intermittent, or sporadic basis, subject to call, with limited expectation of a regular work schedule.
  - b) Intern. Employees hired to work in the capacity of a training position for an accredited educational institution. An intern typically receives credit or formal recognition from the educational institution for the work performed and may also receive compensation for the services provided to the County.
  - c) Limited-term Employee. Employees hired to work on a temporary basis due to unforeseen circumstances and/or needs of the department.
  - d) Project Employee. Employees hired in instances where the position has some sort of condition such as a time limitation or funding contingency. In many instances, the need for a project employee will rise out of a funding source that was unforeseen in the budget process. Dependent upon the funding source and/or program requirements, a project employee's employment may exceed the restrictions established for other limited term employees (e.g. regular work schedule, benefits eligibility, etc.).
  - e) Seasonal. Employees hired to perform seasonal work for a specified time period. Employment terminates at the end of the season, or whenever the need no longer exists, whichever comes first. These employees may be called back in subsequent seasons.

### SECTION 2 – POSITION CONTROL

- 2.01 Job Description.** Each position shall have a written job description, which provides a non-exhaustive list of job duties and is compliant with all legal requirements.
- a) Approval.
    - 1) All Department Head job descriptions shall be approved by the Human Resources Director, County Administrator and the Administrative Services Committee.
    - 2) All managerial or supervisory job descriptions shall be approved by the Human Resources Director and County Administrator.
    - 3) All other job descriptions, with the exception of Department Head, managerial or supervisory, shall be approved by the Human Resources Director.
- 2.02 Adding/Dividing/Combining Positions.** The County Administrator may add positions and/or divide/combine existing positions provided there are funds available.
- 2.03 Filling Vacancies.** Nothing contained in this policy shall be construed to require the County Administrator or any department to fill all positions allocated by the Board.
- 2.04 Temporary Increase in Part-Time Hours.** In certain circumstances the hours of existing part-time employees may be increased in lieu of other limited term employment options. If the assignment is expected to last longer than two (2) weeks, the part-time employee's pro-ration may be modified

for the duration of this temporary assignment and shall receive all benefits at the higher pro-ration during the temporary assignment.

**2.05 Non-regular Employee Position Authorizations.** The County Administrator may authorize an increase/decrease of non-regular employee positions provided there are funds available.

**2.06 Position Approvals.** New positions or permanent increases in part-time allocations to full-time status shall be approved through the budget process and shall be presented to the County Board of Supervisors in the form of a resolution. However, when the County Administrator determines that an unbudgeted position is necessary, and will create a budget increase in the current year, a resolution for the unbudgeted position shall be approved by a majority vote of the Administrative Services Committee, and two-thirds (2/3rds) vote of the full County Board. All position resolutions shall have an approved position description attached to it and shall contain the following information:

- a) Position title,
- b) Proposed classification,
- c) Effective date,
- d) Rationale for the position,
- e) Identification of the state or federal mandates that may have caused the need,
- f) Description of how the position fits into the long-range and strategic plans of the department and/or County, and
- g) Salary, fringe benefit and other related costs.
- h) Other pertinent information such as tenure restrictions, revenue contingencies, or other limiting factors shall also be identified in the resolution.

**2.07 Home Healthcare/Hospice Positions.** The County Administrator has the authority to increase/decrease full-time equivalents (FTEs) in the Table of Organization for Home Healthcare/Hospice with flexibility to meet the needs of patients (clients/consumers) provided there are funds available.

### SECTION 3 – EMPLOYEE SELECTION PROCESS

**3.01** The County seeks to recruit and hire the best-quality and qualified candidates who fit the needs and culture of the County. At the direction of the Human Resources Director, the County may use hiring, interview and screening processes designed to fulfill this objective. All recruitment and hiring, including the hiring of interns and temporary staff, will be done in coordination with the Human Resources Division in the Department of Administration.

**3.02** When in the interests of the County, the County may attempt to fill a job vacancy by promotion from within and in doing so the County may consider both internal and external applicants.

**3.03** Recruitment and selection will be conducted in a manner to ensure competition, provide equal employment opportunity, and prohibit illegal discrimination.

**3.04 Internal Applicants.** When an employee applies for a position internally, the employee is required to notify their current Supervisor/Manager prior to interviewing for said position.

- a) Hiring Managers will not contact the Supervisor/Manager of the internal applicant, to discuss the internal applicant, until after the interview and only if the applicant is being further considered for the position.

- 3.05 Unpaid Interns.** Individuals who wish to volunteer for the purposes of educational or professional interest as part of a formal or informal education program will be considered an unpaid intern and an employment relationship will not exist under the Fair Labor Standards Act (FLSA), and the Act's minimum wage and overtime provisions do not apply to the unpaid intern. Further, the individual is not eligible for any Calumet County benefits. The use of unpaid interns will be done in coordination with the Human Resources Division in the Department of Administration.

#### **SECTION 4 – CAREGIVER BACKGROUND CHECKS**

- 4.01** The County is prohibited from employing any person who has been convicted of, or has a pending charge for, a serious crime as provided by statute or Departmental rule and are required to submit to a caregiver background check. The Department of Administration is responsible for managing and coordinating all caregiver background checks for Calumet County employees. After a conditional offer of employment has been made, the Department of Administration conducts a caregiver background check in compliance with Wisconsin Statutes.
- 4.02 Notification Requirements for Existing Employees.** All County employees subject to the caregiver background check regulations shall notify the Department of Administration as soon as possible about any pending charge or conviction of any crime which has been or is being investigated by any governmental agency of any act or offense specified under Wisconsin Statutes as it relates to acts or offense that may be reasons for barring a person from employment as a caregiver.

#### **SECTION 5 – MEDICAL EXAMINATIONS**

- 5.01 Medical Examinations upon Hire/Transfer.** New employees and employees transferring or promoted to different jobs with new physical requirements may be required to take a County medical examination after a conditional offer of employment is made. The Department of Administration establishes the list of positions where physical exams are required and the type of exams required. The County pays for the medical examination and determines where the exam is given. Information given thereon, as well as information given to the examining physician by the employee, must be accurate and complete. The medical examination is placed in the employee's medical file and remains confidential as required by state and federal privacy laws.
- 5.02 Medical Examinations for Existing Employees.** Employees may be required to pass an examination at the discretion of the Human Resources Director or at such time as may prove necessary. If an examination is requested of the employee, the County designates a physician and pays for the examination. Information given to the examining physician by the employee must be accurate and complete. The results of the medical examination are placed in the employee's medical file and remain confidential as required by state and federal privacy laws.

#### **SECTION 6 – EMPLOYMENT REFERENCES**

- 6.01 Official Reference Checks.** Unless delegated by the Human Resources Director, no County employee will reply to a reference check request from a potential employer inquiring about the employee's work performance or specific service to the County. Requests for reference checks should be forwarded to the Department of Administration and must be made in writing and include an authorization from the employee for the release of the requested information. The Human Resources Director may direct the questions to the Department Head who may respond appropriately. In the event a reference check is not accompanied by an employee release, the Department of Administration will only provide the dates of employment, position held, annual salary, and job location. Employment verification requests will be referred to the Department of Administration and must include the same authorization requirements as listed above. Payroll and salary verification requests will be sent to the Department of Administration, Human Resources Division.

- 6.02 Personal References.** Employees may serve as “personal references” which is construed to mean references that do not speak to the candidate’s work performance or specific service to the County, but rather the candidate’s personal characteristics, educational background, and personal dealings with the referring employee. The referring employee assumes all liability for the content of the personal reference.

#### **SECTION 7 – WORK REPORTING**

- 7.01 Worksite.** As a condition of employment, and at the discretion of the County, certain employees may be required to report to more than one worksite at the direction of the Department Head or designee.
- 7.02 Mileage/Travel Time.** No employee may claim mileage to their work site, or be paid travel time, if it is the first (1<sup>st</sup>) stop of the day or from their work site if it is the last stop of the day. Mileage directly from an employee’s home to their work site, or from their work site to their home, is not reimbursable under the County’s travel policies.

#### **SECTION 8 – EMPLOYEES AS VOLUNTEERS**

- 8.01** An employee may not volunteer for the County when the volunteer duties involve the same type of service, which the individual is employed to perform for the same agency. All volunteer service provided by an employee of the County will be performed outside of the normal hours of work of the employee.

#### **SECTION 9 – OUTSIDE EMPLOYMENT**

- 9.01 Declaration of Policy.** Employees may hold outside jobs as long as they meet the performance standards of their job with the County, and provided that the outside employment does not conflict with their County employment. All employees will be judged by the same performance standards and will be subject to the County’s scheduling demands, regardless of existing outside work requirements.
- 9.02 Notification/Approval.**
- a) All employees must notify their Department Head, on the County’s Outside Employment Form, of their desire to seek outside employment. The Department Head’s permission must be obtained, as evidenced by a signed form, before the employee may begin to work at the outside employment.
    - 1) Department heads must seek the written approval, using the same form as noted above, of the County Administrator before engaging in outside employment.
- 9.03 Problems with Outside Employment.** If the County determines that an employee’s outside work interferes with performance or the ability to meet the requirements of the County as they are modified from time to time, the employee may be asked to terminate the outside employment, if they wish to remain with Calumet County. Employees are not allowed to conduct business related to outside employment while on County paid time, nor is an employee permitted to use County equipment or supplies in the performance of outside employment duties.
- a) While on off-duty status, no employee will be considered to be in employed status without specific supervisory authority.
  - b) Outside Employment During Leaves of Absence. Unless authorized by the Human Resources Director, employees are prohibited from working at an outside job while on a leave of absence from the County (other than approved PTO/vacation).
- 9.04 Conflicts Of Interest Prohibited.** Outside employment, which constitutes a conflict of interest, is prohibited. Employees may not receive any income or material gain from individuals outside the

organization for materials produced or services rendered while performing their jobs as Calumet County employees. Determining whether or not such outside employment constitutes a conflict of interest will be left to the sole discretion of the County.

#### **SECTION 10 – NEPOTISM & FRATERNIZATION**

- 10.01 Restricted Employment.** The County restricts employment of close relatives, employees dating or otherwise involved in an intimate relationship within the same department, shift and/or work unit. Compliance with this policy is intended to prevent the perception of favoritism among employees and promote a harassment-free working environment.
- 10.02 Approval Required.** No two members of an immediate family or intimate relationship will be employed, promoted, or transferred to any department, division, or work unit when as a result they would be directly supervising or receiving direct supervision from the other, unless written approval is received from the County Administrator.
- a) When evaluating these requests, the County Administrator may consider work location, shift, the department in which the individual would work, the number of available qualified applicants, and whether normal recruitment and selection procedures have been followed, to ensure that all applicants have had an equal opportunity to apply for the position. Finally, the County Administrator may consider whether it is a sound business practice to have close relatives, or those otherwise involved in an intimate relationship, working in such close proximity, and whether or not reasonable measures can be taken to alleviate any problems or appearance of impropriety.
- 10.03 Temporary or Seasonal Employees.** When permission has been granted to hire a close relative or individual involved in an intimate relationship with a supervisor as a temporary or seasonal employee, and said employee returns to temporary or seasonal work in County government, it is not necessary to obtain approval of the County Administrator again. However, if a temporary or seasonal employee applies for a regular full-time or regular part-time position in that department, approval of the County Administrator is then required prior to a job offer.
- 10.04 Notification Required of New Relationship.** In the event a relationship develops between a manager or supervisor and an employee under their supervision, the management employee is responsible for bringing the matter to the attention of their immediate supervisor.
- a) In the event a relationship develops between employees in a department, shift, and/or work unit, it is the responsibility of the employees for bringing the matter to the attention of their immediate supervisor.
- 10.05 Possible Resolutions.** Resolution of any problems that arise may include, but is not limited to, termination of employment for one or both employees, or transfer of either employee to another department, unit or shift. It is management’s sole discretion regarding which employee(s) is separated, retained or transferred, depending upon the needs of the County upon final approval of the County Administrator.

#### **SECTION 11 – TERMINATION NOTICE & PROCEDURE**

- 11.01 Notice for Non-Exempt Positions.** Non-Exempt Employees, excluding HHC/Hospice RN’s, wishing to resign in good standing will give written notice to the Department Head, with a copy to the Human Resources Director, not less than ten (10) business days before such resignation will be effective. Failure to provide proper notice will result in forfeiting transfers as provided to the Post-employment Health Plan (PEHP), as described herein, or payment of earned or accrued vacation, if applicable.

- 11.02 Notice for Exempt Positions.** Exempt employees and HHC/Hospice RN's wishing to resign in good standing will give twenty (20) business days' notice of their resignation. Department Heads will resign in writing to the County Administrator, with a copy to the Human Resources Director. Supervisory and managerial employees will resign in writing to their Department Head, with a copy to the Human Resources Director. Failure to provide proper notice will result in forfeiting transfers to the PEHP, as described herein.
- 11.03 Accrued Time Off During Notice Period.** Unless for unavoidable circumstances, or where approval is obtained from the Human Resources Director, such notice will be exclusive of any accrued paid time off taken.
- 11.04 Last Day of Work.** Employee benefits are not paid beyond the employee's last day of actual work, which is the last day the employee is physically at work.
- 11.05 All Resignations Final.** All resignations are final unless reversed by the Department Head and the County Administrator.
- 11.06 Shorter Notice.** Shorter notice may be accepted if agreed to by the employee, Department Head and the County Administrator.
- 11.07 Forfeiture of Transfers to PEHP or Vacation Payout.** Failure to provide proper notice, or disciplinary termination of employment, will result in forfeiting transfers to the PEHP as described herein, or payment of earned or accrued vacation, if applicable. If employment is terminated during an employee's first year of employment, no benefits will be due them.
- 11.08 Job Abandonment.** Unauthorized absence of an employee for three (3) consecutive workdays may be considered by the Department as a resignation of such employee.

## **SECTION 12 – REDUCTIONS IN THE WORKFORCE**

- 12.01 Layoff/Reduction in Workforce.** Reductions in the workforce may occur through layoffs or furloughs, in addition to attrition or position elimination or modification. The County will determine the Departments, number of positions and persons impacted by any reduction in workforce.
  - a) In the event of a reduction in workforce through layoff or furlough, affected employees will be laid off or furloughed, at the County Administrator's discretion, based on skills, abilities, qualifications, and the interests and needs of the County. The County may choose to solicit volunteers for the reduction in workforce.

## **SECTION 13 – ADA ACCOMMODATIONS**

- 13.01 Purpose.** To provide equal employment opportunities to all qualified individuals, including those with disabilities.
- 13.02 Policy.** Calumet County's policy is to fully comply with the reasonable accommodation requirements of the American's with Disabilities Act. Under the law, employers must provide reasonable accommodation to qualified employees or applicants with disabilities, unless to do would cause undue hardship. Calumet County is committed to providing reasonable accommodations to its employees and applicants for employment in order to assure that individuals with disabilities enjoy full access to equal employment opportunity.
  - a) Calumet County provides reasonable accommodation when:
    - 1) A qualified applicant with a disability needs an accommodation in order to be considered for a job;
    - 2) A qualified employee with a disability needs an accommodation to enable him or her to perform the essential functions of the job or to gain access to the workplace; and

- 3) A qualified employee with a disability needs an accommodation to enjoy equal benefits and privileges of employment.
- b) Calumet County will process requests for reasonable accommodation and, where appropriate, provide reasonable accommodations in a prompt, fair, and efficient manner.
- c) The Human Resources Director, or designee, is responsible for implementing this policy, including resolution of reasonable accommodation, safety, and undue hardship issues.

**13.03 Scope.** This policy and procedure applies to all departments, qualified applicants, and qualified employees of Calumet County.

**13.04 Procedure.** Requests for Reasonable Accommodation.

- a) The employee will inform his or her supervisor of the need for an accommodation either orally or in writing.
- b) The supervisor shall immediately notify the Department Head and Human Resources Director of the request for accommodation.
  - 1) To enable Calumet County to keep accurate records regarding requests for accommodation, employees seeking a reasonable accommodation must follow up an oral request by completing the Voluntary ADA Reasonable Accommodation Form and submitting it to the Human Resources Director, or designee.
- c) For applicants seeking a reasonable accommodation, the Human Resources Director, or designee, will give them a voluntary ADA Reasonable Accommodation Form to complete. If an individual with a disability requires assistance with this requirement, the staff member receiving the request will provide that assistance.
- d) While written confirmation should be made as soon as possible following the request, it is not a requirement for the request itself. Calumet County will begin processing the request as soon as it is made whether or not the confirmation has been provided.
- e) A written confirmation is not required when an individual needs a reasonable accommodation on a repeated basis (e.g., the assistance of sign language interpreters or readers). The written form is required only for the first request although appropriate notice must be given each time the accommodation is needed.

**13.05 Process – Current Employees.**

- a) The reasonable accommodation process is overseen by the Human Resources Director, or designee. Reasonable Accommodations are identified through an interactive process and dialogue between the Human Resources Director, or designee, Supervisor, and the person requesting an accommodation. As part of the reasonable accommodation interactive process, the Human Resources Director, or designee, will obtain and evaluate documentation supporting an accommodation request (such as an ADA Reasonable Accommodation Request Form and medical documentation demonstrating that the requestor is an individual with a disability).
- b) When a qualified individual with a disability has requested an accommodation, the Human Resources Director, or designee, will, in consultation with the individual:
  - 1) Discuss the purpose and essential functions of the particular job involved. Completion of a step-by-step job analysis may be necessary.
  - 2) Determine the precise job-related limitation.

- 3) Identify the potential accommodations and assess the effectiveness each would have in allowing the individual to perform the essential functions of the job.
  - 4) Select and implement the accommodation that is the most appropriate for both the individual and the employer. While an individual's preference will be given consideration, the County is free to choose among equally effective accommodations and may choose the one that is less expensive or easier to provide.
- c) The Human Resources Director, or designee, will work with the employee to obtain technical assistance, as needed.
  - d) The Human Resources Director, or designee, will provide a decision to the employee within a reasonable amount of time.
  - e) If an accommodation cannot overcome the existing barriers or if the accommodation would cause an undue hardship on the operation of the business, the employee and the Human Resources Director, or designee, will work together to determine whether reassignment may be an appropriate accommodation.

#### **13.06 Medical Documentation.**

- a) The Human Resources Director, or designee, may request medical documentation of the individual's functional limitations to support the request. Any medical documentation must be collected and maintained on separate forms, and in separate, locked files. No one will be told or have access to the medical information unless the disability might require emergency treatment.
- b) The individual may authorize the Human Resources Director, or designee, to contact his or her health care provider. The appropriate release of health information form must be completed and signed by the individual.
- c) All medical information is treated as confidential and is not maintained in the general personnel files.

#### **13.07 Appeals.**

- a) Employees or applicants who are dissatisfied with the decision(s) pertaining to their accommodation request may file an appeal with the County Administrator, within ten (10) business days, for a final decision.
- b) If the individual believes the decision is based on discriminatory and/or retaliatory reasons, then he or she may file a complaint internally through the County Administrator.

#### **13.08 Additional Information.**

- a) Disability discrimination can include harassment based on disability, tangible employment actions, or other actions that create a hostile or intimidating work environment for those in the protected class.
- b) The County will not retaliate against any individual who opposed any unlawful act or practice, or because that individual made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing to enforce anti-discrimination laws.

## Chapter Three – Hours & Schedules

### SECTION 1 – COURTHOUSE HOURS OF OPERATION

- 1.01** The Courthouse’s current hours of operation are from 8:00 a.m. to 4:30 p.m., Monday through Friday.
- a) Other working hours may be established by Departments according to special operational needs with the approval of the County Administrator.
  - b) Changes to the Approved Workweek. Any changes in the aforementioned Departmental workweeks shall be subject to approval by the Board.

### SECTION 2 – WORKING HOURS

- 2.01** While the County attempts to provide employees the work hours for which they were hired, it is not to be construed to be a guarantee of work and employees may be released prior to the completion of their normal workday and those hours shall constitute their workday. Excepting part-time employees, any action taken to release an employee prior to the completion of their normal workday will not affect the employee’s benefits.

### SECTION 3 – WORK SCHEDULES

- 3.01** **Work Schedules.** Work schedules for employees vary throughout the organization, and scheduled hours of work are established by the County. Supervisors will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and ending times, days of the week worked, as well as variations in the total hours that may be scheduled each day and week. Said variations are at the discretion of the Department Head or designee.
- 3.02** **Alternative Work Schedules.** Provided that the needs of the department are not sacrificed, an employee may enter into an alternative scheduling arrangement with their Department Head, or designee.
- a) A record of this agreement indicating the anticipated work schedule (if possible), duration (if applicable), and the signatures of both parties shall be submitted to the Department of Administration. This is not meant to include the occasional flexing of hours to meet the demands of an employee’s workload or department.
  - b) The County may discontinue an alternative scheduling arrangement with the understanding that special circumstances may be given consideration (Example: enrolled/in-progress college courses, childcare, etc.).
  - c) Only employees who have maintained a satisfactory performance record will be eligible for alternative scheduling.
  - d) Some employees, by the very nature of their work (e.g. client contact) or staffing levels of their department, will not be eligible for alternative scheduling.
  - e) If an employee’s safety would be compromised by the granting of an alternative schedule, they may not be eligible for alternative scheduling. In some cases, alternative scheduling may be available, but will be limited due to safety concerns.
  - f) Each workweek shall contain the same amount of hours an employee was normally scheduled to work.

- 3.03** **Types of Alternative Schedules.**

- a) Flexible Workday. The employee's normal workday is "flexed" within the confines of an employee's normal workday.
- b) Compressed Workweek. The employee's workweek remains as established for the position, but the number of hours per day or days per week varies.
  - 1) Leave Usage. Employees may either use the appropriate leave bank(s) to cover their work schedules, or they may make arrangements with their Department Head, or designee, to make up the hours within the applicable workweek.
  - 2) Holidays. It is the responsibility of the employee to be aware of the work schedule during a week in which a holiday occurs, and to make arrangements to alter their schedule, if necessary.
- c) Part-time Employees. The employee's workweek remains at their previous allotment of hours, but the number of hours per day or days per week may vary.
- d) Flextime Schedules. Employees working a flextime schedule will be allowed to utilize leave benefits only to the extent they were scheduled to work on the day they were absent from work.

#### **SECTION 4 – LUNCH PERIODS AND BREAKS**

- 4.01 Courthouse Offices.** Where possible, offices shall remain open during the lunch hour, and employees shall stagger their lunch period to accommodate this schedule.
  - a) Employees shall receive a one-half (½) hour or one (1) hour lunch period as determined by the Department Head.
- 4.02 Eight-Hour Workday.** Employees on an eight-hour workday, normally will be provided a one-half (½) hour unpaid lunch break at times to be determined by the department.
- 4.03 Staff Required to Remain on Premises.** Staff expected to provide continuous service, or required to remain on premises for immediate call, (e.g. Dispatch or Jail personnel) have no set break times, but breaks will be permitted at the discretion of the command staff or as workload permits.

#### **SECTION 5 – TELECOMMUTING**

- 5.01 Purpose.** Calumet County is committed to creating a work environment and culture where the needs of our clients, employees, and organization are aligned. Therefore, we strive to be flexible in our approach to work styles and location. Calumet County offers employees the ability to perform certain job duties away from the central worksite. This policy refers to those employees working a set schedule from a remote work area. Occasional work off-site including work while traveling on County business does not constitute telecommuting.
- 5.02 Eligibility.** The determination that a position may or may not be appropriate for a telecommuting arrangement is made on a case-by-case basis at the department level with approval from the supervisor and department head.
  - a) The employee's duties can be fulfilled within the telecommuting structure.
  - b) Telecommuting fits with the needs of the department.
  - c) Telecommuting provides for space savings or increased productivity.
  - d) The employee has demonstrated sustained high performance, and the supervisor believes the employee can maintain the expected quantity and quality of work while telecommuting.

- e) The department can maintain quality services for clients, employees and members of the community.
- f) Generally, requests to telecommute should not be considered when:
  - 1) The job requires the employee's physical presence or telecommuting would impair the department's efficiency.
  - 2) The employee's current job duties require frequent supervision, direction or input from others who are onsite.
  - 3) The employee's job duties require that the employee provide frequent supervision, directions or input to other employees who are onsite.
  - 4) The employee's performance evaluations do not indicate sustained high performance or the ability to work independently.
  - 5) The employee has a documented attendance problem.
  - 6) The employee has less than six months of service with Calumet County.

**5.03 Request Process.**

- a) An employee requesting a telecommuting arrangement should complete an electronic [Telecommuting Request and Acknowledgement form](#).
- b) The employee's supervisor and department head must review and approve the request.
- c) Requests (approved and denied) must be sent to Human Resources for review and placement in the employee's personnel file.

**5.04 Expectations.**

- a) Telecommuting is not intended to permit staff to have time to work at other jobs, provide dependent care during working hours, or run their own businesses.
  - 1) Employees who telecommute must comply with Calumet County policies and department work rules.
- b) Employees who telecommute are expected to have regularly scheduled work hours, to be fully accessible during those hours, and to attend meetings and appointments in person.
- c) Non-exempt employees who telecommute are required to obtain telecommuting approval from the department head and Human Resources Director, report their work hours and take required rest breaks and meal periods.
- d) Employees entering into a telecommuting agreement may be required to forfeit use of a personal office or workstation in favor of a shared arrangement to maximize organization office space needs.
- e) Employees must provide broadband internet access at their own expense.
- f) The County will not be responsible for operating costs, home maintenance, or any other incidental costs associated with the use of the employee's residence for telecommuting location.
- g) Meetings with clients and or visitors conducting business with Calumet County will not be held in the employee's telecommuting location.

**5.05 HIPAA/Protected Health Information.**

- a) Employees in a telecommuting arrangement must comply with all Calumet County policies and procedures concerning the handling of Protected Health Information, as well as use of computer, internet and email.
- b) Employees will disable devices that use speech recognition to perform an ever-growing range of tasks on command (i.e., Amazon Echo, Alexa, Google Dot) while performing work remotely.
- c) It is expected employees fully review and are familiar with these policies.
- d) Employees will limit consumer's specific information in their possession outside of County offices to that necessary to perform their duties.
- e) The telecommuter's signed Calumet County Employee and General Administrative Policy Manual Acknowledgment Form, Confidentiality and Ethics Agreement, and any other applicable computer, network, and telecommunication laws, rules and permissions remain in full effect while telecommuting.

**5.06 Location.**

- a) Employees telecommuting must have a safe workspace in order to telecommute.
- b) Employees are encouraged to conduct an ergonomic self-evaluation of their telecommuting location.
- c) Employees will work at a designated location as outlined in their telecommuting request.

**5.07 Equipment.**

- a) Departments will work with the Information Technology department to determine, with information supplied by the employee and the supervisor, the appropriate equipment needs for each telecommuting arrangement on a case-by-case basis.
- b) All equipment provided by Calumet County will remain the property of Calumet County.
- c) County property is subject to the same business use restrictions as if located at the organization's on-site work location.
- d) The telecommuter will sign an inventory of all office property and agrees to take appropriate action to protect the items from damage or theft.
- e) Upon termination of employment, all Calumet County property will be returned to the County.
- f) By using County equipment or software, employees agree to follow all software-licensing provisions agreed upon by Calumet County.
- g) Minimum technological resources and equipment required to telecommute:
  - 1) Employee provided computer or laptop with at least 4 GB or RAM, County provided laptop, or County provided Thin Client.
  - 2) Updated anti-virus software on computer (if employee provided computer or laptop, must provide proof of software and recent scan showing no detected viruses).
  - 3) Updated Windows software (i.e., Windows 7, Windows 10 Pro or Home).
  - 4) User access to computer or laptop is password protected and active.
  - 5) Computer or laptop has a firewall enabled.

- 6) Wireless network (SSID) is secured with a passphrase; Wi-Fi Protected Access (WPA) is recommended.
- 7) Minimum of 15 Mbps internet connection recommended.
- 8) Employees must use Citrix Receiver/Workspace App for access to the County network at <https://calcitrix.co.calumet.wi.us>.
- 9) To only access email, users may do so using Webmail at <https://webmail.co.calumet.wi.us>.
- h) The following technological resources and equipment are not permitted:
  - 1) Computers or laptops with operating systems that are not updated (i.e., operating software must be Windows 7 or newer).
  - 2) Computers or laptops that are infected or “hacked” devices on the same network, such as rooted Roku boxes or similar devices.
  - 3) Shared computers or laptops that are not password protected and available to other users.
- i) Employees shall have no expectation of privacy when using County equipment and/or systems and employee’s use and access may be monitored.

**5.08 Liability.**

- a) The County will not be liable for damages to the employee’s property resulting from participation in the telecommuting program.
- b) A designated representative of Calumet County may visit the employee’s telecommuting worksite to conduct an ergonomic assessment and inspect for possible work hazards. Repeat inspections may occur on an as-needed basis.
- c) Injuries sustained by the employee while at his or her telecommuting work location and in conjunction with his or her regular work duties are normally covered under Calumet County Policy workers’ compensation policy.
- d) Telecommuting employees are responsible for notifying the employer of such injuries in accordance with Calumet County policy.
- e) The employee is liable for any injuries sustained by visitors to his or her work location. Employees will not meet with clients and/or visitors conducting business with Calumet County at the employee’s telecommuting location.
- f) By participating in the telecommuting arrangement, the employee agrees to hold the County harmless against all claims including injuries to others at the telecommuting location.

**5.09 Telecommuting Agreement.**

- a) An agreement between the telecommuting employee and the department is required, and will be placed in the employee’s personnel file.
- b) The telecommuting agreement may be modified or terminated any time, with appropriate notice.
- c) Normally, at minimum, a two – week notice should be provided whenever possible in advance of ending or changing the agreement.
- d) Ongoing telecommuting agreements must be renewed annually.

## Chapter Four – Employee Compensation

### SECTION 1 – PAY CHECKS

- 1.01 Pay Schedule.** Employees shall be paid biweekly on alternate Fridays. If a payday is an observed holiday, employees will be paid on the preceding workday.
- 1.02 Direct Deposit.** All employees shall participate in direct deposit for all of their pay through up to three (3) banking institutions of their choosing. Direct Deposit Authorization Forms are available at the Department of Administration.

### SECTION 2 – TIME CARDS

- 2.01 Accuracy.** Each employee is responsible for and required to accurately record their own work time or use of paid time off each work day.
- 2.02 Signing Timecards.** It is the responsibility of the employee to sign the time card indicating the information on the time card is accurate and complete. It is the responsibility of the Department Head or his designee to sign the time card indicating they have reviewed the information and agree the employee be paid as provided by the information on the time card. Time cards for all employees are to be submitted at the times designated by the Finance Department.
- 2.03 Marking Timecards.** Employees shall mark their time cards in tenths (10ths) for the purpose of computing regular hours as follows:

1 - 6 Minutes	----- .1	31 - 36 Minutes	----- .6
7 - 12 Minutes	----- .2	37 - 42 Minutes	----- .7
13 - 18 Minutes	----- .3	43 - 48 Minutes	----- .8
19 - 24 Minutes	----- .4	49 - 54 Minutes	----- .9
25 - 30 Minutes	----- .5	55 - 60 Minutes	----- 1.0

*Example: Work time less than seven (7) minutes is to be marked one tenth (.1); work time between seven (7) and twelve (12) minutes is marked two tenths (.2).*

- a) While PTO accumulates in hundredths of an hour, employees shall continue to mark their timecards in tenths of an hour.
- 2.04 Errors.** Errors on timecards or paychecks must be immediately reported by the employee. Employees should never assume a supervisor or Finance Department would notice or edit any time discrepancy, as this is the employee's responsibility.
- 2.05 Daylight Savings Time.** Employees who are required to work during the change of Daylight Savings Time shall be paid for the hours actually worked.

### SECTION 3 – PAY-OUT UPON TERMINATION

- 3.01** Employees who resign, retire, or are discharged will be paid in full by no later than the date on which the employee regularly would have been paid under the County's established payroll schedule. In case of the death of an employee, the full amount of wages due will be paid to the estate, spouse, children, or other dependent living with such employee at the time of the death.

### SECTION 4 – SALARIES

- 4.01 Employee Wages/Salaries.** Employee salaries shall be determined by classification as set by the Calumet County Classification and Compensation Plan or Collective Bargaining Agreements. No employee shall be paid per diem. The Department of Administration maintains a list of Non-union

Non-Benefit positions that the County Administrator may approve a deviation of up to fifteen percent (15%) of the wage rate, for exceptional circumstances.

**4.02 Exempt Employee Salaries.** The salary paid by Calumet County to salaried employees is specifically intended to compensate for their service to the County. By law, the predetermined amount cannot be reduced because of variations in the quality or quantity of the salaried employee's work. Subject to limited exceptions, an exempt employee receives their full salary for any workweek in which the employee performs any work, regardless of the number of days or hours worked.

**4.03 Job Analysis and Evaluation.** The process of creating a hierarchy that establishes the compensation of each job in the organization and is based on the job's content (such as the skills needed, job duties, and working conditions) or its external market value and not on the abilities of the individual performing the job.

**a) Job Analysis.**

- 1) Department Heads and Supervisors may request a job analysis be performed by Human Resources.
  - i) Request may not be submitted to request a change in salary grade.
  - ii) Request should be submitted in writing to the employee's immediate supervisor and should include the reason for the request and what changes have occurred within the position to warrant a job analysis.
  - iii) Requests must include Department Head approval.
- 2) Human Resources will perform a job analysis of the position and determine if substantial changes have occurred that warrant an update to the job description or a review of the position.

**b) Job Evaluation.**

- 1) If Human Resources determines substantial changes in the position have occurred, a review will occur.
  - i) Job evaluations may be performed internally or submitted to an outside organization for review.
- 2) Upon completion of the job evaluation review, the results will be reviewed with the County Administrator.
  - i) If approved by the County Administrator, the Human Resources Director will forward supervisory-level position evaluations to the Administrative Services Committee for approval.
  - ii) If fiscal impact occurs, County Board approval is required.

**4.04 Position Reclassification.** The reclassification of a position is the reassignment of a position from one pay grade to another to recognize a change in the duties and responsibilities of a position and/or due to market changes for the position. Position reclassifications are determined by the completion of a compensation study or as the result of an approved job analysis. Compensation studies will be conducted based on a schedule determined by the Department of Administration.

**a)** Upon notice of a scheduled compensation study, Department Heads are expected to notify the Department of Administration - Human Resources Division of any positions in their department that experienced a change in duties and responsibilities since the last compensation study.

- b) The Department Head will provide the Human Resources Director with a revised Job Description Questionnaire, recommended job description, and a Justification for Upgrades form.
- c) Reclassification recommendations, as a result of a compensation study, will be evaluated by the Human Resources Director and sent to the County Administrator, for approval. If approved by the County Administrator, the Human Resources Director shall forward it to the Administrative Services Committee for action.
- d) When reclassified to a higher position, an employee's pay shall be changed to a rate of pay in the new salary range which provides at least a two percent (2%) increase, and the pay advancement will proceed from the effective date of the reclassification as provided in the salary schedule.
- e) When reclassified to a lower position, an employee's pay shall be changed to the rate of pay in the new salary range which is closest to the current step without providing a decrease in pay. If the current rate of pay exceeds the maximum rate in the new salary range, the employee will be red-circled.

#### **SECTION 5 – STATUS CHANGES**

**5.01 Employee Transfers.** Whenever an employee transfers to another position, they shall carry with them to the new position any accumulated paid time off, extended leave, or sick leave and vacation benefits (as applicable), as well as any length of service as a County employee for the purposes of earning paid time off. The employee shall remain at the same pay step when transferred, and the pay step advancement shall continue as it did prior to the transfer.

- a) Transferring from Casual or Part-Time to Full-Time. An employee who transfers from part-time to full-time in the same classification will be placed on the same step. An employee who transfers from casual to part-time or full-time in the same classification will be placed at the start step unless a deviation is approved by the County Administrator for exceptional circumstances.
- b) Transferring from Full-time or Part-Time to Casual. A regular employee, who transfers to a casual position, shall terminate his employment prior to starting the casual position. All accrued, paid leave with the exception of PTO and ELB; and sick leave, unless separating employment due to a retirement will be paid to the employee at the time of transfer. PTO and ELB will be converted according to the Post-Employment Health Plan (PEHP) policy.

**5.02 Promotion.** When promoted, an employee's pay shall be increased to the step which provides an increase in the classification, if possible, and the pay advancement will proceed from the date of the promotion as provided in the salary schedule. At the sole discretion of the County Administrator, an employee who is promoted from within may be placed at a rate above, or below, that which is noted above. Said increase shall be effective the first day of the promotion.

**5.03 Demotion.** Demotions, and their respective salary schedule placement, must be approved by the Human Resources Director and reviewed for final authorization by the County Administrator.

**5.04 Temporary Assignment.** A temporary assignment is an assignment for at least two (2) weeks' duration, which requires approval by the Human Resources Director and County Administrator. The Human Resources Director shall recommend to the County Administrator the appropriate rate of pay for the temporary assignment.

#### **SECTION 6 – NON-EXEMPT EMPLOYEE OVERTIME/COMPENSATORY TIME**

**6.01 Overtime.** All reasonable efforts shall be made by departmental supervisors to keep non-exempt employees within their established workweek and to avoid overtime worked by employees.

However, the Department Head may schedule and require overtime work when operational conditions dictate the need for such overtime.

## 6.02 Non-Exempt Employees.

- a) Overtime. For employees who are classified as non-exempt under the FLSA, hours actually worked in excess of forty (40) hours in a workweek (i.e. exclusive of paid time off) shall be paid at the rate of time and one half (1½). Use of paid time off (e.g. PTO, compensatory time, etc.) will not be used in the calculation of overtime. Overtime will be paid in the pay period in which the overtime was earned.
- 1) Holiday Overtime Premium. All non-exempt, hourly employees required to work on a designated holiday will receive compensation at time-and-a-half (1½) their regular rate of pay in addition to their holiday pay.
    - i) Easter. Those Sheriff's Office employees, whose regular schedule of work requires work on Easter Sunday, will be paid time-and-a-half (1½) for those hours actually worked.
  - 2) Highway Department Sunday Overtime Premium. All non-exempt Highway Department employees required to work on a Sunday will be paid at the rate of time-and-a-half (1 ½) their regular rate of pay.
    - i) Hours worked on a Sunday paid at time-and-a-half (1½) do not count toward the required 40 hours necessary to be eligible for overtime or compensatory time (See 6.02 a) 5) below).
  - 3) Employees with variable workweeks, and eligible for the FLSA 207(k) exemption (e.g. Corrections staff), will be paid overtime for all hours worked in excess of the established work cycle.
  - 4) Flex time may be allowed on a straight time basis within the same workweek.
  - 5) There shall be no pyramiding or duplicating of overtime provisions. Hours compensated under one overtime provision shall be excluded from any other overtime provision. When two or more provisions requiring the compensation of overtime rates are applicable, the single provision most favorable to the employees shall apply.
- b) Compensatory Time Off. Employees who earn overtime may receive either pay or compensatory time off. Compensatory time balance shall not exceed sixty (60) hours. Provided the staffing and workload of the department permits, compensatory time off may be taken at a time mutually agreeable to the Department Head and the employee, but said usage shall not cause overtime. Compensatory time balances not taken by the date established by the Department of Administration will be paid out annually by the end of the calendar year. At the time of termination, compensatory time shall be paid out.
- 1) At the sole discretion of the department, accrual of compensatory time may be denied and the employee will then be paid overtime.
- c) Substitution – Sheriff's Office. Sheriff's Office employees assigned to shifts may, at their option, but only with the advanced written approval of their Department Head or designee, substitute for fellow employees in jobs in the same classification without the hours being subject to calculation for overtime provided the Department Head or designee knows of and approves of the substitution. When one employee substitutes for another under this provision of the FLSA, each employee will be credited as if they had worked their normal work schedule for that shift.

## SECTION 7 – TRAVEL TIME

- 7.01** Federal law applies to compensation for travel time required of non-exempt employees. For same day out of town travel, the time spent traveling to and returning from the other city is work time, except that the County may deduct/not count that time the employee would normally spend commuting to their regular work site.

Time spent traveling that keeps an employee away from home overnight is work time when it cuts across the employee's workday, only if the employee is the driver of an automobile to the conference city. It will not be considered hours worked for time spent in travel away from home outside of regular working hours as a passenger on an airplane, train, boat, bus or automobile.

## SECTION 8 – WORK PERFORMED OUTSIDE THE COUNTY WORKPLACE

- 8.01** Generally speaking, non-exempt employees shall perform their duties only at a County worksite. (Examples of an obvious exception to this are those positions which require employees to travel to clients' homes and other similarly situated positions.) Non-exempt employees must receive advanced approval from their Department Head, or designee, for any work performed outside the County workplace. Non-exempt (hourly) employees approved for work outside the County workplace must document and submit their hours, including but not limited to any and all time spent accessing work related emails and other programs and files, according to the pay practices and payroll processing timelines of Calumet County.

## SECTION 9 – EXEMPT EMPLOYEES

- 9.01** **Expectations of Exempt Employees.** Department Heads, supervisors, managers, professionals, and certain computer employees are expected to work a normal full-time workweek and to be available for work requirements, meetings and events outside of normal hours. In return for these services, Department Heads, supervisors, managers and professional employees may occasionally take time off when the workload of their office permits. The County does not formally recognize any compensatory time balances for exempt employees, and it is not the intent of this provision that time off will be on an hour-for-hour basis.
- 9.02** **Exempt Employees with Authority for Overtime.** Exempt employees with authority for overtime are technically excluded from the overtime provisions of the FLSA, but have been granted overtime eligibility for administrative or market-driven purposes. Exempt employees with authority for overtime are granted the ability to earn overtime and/or compensatory time and will accrue benefits as if they were non-exempt employees.
- a) Exempt Employees with Authority for Compensatory Time. Exempt employees with authority for compensatory time are technically excluded from the overtime provisions of the FLSA, but have been granted compensatory time eligibility for administrative or market-driven purposes. Exempt employees with authority for compensatory time are granted the ability to earn compensatory time on an hour-for-hour basis not to exceed the established maximum.
- 9.03** **Improper Deductions from Exempt Employees' Salaries.** If an employee believes that an improper deduction has been made from their salary, they should immediately report this information to the Finance Department.

## SECTION 10 – ALLOWANCES & PREMIUM PAY

- 10.01** **Authorization for Allowances & Pay Premiums.** The Department of Administration maintains a listing of positions authorized to receive the allowances and pay premiums under this section. Any such allowances or premium pays are recommended by the Human Resources Director and

approved by the County Administrator. Approval of the Administrative Services Committee and/or County Board as defined in Chapter 10 Section 8.03.

**10.02 On-Call Policy.** On-call pay has been established to ensure employees in specific classifications are available at any time to respond to after normal business hours emergency situations as they arise.

- a) Authorized Classifications. Any requests for a formal on-call system for individual departments or classifications must be approved by the Human Resources Director and reviewed for final authorization by the County Administrator per 10.01 above.
- b) Department Procedures. The development of, assignment to, duties during, and adjustments to a department's on-call system/rotation will be at the sole discretion of the Department Head. Each department with an on-call system shall submit written on-call procedures to Human Resources outlining their on-call system, including method of compensation allowed within the provisions of this policy.
- c) Restrictions. Employees assigned to on-call are prohibited from responding to any on-call situation while under the influence of alcohol or other substance, which deems them unable to work. It is the employee's responsibility to ensure they are able to respond during an on-call situation. Individual department procedures may outline how an employee may request prior arrangements to switch on-call with another employee, if necessary.
- d) Response Times. Response times to an on-call situation are dependent upon the department. Response time expectations are to be clearly communicated to employees assigned to on-call within the individual department's on-call procedures.
- e) Call-in Pay. All non-exempt employees on-call outside of regular work hours and required to report to work shall be compensated for a minimum of two (2) hours pay or for the actual number of hours worked (whichever is greater) at straight time, or pay at the applicable overtime rate, if applicable, for each call in. Employees may be required to work the full two hours.
  - 1) An employee shall not receive additional pay for call-ins received or made concerning the same or unrelated matters within two (2) hours of the time that the employee received the first call. Call-in pay shall not apply if extending a day shift into the evening or starting a day shift early in the morning and extending into the employee's scheduled day shift.

**10.03 Law Enforcement Clothing Allowance.** The Sheriff; regular, sworn, non-union Sheriff's Office employees; Jail Administrator and Correctional Officers will receive the established allowance for uniforms, laundry and clothing. If an employee leaves County employment prior to the payment of the Allowance, they shall not be eligible for payment. All employees shall be responsible for maintaining their uniforms and all equipment in good working order and in good condition. If the Sheriff, or his designee, determines that an article of clothing is not in good condition, the employee shall be required to replace the article of clothing. Articles of clothing or required equipment damaged beyond repair in the line of duty will be replaced by the County. Such uniforms shall be as prescribed by the Sheriff.

- a) All other employees may wear uniforms upon the approval of the Sheriff, but are not eligible for a clothing allowance.

## **SECTION 11 – CONFERENCE, SEMINARS, TRAINING, TOURS - REIMBURSEMENT**

**11.01 Approval.** Elected Officials, Department Heads and staff may attend conventions, seminars, training and tours, provided it is related to the employee's job, and approved in the Department's budget. If funds are not available, approval must be obtained from the County Administrator. If the

travel will overdraw the budget, approval must also be obtained from the Administrative Services Committee.

**11.02 Reimbursement for Expenses.** Calumet County will reimburse employees for expenses incurred for approved travel, conventions, seminars, training and tours. Employees shall be reimbursed with the second payroll of each month following the month expenses were incurred, unless otherwise noted. In order to receive reimbursement, employees must submit a "Statement of Expenses Incurred for the County of Calumet" to the Finance Department no later than the sixth (6<sup>th</sup>) of the month following the month expenses were incurred.

- a) Lodging. Approved lodging should be reserved in the name of Calumet County by the use of credit card or purchase order. The use of the County credit card shall be through the Finance Department only. If a request for a registration check is not submitted timely to the Finance Department, the employee shall pay the cost of the registration and include that cost in the monthly statement of expenses. Employees shall pay the difference between single and double rates if lodging is shared with a non-County employee.
- b) Mileage. Employees authorized to drive for County business shall hold a valid driver's license and shall observe all traffic laws and vehicle safety rules. Authorized use of an employee's automobile for County business shall be reimbursed at the rate set by the Internal Revenue Service. Contact the Finance Department for the current rate. The employee shall use the most direct route possible. Distance shall be computed from the employee's primary residence or work location, as circumstances warrant. If an employee drives a personal vehicle for County business they shall be required to carry the following limits of coverage:

- \$100,000 per person
- \$300,000 per accident Bodily Injury
- \$ 50,000 per accident Property Damage, or
- \$300,000 Combined Single Limit

Failure to comply may result in the employee forfeiting any claim for reimbursement, not being authorized to drive for the County, and may result in discipline, up to and including discharge, for failure to perform assigned duties.

While the limits of coverage listed above are required amounts, the County recommends the following limits of coverage:

- \$500,000 per person
- \$500,000 per accident Bodily Injury
- \$ 50,000 per accident Property Damage, or
- \$500,000 Combined Single Limit

- 1) Mileage computation for all business travel that commences during non-business hours shall use the point of origin.
- 2) Mileage computation for all business travel that commences during business hours shall use the employee's work place or point of origin, whichever is less.
- 3) For trips that commence and terminate during non-business hours, the actual point of origin shall be used to compute mileage.
- 4) The County shall make no reimbursement, other than the per mile reimbursement specified above, to employees who use their private vehicles in the conduct of County business.

- 5) If traveling by bus or other means of transportation, the appropriate fare will be paid by the County.
  - 6) If a Department has a vehicle, or vehicles, within the Department and an employee attends a training or seminar, that vehicle should be used, if available, rather than using a personal vehicle and charging mileage.
  - 7) Employees who travel for County business are required to car pool whenever possible and practical. Only the driver is eligible to be reimbursed for mileage.
- c) Meals. Employees will be reimbursed for meals:
- 1) If the County is hosting a district meeting or similar event in the County.
  - 2) The employee is attending an approved, conference, seminar, training, or tour.
  - 3) For meals in the County if approved as provided above.
  - 4) Meal Reimbursement shall be as follows:
    - i) A maximum of \$50 per day, including tax and tip.
    - ii) If meals are included in the registration fee, the County will pay the entire cost. Meals included in the registration fee are not reimbursable.
    - iii) If meal maximums are not reached on one day, the excess amount does not accrue and cannot be applied to meals on another day or to other costs incurred.
    - iv) No reimbursement shall be made for the cost of alcoholic beverages.
    - v) It will be necessary to have a receipt for meals in excess of five dollars (\$5.00). An itemized receipt is preferred.
- d) Parking. Reasonable and necessary parking fees will be reimbursed when an employee is required to travel. If possible, a receipt shall accompany the request for payment.
- e) Registration. The County will pay in advance for registration if attendance is approved as provided in this Section. If a request for a registration check is not submitted timely to the Finance Department, the employee shall pay the cost of the registration and include that cost in the monthly statement of expenses.
- f) Approval. Department Heads, or designee, shall sign and approve all expense vouchers of their employees prior to submitting the voucher to the Finance Department. Expense vouchers shall include only expenses incurred prior to the end of the preceding month and shall be submitted monthly.
- g) Transportation -
- 1) *Air Travel* -The most economical means of transportation shall be used in all cases unless travel time is a factor. In that case, special consideration will be given to approval of airfare. Travel by plane shall be at coach rate and airline tickets shall be purchased in advance so as to achieve the lowest possible fare. If a fare requires additional nights of lodging and additional meals, these extra expenses and the value of lost work time shall be weighed against the airfare and the most economical choice shall be made. An itemized receipt shall accompany the request for payment.
  - 2) *Auto Rental* -The most economical means of transportation shall be used in all cases unless travel time is a factor. Auto rental shall be made only if less expensive than other forms of land transportation or if other forms of transportation would

prove unreasonable from a time and use perspective. Only the reasonable cost of compact or subcompact models is reimbursable, unless prior approval is obtained from the County Administrator. An itemized receipt shall accompany the request for payment.

- 3) Use of both air travel and auto rental on the same trip should be avoided to keep costs economical. In the unlikely event air travel and auto rental are deemed necessary, prior approval is required from the County Administrator.

#### **SECTION 12 – MEMBERSHIP IN STATE OR NATIONAL ORGANIZATIONS**

- 12.01** Memberships to local, state or national organizations may be reimbursed by the County provided it is relevant to the employee's position, approved by the Department Head, and is budgeted.

#### **SECTION 13 – PROFESSIONAL LICENSURE AND CERTIFICATION FEES**

- 13.01** Fees for Professional Licensure may be reimbursed by the County provided it is required for the employee's position, excluding casual employees, and is budgeted.
- 13.02** Fees for Professional Certification may be reimbursed by the County provided it is relevant to the employee's positions, approved by the Department Head, and is budgeted.

## Chapter Five – Time Off / Leaves of Absence

### SECTION 1 – ATTENDANCE

- 1.01** The County places great emphasis on good attendance. Absence or tardiness places an extra burden on co-workers and undermines the efficient operation of the County. Regular attendance is expected of every employee. It is each employee's responsibility to be on the job, on time each day, and fully able and ready to work. Although there are justifiable reasons to take time off from work, each employee's employment assumes their availability for work. Employees are expected to arrive at work on time, return from rest breaks and lunch breaks on time and to work until the job is completed or the employee is relieved from duty.

### SECTION 2 – UNSCHEDULED ABSENCES

- 2.01** When an employee is calling in for an unscheduled absence, the employee must report the need for same at least one (1) hour before the start of the work day or shift, in a manner approved by their Department Head or designee, except in cases of emergency or development of an illness during work hours. An employee will use PTO leave for the first three (3) days of any absence due to illness or injury.

Excessive unscheduled absences, patterns of tardiness or absenteeism, chronic absenteeism or tardiness may lead to discipline, including discharge, and may also be taken into consideration when the County reviews each employee for wage changes or promotion.

### SECTION 3 – HOLIDAYS

- 3.01** Official holidays shall be determined by the Department of Administration each year for the following year. In scheduling holidays, to the extent possible, if the holiday falls on a Saturday, the preceding regular workday shall be observed as the holiday, and when a holiday falls on a Sunday, the following Monday shall be observed as the holiday. The Department of Administration may designate exceptions to the scheduling of official holidays for Departments/Divisions based upon work schedules of the employees and department needs. The following are the official holidays for Calumet County employees, and holidays that the Calumet County Courthouse is closed for business to the public:

- New Year's Day
- Friday before Easter
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Eve
- Christmas Day
- New Year's Eve

- a)** Exempt employees who are required to work on a holiday will not be required to use PTO for the holiday.
- b)** Non-exempt Sheriff's Office Jail and Dispatch employees and HHC/Hospice Nursing Staff who are required to work on a holiday will not be required to use PTO for the holiday. If the employee only works a portion of a holiday, they will be required to use the amount of PTO to equal a full workday.
- c)** It is the responsibility of the Department Head or his designee to report to the Finance Department, by no later than the due date for time card submission, the names of the employees who have worked and are not required to use PTO for the holiday.

### SECTION 4 – PAID TIME OFF (PTO) & EXTENDED LEAVE BANK (ELB) POLICIES

**4.01 Purpose.** The purpose of the Paid Time Off (PTO) plan is to provide employees a flexible means of accruing and utilizing paid leave. PTO includes all paid leave, with the exception of jury duty, military leave and compensatory time, and can be utilized for any purpose, subject only to necessary request and approval procedures consistent with County policies.

**4.02 Calculation.** Employees earn PTO for every pay period based upon the number of hours (excluding overtime hours) that an employee is paid during the pay period or a regular accrual amount dependent on the employee’s classification. The payroll hours are tied to a multiplier, based upon years of service, and a new accrual amount is added to an employee’s balance each pay period. The following are the multipliers to be used:

Multiplier Level	Years Of Continuous Service	Multiplier Used
Level 1	Less than 2	0.099
Level 2	After 2 Years	0.118
Level 3	After 6 Years	0.138
Level 4	After 14 Years	0.157
Level 5	After 21 Years	0.176

- a) Movement to Higher Multiplier. When the employee’s length of service reaches the next higher rate of accrual, accrual at the new rate shall begin on the first day of the pay period following the date of eligibility.
- b) Coordination with Payroll Software. In order to accurately accrue and track PTO in the County’s payroll system, a full-time employee’s PTO is calculated by multiplying the employee’s average annual hours worked (e.g. 1948, 1957.2 or 2086.8) by the multiplier noted above and then dividing by twenty-six (26). Part-time employees’ PTO is calculated similarly, but at a pro-rated amount.
- c) If an employee’s full-time equivalency (FTE) falls below 50% in a pay period, they will not earn PTO for that pay period.

**4.03 Newly Hired Employees.** Newly hired employees will be credited with PTO immediately upon hire, and newly hired part-time employees will be credited with the pro-rated portion of PTO based on their expected percentage of full-time employment at the time of hire. The credited PTO at the time of hire is as follows:

Multiplier Level	Amount of PTO Credited at Hire
Level 1	6.0 Days
Level 2	6.5 Days
Level 3	7.5 Days
Level 4	8.5 Days
Level 5	9.5 Days

**4.04 Part-Time Employee Eligibility.** Part-Time employees working 50% or more Full-Time Equivalency (FTE) in a pay period will be eligible to accrue PTO.

**4.05 Accrual Limits.** An employee’s accrued PTO shall not exceed three hundred and twenty-five (325) hours at any given time. If at any time the total number of accrued PTO hours is in excess of the three hundred and twenty-five (325) hours the excess hours are lost, and the employee’s PTO bank remains at three hundred and twenty-five (325) hours.

- 4.06 Extended Leave Bank (ELB).** The Extended Leave Bank (ELB) is a bank of time separate from PTO that is intended for use in situations where the employee is absent from work due to medical necessity lasting more than three (3) days, or for events qualifying under the Family and Medical Leave Act (FMLA). An employee will be required to use PTO leave for the first three (3) days of any FMLA qualifying leave including, but not limited to, intermittent leaves.
- 4.07 Extended Leave Bank Accrual Limits.** An employee's accrual in the ELB may not exceed one-thousand two-hundred and fifty hours (1,250) hours.
- 4.08 Scheduled Absences.** Employees shall be allowed to use PTO as requested provided that supervisory approval is received.
- 4.09 Coordination with FMLA, Leaves of Absence & Worker's Compensation.** The County reserves the right to require substitution of paid leave, subject to any legal restrictions.
- 4.10 Holidays.** PTO must be utilized on an official County holiday regardless of whether or not it's worked. See Chapter 5, Section 3 – Holidays for exceptions.
- 4.11 Part-Time Employee Utilization of PTO.** The minimum number of hours that a part-time employee must record when taking a "day off" from work (e.g. holiday or a full-day of vacation) is their workday multiplied by their budgeted FTE (pro-ration for employees with a variable work schedule). A part-time employee will be allowed to take up to a full workday in PTO when taking a day off from work. With the exception of holidays, part-time employees may only take PTO on days that they would have normally been scheduled to work.
- a) Prorated Employees' PTO Amount. Home Healthcare/Hospice Aides who are prorated in July of each year shall start using the new PTO pro-ration effective August 1 of each year.
- 4.12 Unpaid Leave.** With the exception of qualified FMLA leave, unpaid leave may not be taken until such time that paid leave banks have been exhausted. At no point will an employee's PTO balance be allowed to fall below zero. Should this happen, the employee will immediately revert to unpaid time, and if this occurs without the prior authorization of the Department Head, the employee may be subject to disciplinary action.
- 4.13 Annual PTO Options.** Each employee must complete a PTO Distribution Form in November of each year by the date specified by the Department of Administration. The PTO Distribution Form includes hours allocated for Transfer to the ELB, Annual Transfer to the Post-Employment Health Plan (PEHP) Account, or Carry Forward.
- a) Transfer to the ELB. All eligible employees may elect to have up to two hundred (200) hours transferred from their PTO bank to their ELB account each calendar year. Any hours transferred in excess of the maximum ELB accrual limit will be converted to the PEHP Account according to PEHP Policy.
- b) Annual Transfer to the PEHP Account. All eligible employees may elect a PTO transfer which cannot exceed seventy-five (75) hours each calendar year. Said transfer will be made to the employee's PEHP account. Said transfer occurs only once per year, and is processed at the employee's current rate of pay as of December 1<sup>st</sup> of that year.
- c) Carry Forward. Any remaining PTO hours will automatically be carried forward into the New Year.
- 4.14 Retirement**
- a) PTO Conversion at Retirement. Employees leaving Calumet County employment due to retirement will have their PTO bank converted to their PEHP account at their rate of pay as of their retirement date.

- b) ELB Conversion at Retirement. Eligible employees will receive a contribution into their PEHP account based on the hours in their ELB.
- 4.15 **Death**. All accumulated unused PTO and ELB for which the employee may have otherwise been eligible will be transferred to the PEHP account.
- 4.16 **Disability**. Employees leaving Calumet County employment due to disability (as defined in Social Security regulations) will receive a contribution of all accumulated unused PTO and ELB for which the employee may have otherwise been eligible into their PEHP account.
- 4.17 **Termination**. Employees leaving Calumet County employment will receive a PTO conversion contribution into their PEHP account. Termination without proper notice will result in the forfeiture of the contribution to the PEHP as described herein.
- 4.18 **Transferability**. The PTO bank and the ELB bank are not transferable, and employees may not donate PTO or ELB time to a third party.
- 4.19 **Elected Officials**. Elected Officials are not eligible for PTO, and do not accrue hours into a PTO bank or an ELB. Employees who are elected to any office of Calumet County will be administratively terminated at the end of the day preceding the day that they assume elected office. Under such termination, such employees will be entitled to the same termination benefit as employees who voluntarily resign or retire with proper notice. Administratively terminated employees are not eligible for any special reemployment rights following the completion of their term of office in an elected position.
- 4.20 **Paid Time Off Scheduling**. It will be left up to each department to establish procedures to ensure that paid time off and vacation requests are processed in a fair and equitable manner, with first consideration to be given to the efficient operation of the Department.

## SECTION 5 – LEAVES OF ABSENCE

### 5.01 Absence Due to Illness

- a) Medical/Dental Appointments. Employees should give the Department Head five (5) working days' advance notice of medical/dental appointments except when emergency conditions prevail.
- b) Physician's Statements/Certification. Notwithstanding any requirements under the FMLA policies, employees absent from work due to an unscheduled absence, extended leave, or are claiming sick leave the County may require a physician's certification of the employee's illness.
- c) Return to Work. The County "Return to Work" form may be required prior to returning to work if the employee is absent from work due to medical reasons for more than three (3) consecutive workdays. When the "Return to Work" Form is presented to the physician, the County "Job Assessment" Form and the job description shall be included, so that the physician can determine whether the employee is capable of returning to work. If employees have been incapacitated for a major portion of the unscheduled absence, extended leave, or sick leave time taken, they may be required to provide evidence of being physically, mentally and emotionally able to perform their duties before returning to work including, but not limited to the "Return to Work" form.
- d) Unpaid Status. Employees, if in an unpaid status, desiring to continue health insurance coverage during the leave shall pay the premiums in advance of the leave.
- e) Notice. The employee shall give notice to the Department Head, or designee, at the earliest possible time, preferably one (1) hour before the start of the work day or shift, except in cases of emergency or development of the illness during work hours. Failure to make a

diligent effort to give such notice may result in disciplinary action, payroll deduction for the time taken, or both.

- f) Excessive Unscheduled Absences / Abuse of Sick Leave. Excessive unscheduled absences, extended leaves, or claiming sick leave when physically fit or when not otherwise eligible for sick leave, within the provisions of policy or collective bargaining agreement may be cause for disciplinary action including cancellation of leave benefits, suspension, demotion or termination. If unscheduled absences, extended leaves, or sick leave are deemed excessive by the Department Head and Human Resources Director, or if at any time management has reason to question whether an employee has a serious health condition or other qualifying event for sick or family leave absence, the County reserves the right to require medical documentation including, but not limited to, physician's certification and "Return to Work" authorization.
- g) Work time during which the employee is a full-time or a qualifying part-time employee is the only time, which will count toward leave eligibility and benefits. In no case will payment be made for accrued sick leave time as a vested right except as used while an employee and for a bona fide sick leave purpose.

**5.02 Benefits While on Leave.** There is no accrual of benefits during approved leaves of absence, unless leave is paid by substitution of accrued leave benefits.

**5.03 Funerals/Holidays While on Unpaid Leave.** When an employee is on an unpaid leave and a funeral or holiday occurs during the leave, it will be unpaid.

#### **SECTION 6 – WISCONSIN FMLA**

**6.01** Wisconsin law allows employees who have worked at least one thousand (1,000 hours) in the past twelve (12) months to take the following leaves in a calendar year.

- a) Duration/Reasons of Leave.
  - 1) Up to six (6) weeks of family leave for the birth or adoption of a child.
  - 2) Up to two (2) weeks of family leave to care for a child, spouse, parent, or spouse's parent suffering from a serious health condition.
  - 3) Up to two (2) weeks of medical leave for an employee to care for his own serious health condition which renders him unable to work.
- b) Intermittent/Reduced Schedule Leave. Intermittent or reduced schedule leave may be granted for birth, adoption or foster care only if the County agrees, and for a serious health condition of either the employee or their family member when medically necessary.
- c) Use of Paid/Unpaid Time. Employee has the option to use paid time bank(s), if available.
- d) Coordination with Federal FMLA Policy. Except where noted otherwise, the requirements noted below for Federal FMLA shall apply to the application and usage of Wisconsin FMLA.

#### **SECTION 7 – FEDERAL FAMILY AND MEDICAL LEAVE ACT OF 1993 (FMLA)**

**7.01** In accordance with the Federal Family and Medical Leave Act of 1993 (FMLA), employees who have worked for the County for at least 12 months and have worked at least 1,250 hours during the past 12 months, are entitled to the benefits provided by the Family and Medical Leave Act.

- a) Reasons for Leave. Under the federal FMLA, an eligible employee may take up to 12 weeks of non-paid, job-protected leave during a 12-month period for the following reasons:
  - 1) Upon the birth of an employee's child;

- 2) Upon the placement of a child for adoption or foster care with an employee
  - 3) When an employee is needed to care for a spouse, child (restricted to children under age 18 unless incapable of self-care because of physical or mental disability); or parent who has a serious health condition; or
  - 4) When an employee is unable to perform at least one of the essential functions of their position because of the employee's own serious health condition.
  - 5) In situations of qualifying exigency to be with an employee's spouse, parent or child if said person is a military member on covered active duty, or has been called to covered active duty status (or has been notified of an impending call or ordered to covered active duty). Qualifying Exigencies are:
    - i) Short-notice deployment,
    - ii) Military events and related activities,
    - iii) Childcare and school activities,
    - iv) Financial and legal arrangements,
    - v) Counseling,
    - vi) Rest and recuperation,
    - vii) Post-deployment activities, and
    - viii) Additional activities where the County and employee agree to the leave.
  - 6) For the care of an injured service member if the service member is the employee's spouse, child, parent, or "next of kin". This type of FMLA can be elected once to be taken for up to 26 weeks in a 12-month period.
- b) Qualified Exigency.** Eligible employees with a spouse, son, daughter, or parent on covered active duty or called to active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.
- c) Care for an Injured Service member.** Eligible employees may also take up to 26 weeks of leave to care for a covered service member during a single 12-month period or a covered veteran who is undergoing medical treatment, recuperation or therapy for a serious injury or illness.
- 1) A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty. The injury or illness may make the service member medically unfit to perform their duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.
  - 2) A covered veteran is an individual who was a member of the Armed Forces including a member of the National Guard or Reserves, and was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran. The injury or illness must have been incurred by the member in

the line of duty on active duty in the Armed forces or existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces and manifested itself before or after the member became a veteran and meets one of three conditions as set forth in 29 CFR 825.127 (c)(2) i. – iii.

**d) Definitions for the Purposes of Leave Under FMLA.**

- 1) Covered active duty or call to covered active duty status:
  - i) For a member of the Regular Armed Forces means duty during the deployment of the member with the Armed Forces to a foreign country. The active duty orders of a member with the Armed Forces will generally specify if the member is deployed to a foreign country.
  - ii) For a member of the Reserve components of the Armed Forces means duty during the deployment of the member with the Armed Forces to a foreign country under a Federal call or order to active duty in support of a contingency operation pursuant to Unites States Code.
- 2) Son or Daughter refers to a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing 'in loco parentis'.
- 3) Spouse refers to a husband or wife as defined or recognized under state law for purposes of marriage under the state where the employee resides, including common law marriages in states where it is recognized.
- 4) "Serious health condition" is defined as an illness, injury, impairment or physical or mental condition that involves:
  - i) Incapacity or treatment connected with in-patient care (overnight stay) in a hospital, hospice or residential medical care facility, including any period of incapacity, or any subsequent treatment in connection with such inpatient care; or
  - ii) Continuing treatment by a health care provider which includes one or more of the following:
    - (1) A period of incapacity lasting more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also includes:
      - treatment two or more times by or under the supervision of a health care provider (i.e., in-person visits, the first within 7 days of the first day of incapacity and both within 30 days of the first day of incapacity); or
      - one treatment by a health care provider (i.e., an in-person visit within 7 days of the first day of incapacity) with a continuing regimen of treatment (e.g., prescription medication, physical therapy); or
  - iii) Any period of incapacity related to pregnancy or for prenatal care. A visit to the health care provider is not necessary for each absence; or
  - iv) Any period of incapacity or treatment for a chronic serious health condition which continues over an extended period of time, requires periodic visits (at least twice a year) to a health care provider, and may involve occasional

episodes of incapacity. A visit to a health care provider is not necessary for each absence; or

- v) A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective. Only supervision by a health care provider is required, rather than active treatment; or
  - vi) Any absences to receive multiple treatments for restorative surgery or for a condition that would likely result in a period of incapacity of more than three days if not treated.
- 5) For the care of a covered injured service member, this is defined as a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in an outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.
- i) "Serious illness or injury," in turn, is defined as a condition that may render the service member "medically unfit to perform the duties of the member's office, grade, rank, or rating."
- 6) "Next of Kin" is defined as the "nearest blood relative". If person has no spouse, their closest adult relative, usually a parent or an oldest sibling, but occasionally an adult child will be designated as "next of kin". However, there are people without any close adult relatives and Next of Kin could be a first cousin, aunt, uncle, or grandparent.
- 7) "12 month period" is defined as a calendar year. This allows an employee to use another full 12 weeks at the start of a new 12-month period, regardless of how much FML the employee has used in the preceding 12 months.

e) FMLA Intermittent or Reduced Leave.

- 1) When it is medically necessary, employees may be entitled to take leave intermittently or on a reduced leave schedule. Intermittent or a reduced schedule leave must be scheduled so as not to unduly disrupt the County's operation.
- 2) Employees with an approved or pending intermittent leave, and have a planned absence, will be required to report that absence to the appropriate County representative 30 days prior to the absence if possible. If 30 days' notice is not possible employees must report the absence in a timely manner. Employees must also report that absence to FMLASource®.
- 3) Calling in "sick" does not qualify as FMLA leave. An employee must provide sufficient information regarding the reason for an absence for the County to know that protection may exist under this policy. Failure to provide this information as requested will result in the employee's forfeiting all rights under the policy. This means the absence may then be counted against the employee for purposes of discipline for attendance, etc.
  - i) Procedure. When calling in "sick", and said time is part of an intermittent leave, the employee shall call both their immediate supervisor, or designee, and FMLASource®. Failure to follow this procedure may result in disciplinary action.
- 4) The County may temporarily transfer an employee to an available alternative position with equivalent pay, benefits and working conditions if the alternative

position would better accommodate the intermittent or reduced schedule for leave for the employee or employee's family member that is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth, or placement for adoption or foster care.

- 5) When leave is taken after the birth or placement of a child for adoption or foster care, an employee may take leave intermittently or on a reduced leave schedule only after receiving County approval. Leave for the birth of a child and newborn care, or placement for adoption or foster care, must conclude within twelve months of the date of birth or placement.
- f) Light Duty. Time spent in "light duty" work does not count against an employee's FMLA leave entitlement, and the employee's right to job restoration is held in abeyance during the light duty period.
- g) FMLA Spouses.
- 1) Spouses who are both eligible for FMLA leave and are both employed by the County are limited to a combined total of 12 weeks of leave during a 12-month period for (1) the birth of a child or to care for the child after birth; or (2) for the placement of a son or daughter with the employee for adoption or foster care, or to care for the child after placement.
  - 2) Spouses who are both eligible for FMLA leave and are both employed by the County are each eligible to take 12 weeks of leave for their own serious health condition or to care for a child or spouse who has a serious health condition. However, the total leave for an employee cannot exceed 12 weeks in a 12-month period.
- h) Use of Paid Leave for FMLA Purposes.
- 1) Employees on an approved qualified FMLA leave of absence:
    - i) Eligible for a Short-term Disability Insurance benefit:
      - (1) Day 1- 14: Employee has the option to use paid time bank(s), if available, for first two (2) weeks of leave.
      - (2) Day 15+: Short-term Disability Insurance benefit pays 60% of W2 earnings plus the employee has the option to use Sick Leave/Extended Leave Bank (ELB) up to one-hundred percent (100%) pre-disability earnings. Any Sick Leave or ELB time taken will offset short-term disability benefits not to exceed one-hundred percent (100%) pre-disability earnings. If employee has no Sick Leave or ELB time, the employee has the option to use up to two (2) days of PTO or vacation time per week in additional to Short-term Disability Insurance to reach up to one-hundred percent (100%) of pay per week.
    - ii) Not eligible for Short-term Disability Insurance benefit:
      - (1) Employee has the option to use paid time bank(s) if available.
  - 2) Paid time off and Worker's Compensation will run concurrently with FMLA.
  - 3) Paid or unpaid time off that continues beyond the 12 weeks of FMLA leave is not job-protected.

- 4) During an employee's FMLA leave, medical, dental, vision, life insurance, long term disability, and short term disability coverage (as applicable) will continue at the same level of coverage in place prior to the leave. Premium deductions will continue for any period where paid leave banks are being used.
- 5) If at any time during an employee's leave they are not receiving pay, benefits will not be terminated. Employees will be contacted and arrangements will be made to repay the missed deductions and the process for doing so.
- 6) If employees do not return from a leave of absence, they will be contacted to make arrangements to repay any missed deductions. As allowed by law, the County will terminate benefits retroactively to midnight the last day of the pay period through which employees had premiums deducted from their paycheck if they choose not to repay their missed deductions, or fail to pay those missed deductions in a timely manner.

i) Requirements for Taking a FMLA Leave of Absence.

- 1) Employees may request a FMLA leave of absence by making the request to FMLASource® via the toll free number or online at [www.FMLASource.com](http://www.FMLASource.com). Employees must give notice of the need for a leave of absence at least thirty (30) days before any foreseeable leave. If thirty (30) days' notice is not practicable because of an emergency or other circumstance, the leave should be requested as soon as possible (within two business days of learning of the need for leave).
- 2) After notification to the employee's supervisor employees must call FMLASource® to report the circumstances of their leave. FMLASource® will provide the employee with applicable forms and information about their rights and responsibilities under the FMLA.
- 3) To request a leave for a serious health condition, employees will be required to submit information from an appropriate health care provider confirming the existence of the serious health condition and other relevant information. FMLASource® will provide the employee with a Medical Certification of Health Care Provider form for this certification. A certification form will also be required for intermittent medical treatment or continuous leave.
- 4) Periodic reports and additional physician certifications may also be required during a leave. The County may, at its own expense, require a second (or third) opinion regarding a medical certification. If employees fail to provide timely certifications, the leave request may be delayed or denied.
- 5) For a serious health condition of an employee's family member, a medical certification about the needed care for the family member, information about the care of the family member and an estimate of the time needed must be provided from the eligible family member's physician.
- 6) For care of an injured service member, a medical certification about the needed care for the service member, information about the care of the service member, relationship to the service member, and an estimate of time needed must be provided from the service member's physician.
- 7) For a qualifying exigency, a copy of the service member's orders will be necessary to prove the active duty status or impending call to active duty status in support of a contingency operation. In addition, an estimate of time needed must be provided by the employee.

- j) Returning from FMLA.
- 1) In order to return to work from an approved FMLA leave due to an employee's own health condition, they will be required to provide a Calumet County return to work form or "fitness for duty" certification from their health care provider stating they are able to resume the major and essential functions of the job. Fitness for duty certification may be requested for an intermittent leave if reasonable safety concerns exist.
  - 2) If an employee returns from leave at its expiration, they will be returned to the same or equivalent position unless they fail to provide a release to return to work. Upon restoration, benefits will be resumed in the same manner and at the same levels as provided when the leave began, subject to any changes that took place while the employee was on FMLA leave. Performance evaluation dates will not be adjusted as a result of the leave of absence.
  - 3) The County has the right under FMLA to deny job restoration to certain "key employees" under certain circumstances, if necessary to prevent substantial and grievous economic injury to the County operations. "Key employees" are salaried employees who are among the highest paid 10 percent of all employees within 75 miles of the eligible employee's worksite. To deny job restoration to a key employee, The County will notify the employee of their status as a key employee and will provide all other information required by law.
- k) Maximum Leave of Absence and Termination of Employment. If an employee fails to return to work on the first day after their FMLA leave or authorized expires, termination can occur. Job restoration is guaranteed for up to 12-weeks of FMLA leave, except under circumstances provided by law. Any extension of job restoration beyond 12 weeks will be based on relevant factors including the length of the needed extension and business needs.
- l) Employment While Out on Leave. An employee's inability to perform job duties while out on Family Medical Leave (FMLA) or any other authorized leave of absence for the County, is assumed to extend to any other job duties the employee may have outside of the County employment as indicated in the employee's medical certification. Employees who have a disability under the American with Disabilities Act (ADA) may be provided reasonable accommodations or extensions of leave and should contact Human Resources. If an employee is not on an approved FMLA leave or gives a false or non-validated reason for a leave of absence, termination of employment can occur.

## **SECTION 8 – NON-QUALIFIED FAMILY MEDICAL LEAVE**

**8.01** Employees on a non-qualified family medical leave of absence:

- a) Eligible for a Short-term Disability Insurance benefit:
- 1) Day 1-14: Employee is required to use paid time bank(s), if available, for the first two (2) weeks of leave.
  - 2) Day 15+: Short-term Disability Insurance benefit pays 60% of W2 earnings plus employee is required to use paid time off bank(s) up to one-hundred percent (100%) pre-disability earnings. Any Sick Leave or Extended Leave Bank (ELB) time taken will offset short-term disability benefits not to exceed one-hundred percent (100%) pre-disability earnings. If employee has no Sick Leave or ELB time, the employee is required to use up to two (2) days of PTO or vacation time per week in additional to Short-term Disability Insurance to reach up to one-hundred percent (100%) of pay per week.

b) Not eligible for a short-term disability insurance benefit:

- 1) Employee is required to use paid time bank(s) before taking unpaid time.

**SECTION 9 – PERSONAL LEAVE WITHOUT SHORT-TERM DISABILITY INSURANCE**

**9.01** An “Employee Request for Leave” Form for all personal leaves shall be completed and sent to the Department of Administration to be placed in the medical file.

- a) Unpaid Leave – Short-Term. If an employee does not have vacation, PTO, or compensatory time, the Department Head may grant up to two (2) days for personal leave without pay. If a personal emergency occurs during the workday, employees shall make a reasonable attempt to contact their Department Head or supervisor before leaving work.
- b) Unpaid Leave – Long-Term. Employees in need of leave without pay for justifiable reasons longer than two (2) days and for up to six (6) months, shall make application for such leave to the Department Head by completing the “Employee Request For Leave” Form. The Department Head and Human Resources Director shall review the form and, if the Department Head concurs, make an appropriate response in writing.
- c) Insurance During Unpaid Leave. Employees on leaves not covered by the terms of the Wisconsin Family Leave Act or the Federal Family and Medical Leave Act, and who wish to continue insurance coverage during the long term medical leave, will be required, in advance, to contribute the full premium for group insurance.
- d) No unpaid leave of absence shall be granted until such time that an employee has utilized all applicable paid leave time.

**SECTION 10 – MILITARY LEAVE**

**10.01** In the event an employee is drafted or volunteers for the Armed Services, they shall be granted full leave without pay provided they return to work within ninety (90) days of the date of separation from active duty. In the event an employee is drafted or volunteers for a national or state emergency, he shall be granted full leave without pay provided he returns to work within thirty (30) days of the date of separation from active duty. In all instances, Calumet County will comply with the requirements of the Uniformed Services Employment and Reemployment Rights Act (USERRA).

**SECTION 11 – JURY DUTY LEAVE**

**11.01** During any period of jury service, the employee will receive pay from the County equal to his regular hours of service, not to exceed his normally scheduled hours for the day. All compensation fees received by the employee shall be given to the County Treasurer, who will cash the check, retain the portion of the check representing per diem payments, and give the employee the mileage and meal reimbursement portions of the check. An employee is expected to return to his regular job if released early. Overtime pay will not be allowed for such leave. Employees, at their option, may use paid time off for a day of jury duty and thereby retain the jury pay as well as full pay for the day(s).

**SECTION 12 – SUBPOENA LEAVE**

**12.01** If subpoenaed for County business reasons, the nonexempt employee will receive pay for his regular hours of work and any other hours for which he may be required to testify outside his normal working hours. An exempt employee will receive his regular workday pay. All compensation fees received by the employee shall be given to the County Treasurer. An employee is expected to return to his regular job if released early. If subpoenaed for personal business, the conditions stated above do not apply. Arrangements must be made to attend to these matters on an employee’s own time or use paid or unpaid time off.

## SECTION 13 – BONE MARROW AND ORGAN DONATION

- 13.01 Purpose.** Bone marrow and organ donation leave is available to employees as specified below. The intent of this Policy is to comply with the Wisconsin Bone Marrow and Organ Donor Leave Law (WDLA). Should this policy conflict in any way with the applicable federal and state statutes or regulations, the statutes, or regulations will control.
- 13.02 Eligibility.** Employees who have been employed by the County for fifty-two (52) consecutive weeks and who have worked one thousand (1,000) hours during the preceding fifty-two (52) weeks are eligible for the leave provided under Wisconsin law. Wisconsin Bone Marrow and Organ Donation leave is separate from and does not run concurrently with Wisconsin or Federal Family and Medical Care Act leave.
- 13.03 Length of Leave.** The Wisconsin Bone Marrow and Organ Donation Leave Law provides six (6) weeks of unpaid leave to serve as a bone marrow or organ (e.g., kidneys, partial livers, partial lungs, partial pancreas, partial intestine) donor in a calendar year. Leave may be taken only for the period necessary for the employee to undergo the donation procedure and to recover from it. If more than six (6) weeks are necessary, refer to Calumet County's FMLA policy.
- 13.04 Employee Requirements.** An employee requesting Bone Marrow and Organ Donation (WDLA) leave must provide Calumet County with medical certification by the health care provider of the bone marrow/organ donee or of the employee (whichever is applicable) that a transplant or donation is to occur and the amount of time expected for recovery.
- Employees must make reasonable effort to schedule the procedure so that it does not unduly disrupt the employer's operations, and give advance notice in a reasonable and practical manner.
- 13.05 Using Paid Leave While on Unpaid WDLA Leave.** The substitution of paid time for unpaid Wisconsin Bone Marrow and Organ Donation Leave (WDLA) time does not extend the length of WDLA leave – the paid time runs concurrently with an employee's WDLA entitlement.
- 13.06 Payment of Premiums.** While an employee is on WDLA leave, the County will maintain group health insurance coverage under the conditions that applied before the leave began. If prior to the leave, the employee was required to participate in the premium payments, the employee is required to continue with payment of his/her share of the premiums while on leave. An employee's failure to make the required payments may result in termination of the employee's insurance coverage.
- a) Unless the County notifies employees of other arrangements, whenever employees are receiving pay from the County during WDLA leave, the County will deduct the employee portion of the group health plan premium from the employee's paycheck in the same manner as if the employee was actively working. If leave is unpaid, employees must pay their portion of the group health premium through a method determined by the County.
- 13.07 Termination of Benefits.** The County's obligation to maintain health benefits will stop if and when (1) and employee informs the County of intent not to return to work at the end of the leave period; (2) the employee fails to return to work when the leave entitlement is used up; or (3) the employee fails to make any required payments while on leave after appropriate waiting periods and time periods as specified by law. The County's obligation to maintain health coverage ceases if an employee's premium payment is more than thirty (30) days late. If an employee's premium is more than fifteen (15) days late, the County will send a letter notifying the employee that coverage will be dropped on a specific date unless the premium payment is received before that date.
- 13.08 Recovery of Premium Payments.** If the County chooses to do so, it may pay an employee's required premium payments while the employee is on leave. If the County does so and an

employee does not immediately repay the County upon the employee's return to work, the County will deduct the amount of the payments from the employee's paycheck.

- a) The County has the right to collect from an employee the health insurance premiums that County paid during the period of unpaid leave if the employee does not return to work after the leave entitlement has been exhausted or expired. Such premium amounts may be deducted from any compensation owed to the employee upon termination of employment. An employee must return to work for at least thirty (30) calendar days in order to be considered to have "returned" to work. However, an employee's liability to repay health insurance premiums does not apply if his/her failure to return to work is due to a serious health condition or specific circumstances beyond the control of the employee.

**13.09 Return from leave.** Prior to an employee returning to work, the Department of Administration Human Resources Division must receive a completed Return to Work Form from the employee's doctor.

- a) An employee returning from Bone Marrow and Organ Donation Leave will return to his or her old position, if vacant, at the time the employee returns to work. If the position is no longer vacant, the employee may be offered an equivalent position with equivalent benefits, pay and other terms and conditions of employment.
  - 1) The determination as to how an employee is to be restored to "an equivalent position" upon return from WDLA leave is made on the basis of established policies and practices, and provisions of the Wisconsin Donor Leave Act.

## Chapter Six – Employee Benefits

### SECTION 1 – BENEFITS ELIGIBILITY

- 1.01** Employee Benefits or benefits in which there is some County cost participation are generally available to regular employees working fifty percent (50%) or more.

### SECTION 2 – PART-TIME EMPLOYEE BENEFITS

- 2.01** Regular part-time employees working an annual average of half-time or more per week, receive employee benefits on a pro-rated basis, except as otherwise expressly provided for herein. *[Example: a seventy percent (70%) employee would receive seventy percent (70%) of the family or single health insurance and life insurance premium benefits.]* The percentage of employment which has been established by the budget or Board, shall determine the benefit pro-ration with the exception of Home Healthcare/Hospice Aides, who will be pro-rated in July of each year based upon the percentage of full-time hours worked in the previous twelve (12) months using the following criteria: regular, overtime, compensatory time worked, holiday worked, worker's compensation, PTO, ELB, and jury duty. Any change in pro-rata percentage will be applied on the first paycheck of the following month.
- a) Exception. Qualifying regular employees working an average of 30 hours or more per week are eligible to receive health insurance coverage at the same premium contribution level as regular full-time employees.

### SECTION 3 – INSURANCE

- 3.01 Health Insurance.** The County offers a group health insurance program for regular full-time and qualifying part-time employees. More information on the health insurance program is available from the Department of Administration and is posted on the Calumet County website.
- 3.02 Health Savings Account (HSA).** In accordance with the parameters established by the County, the County may contribute to a qualifying employee's HSA. <sup>1</sup>
- a) HSA Contributions. HSA contributions are made on the first payroll in January and are made based upon the employee's status at the time the payment is made. Once the HSA contribution is made there are no midyear adjustments to said contribution.
- b) Hold Harmless. The County shall be held harmless for any employee eligibility issues or tax consequences caused by outside insurance coverage, inappropriate withdrawals, changes in marital status, payroll deductions in excess of the allowable limits, or other matters beyond the County's control that would interfere with an employee's HSA eligibility.
- 3.03 Employee Wellness Program.** The Calumet County Employee Wellness Program's primary purpose is to promote healthy lifestyles, increase awareness of the linkage between employee health and health costs, promote consumer behaviors, and provide long-term stability to the County's health related costs. Employees who complete the criteria of the Employee Wellness Program or meet alternative achievement standards will be eligible to receive an incentive as determined by the County. More information on the Employee Wellness Program is available from the Department of Administration.

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<sup>1</sup> Employees, who prior to January 1, 2012, were eligible and enrolled in the MERP benefit, were grandfathered under the terms of the policies in effect on January 1, 2011 at ninety percent (90%) of the annual HSA contribution level. Once an employee covered by this grandfathering establishes eligibility for an HSA, any future eligibility for the MERP shall be terminated.

- a) Employer/Employee Health Insurance Premium Contributions. Unless an employee qualifies for the reduction in premium as described above, the County pays eighty percent (80.0%) of the monthly premium for either family or single coverage, and the Employee shall pay the difference. However, the County's financial responsibility is limited to eighty percent (80.0%), plus any applicable reduction in premium, of the high deductible health plan (HDHP) offered to employees.
  - b) Reduction in the Required Employee Health Insurance Premium Contribution. If the requirements above are satisfied, the employee shall receive a ten percent (10%) reduction in the required employee contribution.
- 3.04 Written Certifications.** Any written certifications or affidavits referenced herein shall be on forms provided by the Department of Administration. It is the sole responsibility of the employee to submit these forms by the established due dates. Failure to do so may result in being deemed ineligible for the reduction in employee contribution as described above.
- 3.05 Health Insurance Enrollment.** Those employees not enrolling in the health insurance during their initial enrollment period are not eligible for enrollment unless the County is required by law to hold an open enrollment, chooses to hold an open enrollment or unless they have a HIPAA/COBRA qualifying event.
- a) Qualifying Period. Except as provided below, health insurance coverage shall begin on the first (1<sup>st</sup>) day of the month following a thirty (30) day waiting period. If an eligible individual declines coverage under the plan, they shall decline in writing. It is the employee's responsibility to submit the enrollment paperwork in a timely manner. An employee who fails to submit their paperwork within thirty (30) business days from when it was due shall be deemed to have waived coverage and will first be eligible for coverage during the next open enrollment or if they experience a HIPAA/COBRA qualifying event.
- 3.06 Married Couples Employed by the County.** In the event that two (2) individuals in the same household are employed by Calumet County and who could, under the rules of health insurance plan(s), qualify for coverage under one (1) family health insurance plan, the two (2) employees will be entitled to their choice of one (1) family plan or two (2) single health plans. In the event that employee should terminate his/her employment with the County for whatever reason, the remaining employee shall be entitled to convert to the family plan without proof of insurability or medical underwriting.
- 3.07 Status Changes.** It shall be the employee's responsibility to notify the Department of Administration of any change in family status for any medical insurance with Calumet County. This shall include, but not be limited to, changing from family to single coverage. Such notification shall take place within thirty (30) days of the change in family status. Failure to notify the County shall result in the employee assuming responsibility for the additional cost until proper notice is given. It shall also be the employee's responsibility to notify the Department of Administration of any change in family status due to marriage, divorce, death or change in the number of dependent children for health insurance coverage.
- 3.08 Disputes.** All disputes relating to insurance coverage are deemed as disputes between the employee and the insurance carrier and are not subject to any grievance provisions.
- 3.09 Dental Insurance.** Employees are eligible to participate in a dental plan, subject to the rules established by the carrier. Those employees not enrolling during their initial enrollment period are not eligible for enrollment unless the County holds an open enrollment or unless they have a HIPAA/COBRA qualifying event. The County pays at an established rate towards the monthly dental premiums for either the family, employee/spouse, employee/children, or single coverage.

- 3.10 Disability Insurance.** Subject to the rules established by the carrier, employees may participate in short-term and long-term disability insurance, with the employee paying the full premium. Those employees not enrolling during the initial enrollment period or any open enrollment period offered by the County will be required to submit an Evidence of Insurability form to the insurance provider.
- 3.11 Vision Insurance.** Employees may participate in a vision plan with the employee paying the full premium, subject to the rules established by the carrier. Those employees not enrolling during the initial enrollment period are not eligible, unless the County chooses to hold an open enrollment or unless they have a HIPPA/COBRA qualifying event.
- 3.12 Life Insurance.** The State of Wisconsin basic life insurance policy equal to the estimated calendar year earnings of the position will be paid by the County for all full-time employees. Employees working regularly half-time or more may receive the policy by paying on a pro-rated basis. Limited term and casual employees qualifying for life insurance will pay the full premium. The life insurance becomes effective in accordance with WRS rules. Additional life insurance is available with the employee paying the premium. Upon termination of employment, a continuation or conversion privilege option may be available.
- 3.13 Insurance Continuation.**
- a) Retiree Health Insurance. Retired employees (as defined herein) who have been employed with the County for a minimum of ten (10) consecutive years, disabled employees (as defined herein) who have been employed with the County for a minimum of ten (10) consecutive years and retire voluntarily giving proper notice shall be entitled to continue coverage under the group insurance plan at one-hundred five percent (105%) of the group rate. The retiree shall pay the cost of the single or family plan premium to the County, who shall forward the premium to the insurance carrier.<sup>2</sup> Retired employees are eligible to remain covered under the County's group insurance plan until they reach the age of Medicare eligibility.
  - b) Spouses of Retirees. Once a retiree reaches the age of Medicare eligibility, or chooses to leave the County's insurance plan, the spouse of said retiree will be required to leave the County's insurance plan.
  - c) COBRA Rights. Employees who are terminated from employment for reasons other than gross employee misconduct, as well as employees who resign from their employment may continue their group health coverage for the period of time prescribed by COBRA. Spouses of deceased employees may continue with group health coverage for the period of time prescribed by COBRA. Such employees are normally advised of their continuation options and contribution requirements at the time of hire and at termination.
  - d) Payment. Retirees and COBRA participants are billed on a monthly basis, and it is expected that all payments for insurance premiums will be current. Notwithstanding any requirements associated with COBRA or other legal obligations, and allowing for any administrative delays due to initial enrollment in retiree or COBRA coverage, any retiree or COBRA participant who is more than forty-five (45) days past-due will have their coverage canceled by the County and will be ineligible to re-enroll under the County's insurance plan.

#### SECTION 4 – POST-EMPLOYMENT HEALTH PLAN (PEHP)

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<sup>2</sup> Employees, who on January 1, 2012, would be immediately eligible for a Wisconsin Retirement System benefit, will be grandfathered under the terms of the policies in effect on January 1, 2011. Employees may waive this status in writing, but said waiver shall be irrevocable.

- 4.01 Purpose.** The County provides a Post-Employment Health Reimbursement Plan (PEHP) for regular full-time and eligible regular part-time non-represented employees. Funds are available to the participant following termination of employment, for the reimbursement of either qualified medical expenses or health insurance premium payments. Employees have a choice of several investment options for their contributions.
- 4.02 Tax Free Status.** County contributions to, earnings on, and benefits paid from the plan are not taxable to participants.
- 4.03 Plan Year.** The plan year begins January 1<sup>st</sup> and continues through December 31<sup>st</sup> of each calendar year.
- 4.04 Trust Fund.** All contributions will be paid into, and all benefits will be paid from, a trust fund. The assets in the trust fund cannot be used for any purpose other than for the exclusive benefit of the participants and their dependents and for defraying the reasonable expenses of the plan.
- 4.05 Sub-Accounts**
- a) Universal Reimbursement Sub-Account. County contributions that are made on a flat dollar amount basis will be directed into a Universal Reimbursement Sub-Account. The funds can be used for reimbursement of both post-employment health insurance premiums and qualified medical care expenses.
  - b) Insurance Premium Reimbursement Sub-Account. County contributions that are made on a percentage of salary basis will be directed into a Health Insurance Premium Reimbursement Sub-Account, unless stated otherwise herein. The funds may only be used for reimbursement of qualified post-employment health insurance premiums (i.e., health insurance, Medicare supplements, dental insurance, and vision insurance premiums).
- 4.06 Employee Investment Allocation.** Plan participants may direct their contributions into the various investment options offered by the plan administrator. Upon enrollment, employees will receive program information describing their investment options and the allocation process. All changes are made through the plan administrator.
- 4.07 Plan Administration.** The Trustee, Calumet County, is responsible for the administration of the plan. The Third Party Administrator, Nationwide Retirement Solutions, has the authority to control and manage the operation and administration of the plan and the responsibility for record keeping, filing and distributing reports and returns with or to government agencies and participants as required under the Internal Revenue Code and other applicable law.
- 4.08 Claims Procedure.** All claims for reimbursement must be made in writing to the third party administrator on a form provided by the third party administrator. The form will describe the proper procedures and documentation required to claim benefits.
- 4.09 Employee Participation.** Participation is mandatory for all eligible employees, and the employee shall pay any annual administrative fees associated with this program.
- 4.10 New Hire Employee Qualifying Period.** Newly hired employees become eligible to participate in the plan upon employment. Contributions shall begin on the first (1<sup>st</sup>) pay period on or after the first (1<sup>st</sup>) day of the month following a thirty (30) day waiting period. Employees will be given enrollment materials with instructions on how to make their initial investment allocation.
- 4.11 PEHP Contributions.** The contribution rates (i.e. dollar amounts) to the PEHP are maintained by the Department of Administration and are available to employees on the Department of Administration intranet site.
- a) Flat Dollar Contribution. The County contributes to a participant's universal reimbursement sub-account on a biweekly basis as a flat dollar amount.

- b) Annual Transfer of PTO to the PEHP Account. In accordance with the PTO policy, all eligible employees may elect a PTO transfer which cannot exceed seventy-five (75) hours each calendar year, to the employee's insurance premium reimbursement sub-account. Said payment is processed at the employee's current rate of pay as of as of December 1<sup>st</sup> of that year.
- c) Excess ELB Contribution. Any amount of time earned in a calendar year in excess of the maximum ELB accrual will be converted to the insurance premium reimbursement sub-account at the end of each calendar year at the rate established by the County per day of excess ELB. Said calculation will be based on the employee's ELB balance as of date of transfer of any year. Partial days will be rounded to the nearest half-day, and will be prorated accordingly.
- d) Elected Official Contribution. In addition to the contribution outlined in section a), Calumet County contributes to an elected official's universal reimbursement sub-account on a biweekly basis.
- e) Extended Leave Bank Retirement Conversion. Employees leaving Calumet County employment due to retirement, and in good standing, shall be eligible to convert their ELB into the insurance premium reimbursement sub-account at the rate established by the County. This section shall also apply to those employees terminating employment due to disability or death.
- f) Reserved Right to Modify. The County reserves the right to change or discontinue its contributions to PEHP accounts at any time, without notice, in its sole discretion.
- g) PTO Termination Conversion. Employees leaving Calumet County employment due to termination of employment, and in good standing, shall have their PTO converted into the insurance premium reimbursement sub-account at their rate of pay in effect at the time of termination.

**4.12 Rate Indexing.** At the beginning of each calendar year, or at the time any non-represented across-the-board wage increase is implemented, the above rates for the "Flat Dollar Contribution", "Excess ELB Contribution", "Elected Official Contribution", and the "Extended Leave Bank Retirement Conversion" will be indexed to the across-the-board wage increase for non-represented employees for that year effective the date of the wage increase.

**4.13 Post-Employment Health Benefits.** Upon a participant's termination or retirement from employment with Calumet County, the participant is entitled to be reimbursed from their account for qualified medical care expenses if the expenses are not taken as a deduction on the participant's federal income tax return. Benefit payments are limited to the amounts in the participant's account.

**4.14 Qualified Medical Care Expenses.** Qualified medical care expenses mean those expenses incurred solely for medical care, as defined in Internal Revenue Code Section 213(d)(1), by participants or their dependents. Only expenses incurred after termination of employment qualify for reimbursement under the plan.

**4.15 Termination of Participation.** An individual ceases to be a plan participant upon the depletion of their account balance.

**4.16 Death of Participant.** In the event of death of the participant, the trust fund may be used by the participant's eligible dependents for reimbursement of qualified medical care expenses.

- a) Eligible Dependent. Eligible dependents are those whom you can claim as your dependents for federal income tax purposes, (i.e., spouse, child) in the year the qualifying expense is incurred.

- b) Forfeiture. If no surviving spouse or eligible dependents remain to request reimbursement, the deceased participant's account balance is reallocated to the accounts of the remaining participants of the specific employee group for qualified medical care expenses until the account balance is exhausted.

#### **SECTION 5 – WISCONSIN RETIREMENT SYSTEM (WRS)**

- 5.01 The County contributes to the Wisconsin Retirement System for eligible employees in accordance with Wisconsin Statutes and WRS rules.

#### **SECTION 6 – DEFERRED COMPENSATION**

- 6.01 The Deferred Compensation program is a supplemental retirement savings program, through payroll deduction, authorized under Section 457 of the Internal Revenue Code (IRC). Eligible employees may participate in the Deferred Compensation Program by contacting the Department of Administration.

- a) Before-tax Contributions. Under this option, taxes on the money and earnings are deferred until they are withdrawn, usually at retirement or termination.
- b) After-tax Contributions through the Roth Option. Under this option, the employee pays the taxes on the money when they contribute it to the account. As long as the employee meets certain requirements, when they retire all distributions from the Roth account are tax free.

#### **SECTION 7 – FLEXIBLE SPENDING ACCOUNT**

- 7.01 **Flexible Spending Account (FSA)**. An employee, on a voluntary basis, may choose to pay for certain qualified benefits before taxes are deducted from his paycheck. Employees are eligible to enroll in the plan after they have been employed for six (6) months. Thereafter, enrollment is limited to once each year during the annual open enrollment period. Elections made under the FSA plan will be irrevocable for the plan year unless the employee experiences a change in family status or other qualifying events occur.

Amounts that remain in the account at the end of the plan year are forfeited, so employees should take care in planning their allocations to the FSA.

- a) Medical Reimbursement Account. The contributions can be used to pay for predictable non-reimbursed health care expenses incurred by the employee or the employee's family during the plan year. Examples of expenses can be found at: <https://www.ebcflex.com>.
  - 1) *General Purpose FSA*. Employees without the County health insurance, or those that are ineligible for an HSA, are eligible to participate in a general purpose FSA.
  - 2) FSA subject only to the restrictions set forth by the IRS and the County's selected FSA vendor.
  - 3) *Limited Purpose FSA*. Employees with an HSA, are eligible to participate in a limited purpose FSA. Expenses qualified under the "Limited Purpose FSA" include dental and vision expenses, and other expenses as determined by the IRS and the County's selected FSA vendor
- b) Dependent Care Expenses. The pre-tax contributions made to the FSA can be used to pay for work-related eligible child and dependent care expenses incurred by the employee during the plan year. In addition to children, other eligible dependents include a spouse or elderly parent residing in the home, who is physically or mentally unable to care for themselves.

- c) Premium Option Plan - Pre-Tax Premium Payments. Employees may elect to pay their share of the health, dental, vision, and life insurance premiums on a tax-free basis. Premiums will automatically be deducted on a pre-tax basis unless employees notify the Department of Administration otherwise. Employees are eligible to enroll in the Premium Option Plan upon eligibility for and enrollment in the County's insurance plans.

## SECTION 8 – TUITION ASSISTANCE PROGRAM

**8.01 Tuition Assistance Program.** The Calumet County Tuition Assistance Program is designed to provide financial assistance to employees who voluntarily enroll in job-related, educational courses that are of benefit to the County as an employer.

- a) Eligibility for Tuition Assistance. Regular full-time and part-time employees, who are not eligible for other County-sponsored programs which provide reimbursement or compensation for attending or having attended school, are eligible for tuition assistance under this program.
- b) Acceptable Course Work. Tuition assistance benefits are available for:
  - 1) Courses which are directly related to the employee's current job, would improve their skills on the job, and would allow the employee to be considered for promotional opportunities within the County.
  - 2) Courses within relevant technical college, undergraduate, or graduate level programs. <sup>3</sup> Acceptable degree programs are those that relate to County functions or services. In order to be eligible under this program, the school or course must be accredited by one of the following agencies:
    - i) North Central Association of Colleges and Schools
    - ii) American Council on Education
    - iii) Wisconsin Technical College System Board
- c) Reimbursement of Tuition Expenses. Expenses which may be reimbursed under this program include tuition, books, course-required materials, and lab fees. The County will pay 66% of these educational costs up to \$500 per semester, with a maximum reimbursement of \$1,000 per calendar year. <sup>4</sup>
  - 1) Reimbursement will be made only after satisfactory completion of the course(s). This is interpreted as at least a grade of "C" or better for an undergraduate course or a grade of "B" or better for a graduate level course. Courses taken on a "pass/fail" basis may be allowed, but only if approved in advance by the Department Head and the Human Resources Director.
- d) Minimum Employment after Reimbursement. Employees are required to maintain employment with the County for one (1) year after course completion. If an employee does not remain employed with the County for one year, they must repay 100% of the tuition expenses provided to them during the previous twelve (12) months.
- e) Participation Goals. To the greatest extent possible, all regular employees who meet the Tuition Assistance program qualifications will be afforded access to the program. However, participation in the Tuition Assistance Program is not an employee right. An employee's

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<sup>3</sup> Elective courses selected in pursuit of a degree are eligible for reimbursement subject to the requirements of this policy.

<sup>4</sup> Calumet County reserves the exclusive right to prioritize participation and/or curtail the program to meet its budgetary constraints.

participation in the program may be curtailed or discontinued at any time as a result of budgetary limitations, an employee's work record at the time of enrollment, or other related factors. Curtailment of the program will not affect payment for a course that has been previously approved.

**f) Program Limitations.**

- 1) Employees eligible for other forms of educational assistance (e.g., Veteran's Educational Program, scholarships, etc.) must first exhaust that financial aid before applying for benefits under the County's Tuition Assistance Program.
- 2) All courses must be taken outside an employee's regular work hours. Vacation, PTO, floating holiday, compensatory time, or an adjusted work schedule may be used if Department Head approval has been given. Adjusted work schedules may be authorized only when they are not in violation of any Federal overtime laws or collective bargaining agreements.
- 3) Reimbursement of educational expenses will not be made to an employee who terminates employment with the County before completion of the course(s).
- 4) Reimbursement will not be made to an employee who withdraws from the course(s) for any reason.
- 5) Workshops, seminars, conferences and in-service training are not part of the Tuition Assistance Program.
- 6) This program does not include training required by the County or training mandated by State or Federal regulations for employees to maintain their qualifications, proper certification, or licensure.

**g) Procedure to Receive Reimbursement.**

- 1) Employees should obtain Tuition Assistance Program application materials from the Department of Administration.
- 2) Employees should discuss with their Department Head and/or immediate supervisor any class they wish to take and the reasons for taking it. They should then submit the application form to their Department Head and/or supervisor for a recommendation to approve or deny.<sup>5</sup>
- 3) The application form should be received by the Department of Administration no sooner than ninety (90) days prior to the start of the class, but at least ten (10) days prior to the start of the class.<sup>6</sup>
- 4) The Human Resources Director will make the final determination on all requests, and will notify the Department Head and/or supervisor and employee of the final decision by sending them a copy of the original request form marked "approved" or "denied".
- 5) Once the approved class has been completed, the employee should complete and sign the Tuition Assistance Program Payment Authorization form. They should then submit the form to the Department of Administration along with a copy of their grade report and original paid receipts for tuition, books, materials, and lab fees.

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<sup>5</sup> Employees should take care to follow their department's internal policies, if any, as it pertains to educational opportunities including any scheduling issues that may arise as a result of such a request.

<sup>6</sup> Requests made for a following budget year (e.g. starting in January) are subject to the program being approved in the following year's budget.

These materials must be submitted no later than thirty (30) days after class completion.

- 6) Employees will be reimbursed up to the maximum allowed in Section 8.01 c).
- 7) The Department of Administration will keep a record of all disbursements and classes taken by employees.

#### **SECTION 9 – BEREAVEMENT RECOGNITION**

- 9.01** Flowers or plants in the approximate value of seventy-five (\$75.00) will be sent to families of all employees and elected officials upon notification that an employee or elected official has passed away. The County Clerk shall be responsible for the administration of this policy.

#### **SECTION 10 – EMPLOYEE FITNESS CENTER**

- 10.01** There are fitness centers made available for use by all County employees. Employees are expected to follow all safety precautions when using the fitness center, and are required to sign an appropriate waiver form prior to using the fitness center.

- a) Courthouse Fitness Center (Room 009). The fitness center is located in the Lower Level of the Courthouse in Room 009, and is available to all County employees. To access the fitness center, an A-1 key is required. Members of an employee's immediate family (spouse, child and step-child) may utilize the fitness center contingent upon the following: 1) an employee of the County must be present in the fitness center at all times; 2) said family member is older than fifteen (15) years of age; and 3) said family member completes the required waiver form.
- b) Sheriff's Office Fitness Center. The fitness center is located in the Sheriff's Office in Room 1043, and is available to all Sheriff's Office employees. Members of a Sheriff's Office employee's immediate family (spouse, child and step-child) may utilize the fitness center contingent upon the following: 1) an employee of the County must be present in the fitness center at all times; 2) said family member is older than twelve (12) years of age; and 3) said family member completes the required waiver form.

#### **SECTION 11 – WELLNESS ROOM**

- 11.01** Calumet County provides a wellness room, located on the third floor of the Courthouse in Room 306. The wellness room is an accessible secure private sensory calming space where employees may go to handle daily or occasional medical and wellness needs. For example, employees transitioning back into the workplace after a medical leave of absence, lactation, managing chronic or acute medical conditions, self-administration of medication, and respite for managing daily stresses of work and life, and more. The wellness room serves as the County's lactation room, as required by State law, and is a private, secure location for nursing mothers to express milk at work.

#### **SECTION 12 – EMPLOYEE ASSISTANCE PROGRAM**

- 12.01** The Employee Assistance Program (EAP) offers counseling, legal, and financial consultation, work-life assistance and crisis intervention services to all our employees and their household family members. The program helps employees, and their families, suffering from personal problems by encouraging early identification of these problems and proper referral to community and professional agencies for appropriate diagnosis and assistance.

- a) Employees may seek help on their own initiative, or the County may refer an employee to the Employee Assistance Program because of job performance or conduct problems.
- b) Employees' or their families' participation in the Employee Assistance Program is voluntary.

## Chapter Seven – Miscellaneous Policies

### SECTION 1 – COMMUNICATION POLICY

- 1.01** It is the responsibility of County employees to receive communications from the Department of Administration and to respond as may be necessary.
- a)** Email. It is the policy of the County that the County email system is an appropriate medium for official communications from the County to employees. Employees not assigned a County-provided email address are required to provide Human Resources with a personal email address upon hire for Department of Administration communications. Because work-related notices of interest and importance regarding business will be sent via email, the County requests all employees check their email at regular intervals.
  - b)** Bulletin boards are provided for employees, to inform employees of important developments from the County that will affect the employee or their job. Bulletin boards are also used by the County to communicate information to employees and post notices required by law. Unless the bulletin board is specifically identified as being a public bulletin board, employees must secure prior authorization from the Department of Administration before posting any notices on bulletin boards. Because work-related notices of interest and importance regarding business will be posted on the bulletin boards, the County requests all employees to check the bulletin board at regular intervals.
- 1.02** **County Branding.** Calumet County has established brand guidelines as outlined in the County Brand Style Guide. Consistent use of the brand guidelines builds a unique, recognizable presence for the County and its departments in the general public, and internally. Our brand is the cornerstone of all communication efforts, it is essential that its integrity be protected. It benefits the County when the brand guidelines are applied with consistency and purpose to convey a clear message. All employees are expected to follow the approved brand style guidelines. Employees are expected to demonstrate professional, competent and reasonable behavior, and to continually serve, both on-duty and off-duty, as positive examples of the high-quality personnel affiliated with this organization and consistent with the high expectations of the public when using County branded equipment, materials or apparel.

### SECTION 2 – PROCEDURES MANUAL

- 2.01** When possible, employees shall provide a written procedure indicating their day-to-day activities. The information shall be updated regularly and reviewed with the Department Head at the time of the employee's evaluation.

### SECTION 3 – EMPLOYEE RECORDS

- 3.01** The Department of Administration maintains the official files of all County employees and is the exclusive personnel file of the County. The files include all records required by law and other information as may be deemed appropriate by the Department of Administration.

### SECTION 4 – COUNTY PROPERTY

- 4.01** It is the County's intent to provide its employees, during the course of their employment, with access to and the use of various properties for the employee's purpose of conducting business for the County. Employees should have no reasonable expectation of privacy in the use of the County's and the public's property. The County may access its property with or without the prior consent or knowledge of the employee to the extent permitted by law. County property is to be used judiciously by employees at all times and only in the manner for which the County and public intends the property to be used.

- a) Work Spaces. Employees must maintain their work spaces in a clean, orderly and professional manner, and must report any suspected misuse or abuse of the County's property.
- b) Employee Responsibility. Employees are encouraged to exercise care and attention in safeguarding personal property brought to the work place. The County does not assume liability for the loss, theft or damage of personal property brought to the work place.
- c) Reserved Right to Access. The County reserves the right to access, replace or utilize any of its property without prior permission of the employee to whom it was provided to the extent permitted by law. Circumstances warranting a need to access property in the employee's absence include, but are not limited to, the following:
  - 1) The County has a need to search for business items or information that is needed in a timely manner.
  - 2) The County is complying with applicable laws regarding review and disclosure of records and information.
  - 3) The County has reasonable suspicion to believe that the employee is engaging in illegal or improper activities, in conjunction with committing a violation of policy, rules or general expectations of conduct, or in a way that may jeopardize the health and wellbeing of others.
  - 4) For any other lawful reason.
  - 5) Under these circumstances, employees may be required, upon the request of the County, to submit to a search of any personal property brought onto the County's premises to the extent permitted by law.

**4.02 Return of County Property.** All County property must be returned at the time of separation. Failure to return County property may result in prosecution.

- a) Employees transferring from one County Department to another will return all tools and equipment to their Department, and return County keys to the Department of Administration, prior to transferring to their new Department.

**4.03 Highway Department Use of County Vehicle for Commuting.** Highway Superintendents and Foremen may be allowed the use of a County-owned vehicle for the purpose of commuting between an employee's residence and their principal place of work, provided such use is in the best interest of the County. Such use will require authorization of the County Administrator. In the event of an emergency the County Administrator or his designee may alter the policy on temporary basis acting in the best interest of the County.

- a) A County owned vehicle may not be used for personal use with the exception of de minimis personal use. An example of de minimis use would be an incidental stop at a convenience store, pharmacy, etc. so long as the stop is within the norm route of travel and does not require excess mileage to complete.
- b) Use of County vehicles for the purpose of commuting between an employee's residence and principal place of work will be subject to the applicable provisions of the Internal Revenue Code and Regulations and as they may be subsequently amended or modified.
- c) Only County employees may operate a County vehicle.
- d) Only County employees and those associated with County business are to be transported in a County vehicle except in emergency situations.

- e) Pre-authorized exceptions to “d” may be granted by the County Administrator, and only when proof of personal insurance meeting the County’s standards is provided.
- f) Employees must comply with all federal, state, and local traffic laws relative to the operation of a County vehicle (i.e. seat belt use); and must report and assume responsibility for all citations or moving violations while operating the County vehicle.
- g) Employees operating a County vehicle shall exhibit appropriate and courteous driving habits to members of the public at all times.

#### **SECTION 5 – IDENTIFICATION CARD**

**5.01 Issuance.** All employees and Elected Officials are issued an authorized photograph identification card through the Department of Administration and are strongly encouraged to wear their identification card so it is visible, to identify their County employment. In situations or in departments where it is not feasible or practical, employees will carry their identification card with them indicating their County employment, and will provide the card upon request.

**5.02 Replacement.**

- a) Employees transferring from one County Department to another or changing classifications will turn in their old identification card to the Department of Administration and make arrangements to get a new identification card.
- b) At the discretion of the Department of Administration, employees may request, or be required, to update their identification card as their appearance changes over time.
- c) Employees losing their identification card must report the loss immediately to the Department of Administration.
- d) Identification cards must be replaced no later than two (2) weeks after the initial loss is discovered.

**5.03 Lost/Damaged Cards.** Employees losing or damaging their identification card must have another made at a charge of five dollars (\$5.00). If the replacement is necessary due to ordinary wear and tear, name change, department or employment status, no fee will be charged.

**5.04 Return.** Identification cards remain the property of Calumet County and must be returned to the Department of Administration at the time of termination on or prior to the employee’s last day of work.

#### **SECTION 6 – COURTHOUSE COMPLEX DOOR ACCESS CARDS**

**6.01 Intent.** This policy has been developed to protect the property, intellectual capital, employee privacy and sensitive human resources information of Calumet County, by limiting access to internal and external unauthorized persons so that the security of the building, staff, clients and its facilities are secure.

**6.02 Issuance.**

- a) The County Administrator’s Office, in consultation with the appropriate Department Head, determine the appropriate level access for county employees.
- b) The information Technology Department will input appropriate levels of access for each position and position sub-groups into the Door Access System.
- c) The Human Resources Division will issue the appropriate Door Access Cards to employees during the onboarding process.

- d) The Human Resources Division will issue replacement cards for all Employees in the event of a lost, stolen or damaged card.
- e) The Sheriff's office may also issue replacement cards for Sheriff's Employees in the event of a lost, stolen or damaged card within the Sheriff's Office and Jail.
- f) Temporary cards for non-county employees (contractors) working within the Courthouse must be approved through the County Administrator's Office, and will be issued by the Human Resources Division.

**6.03 Door Access Card User Acceptance Agreement.** Each individual assigned a Door Access Card shall review and sign a Door Access Card User Acceptance Agreement that outlines the responsibilities assumed as a card holder, including protocols and procedures established for Door Access Cards.

**6.04 Use and Monitoring.**

- a) Access cards are issued with the strict trust that proper measures will be taken to ensure their safekeeping by the employee.
- b) All access cards will be issued with the appropriate level of access and for the appropriate length of time.
- c) A cardholder may not use another cardholder's card for the purpose of gaining access to the offices nor allow another employee, temporary employee, contractor or tenant to use his/her card.
- d) The access card, and associated system, may be used to monitor employee access into county facilities.

**6.05 Replacement.**

- a) Individuals losing their Door Access Card must report the loss immediately to the Human Resources Division who will immediately disable the access card. Replacement cards will be issued for all lost or stolen cards.
- b) Former employees will remain in the systems for one year after resignation or termination.
- c) The replacement cost of five dollars (\$5.00) for a lost card will be the responsibility of the employee.
- d) A damaged card must be reported and returned to Human Resources for replacement. No charge is required for replacing damaged cards.

**6.06 Return.** Cards remain the property of Calumet County and must be returned to the Human Resources Division at the time of termination, or at the time of separation of employment.

**SECTION 7 – COURTHOUSE COMPLEX KEYS**

**7.01 Issuance.**

- a) The Department of Administration, in consultation with the appropriate Department Head, will issue the appropriate entry key(s) for employees.
- b) Keys for non-County employees working within the Courthouse must be obtained through the Department of Administration.

**7.02 Replacement.**

- a) Individuals losing their key(s) must report the loss immediately to the Department of Administration.

- b) After notification of the loss, there is a two-week waiting period before keys may be reissued.
- c) The replacement cost of five dollars (\$5.00) per key will be the responsibility of the employee.

**7.03 Return.** Keys remain the property of Calumet County and must be returned to the Department of Administration at the time of termination on or prior to the employee's last day of work.

## **SECTION 8 – POLITICAL ACTIVITY**

**8.01** Calumet County recognizes that, as a governmental entity, its operations do occasionally include items/issues that are political in nature. To that end, the County respects the right of its employees, as individuals, to become involved in the political process.

**8.02 Prohibited Conduct.** For those that choose to become involved in the political process, the following principles shall be followed:

- a) No County employee or elected official may engage in political activity, except for that which relates directly to County business, in their workplace.
- b) No County employee or elected official may use County supplies or equipment in support of partisan political activity.
- c) No County employee may include their County title in an endorsement of any candidate for political office.
- d) No candidate for elected County office, County employee or County official may require any County employee or official to endorse, assist, finance or support a candidate for political office, or retaliate against any employee or official in any manner because of that employee or official's personal political activity.
- e) This section does not prohibit any County official or employee from engaging in political activity if the activity is conducted on the employee or official's own time and at their own expense. This section does not prohibit an employee or elected official from seeking elective office. This section does not prohibit any County employee or elected official seeking elective office from making reference to their County employment or service in their campaign for office.

**8.03 Hatch Act.** Employees whose principal employment is in a federally grant-aided program are subject to prohibitions in the Federal Hatch Political Activities Act as amended. The Act may prohibit an employee in such a program from becoming a candidate for an elective office, unless the employee is an incumbent elected official. Any employee who is running for elective office assume all legal responsibility for their decision and are advised to seek legal advice to assure there is no prohibition under the Hatch Act.

## **SECTION 9 – SOLICITATION**

**9.01** The solicitation of employees or distribution of materials to employees can often interfere with normal operations of the County, reduce employee efficiency, annoy employees and citizens, and pose a threat to security. For these reasons, the County limits solicitation and distribution on its premises.

- a) Solicitation by Non-Employees Prohibited. Individuals who are not employees of the County are prohibited from soliciting employees or distributing materials to employees on the premises. This includes soliciting funds or signatures, conducting membership drives, distributing literature or gifts, offering to sell merchandise or services (except by representatives of vendors or potential vendors as authorized by the County), or any other

similar activity. All visitors are strictly prohibited from entering non-public areas unless a supervisor grants permission.

- b) Limited Solicitation. Employees may engage in limited solicitation and distribution of materials to other employees, on the premises, subject to the following guidelines.
- 1) Solicitation or distribution of materials is prohibited during the working time of either of the individuals making or receiving the solicitation or distribution. "Working time" does not include an employee's authorized lunch or rest period. Distribution of literature in a way that causes litter on property is prohibited.
  - 2) Off-duty employees may not return to the premises to solicit or distribute materials to employees.
  - 3) Bulletin boards, newsletters, and other employer-provided group communication systems are maintained solely for the County to communicate information to and from employees, post notices required by law, and for other work-related purposes. Posting of unauthorized notices, photographs, or other printed or written materials on those bulletin boards or other communication systems is prohibited.
  - 4) The County may authorize a limited number of fund drives by employees on behalf of charitable organizations. Employee participation in such drives is completely voluntary. As a part of those charitable fund drives, the County may permit a representative from the charitable organization to make a presentation to employees. Employees seeking authorization for such a charitable fund drive should contact the Department of Administration.

## SECTION 10 – INFORMATION TECHNOLOGY

**10.01 General.** County technologies may include, but are not limited to the County provided network, systems, desktop and mobile devices, software, hardware, electronic mail, and internet.

- a) Expectation of Privacy. Users have no reasonable expectation of privacy in anything they create, access, store, send or receive using the County-owned network and technologies including but not limited to internet, e-mail, computer, telephones, or other technological means. Anything created using County-owned and/or County-provided technologies may be reviewed by others. All data transmissions sent or received using the County's technologies are County property.
- b) Technology Usage. County technologies shall be used by County employees for County business in a procedure provided by the County. Personal use shall be kept to a minimum and users should avoid personal usage during working hours. Said personal use shall not be a substitute for an employee's personal technology. Use of County technologies during paid time for incidental personal use is considered a privilege as long as there is not abuse by staff.
- c) Prohibitions and Restrictions on Use.
  - 1) To create or transmit defamatory material, harass, make discriminatory remarks or engage in other behavior such as targeting another person or organization to cause distress, embarrassment, injury, unwanted attention or other substantial discomfort. Personal attacks based on a person's race, national origin, ethnicity, handicap, religion, gender, veteran status, sexual orientation or any other legally protected status not mentioned is strictly prohibited.

- 2) To conduct personal business for monetary gain or engage in any “for profit” communications or activities.
  - 3) For political campaign purposes, including, but not limited to, using e-mail to circulate advertising for political candidates or relating to political campaign issues.
  - 4) For any purpose that would be a violation of any county work rules, county ordinance, State or Federal laws or regulations
  - 5) Any employee discovering inappropriate use of these resources shall immediately forward the information and any available documentation of the use in confidence to the offender’s supervisor.
- d) Security.**
- 1) Password(s) and account code(s) are not to be shared with others.
  - 2) Sessions or files should not be left unattended or unsupervised.
  - 3) Attempting to gain unauthorized access to the system or network is against the law and is prohibited.
- e) Legal.**
- 1) The unauthorized installation, use, storage or distribution of copyrighted software or material is against the law and is prohibited.
  - 2) Software licensed by and to the County may only be used in accordance with the applicable license.
  - 3) Modifying or damaging information without authorization including but not limited to altering the data, introducing viruses or simply damaging files is unethical, and may be a felony in Wisconsin.

**10.02 Software.**

- a) Copying of Software. The unauthorized duplication or use of copyrighted software is a violation of United States Copyright Laws, and is punishable in civil and criminal court by fines and imprisonment. Any unauthorized use or modification of County hardware or software made by any Department that requires correcting or adjustments by the IS Department, may be billed back to that Department at fifty dollars (\$50) per hour.
- b) Software Installation. The IS Department will install all County-supported software.
- c) Downloading Software. Unless specifically authorized by the IS Department, employees shall not download software residing on the internet, bulletin boards, or personal software. This includes, but not limited to games, screen savers, utilities, demo software and third party software. The downloading of software presents a significant risk of virus infection, equipment performance degradation, and the potential to infect the entire network. The resolution of these problems can be very time consuming.
  - 1) Software residing on county equipment may be audited to determine if it is in compliance with the licensing agreements of the county.

**10.03 Network.**

- a) The County reserves the right to prioritize uses and access to the network.
- b) All use of the network must be in conformity with local, state and federal law and County policies.

- c) Use of the system and network to access, view, store or distribute objectionable or pornographic materials is prohibited.
- d) The system and network at the County constitutes public facilities and as such may not be used to support or oppose political candidates or ballot measures.
- e) No use of the network shall serve to disrupt the operation of the network for use by others.
- f) System and network components including hardware and software shall not be destroyed, modified, abused or tampered with in any way.
- g) The County reserves the right to monitor all traffic on the network to maintain network integrity and to ensure that no illegal or improper activity is occurring.
- h) Common folders will be established to promote transfer of information and files between employees and Departments.
- i) Unless necessary for program administration, no one shall review the computer files of another without prior authorization from the County Administrator or Corporation Counsel.

**10.04 Electronic Mail.**

- a) E-mail may not be used for commercial solicitation or political activities.
- b) Be aware that the Internet is not secure and assume that others can read and possibly alter your mail.
- c) Use caution when downloading attached files or programs from people and sites you do not know. These files may contain viruses.
- d) Use of “read receipts” takes up significant capacity of the network; refrain from use of read receipts on emails unless it is absolutely necessary.
- e) No one shall review the e-mails of another without prior authorization from the Human Resources Director who will obtain approval from the County Administrator.
- f) All email transmissions sent or received using the County’s technologies are County property. The County reserves the right to fully cooperate with local, state or federal officials in any investigation concerning or relating to any e-mail transmitted from or received at any County facility.
- g) E-mails may be considered public records for purposes of the open records statute. E-mail will be archived for a period of seven years. During this time E-mail may be available for open record requests, personnel compliance, or other county business as required by law.

**10.05 Internet.**

- a) Internet access must be related to County business. However, employees may use the Internet for personal use which shall be kept to a minimum.
- b) Any information obtained via the Internet may not be factual or correct. Users shall take appropriate steps to ascertain the accuracy of information before reliance or use.
- c) All files downloaded need to be virus scanned to ensure integrity of the network.
- d) Limitations may be placed on access time and certain sites may be restricted from access.
- e) Hardware and software tools have been installed which log the destination and duration of internet access.

**10.06 Mobile Devices.**

- a) All mobile devices (tablets, laptops, and smartphones) provided by the County are the property of Calumet County.
- b) The use and possession of county owned mobile devices is reserved for county employees, with the approval of their Department Head and the County Administrator.
- c) Unless specifically exempt, information stored, saved, or maintained on a county mobile device is considered public information and is therefore subject to public disclosure laws. The user of the mobile device will be the custodian of the stored information, and must take reasonable steps to maintain and preserve the stored information.
- d) Information Technology will create a media library account as applicable using the users county email address and will provide a password to the user. This password should be changed when the mobile device is delivered.
- e) Information Technology will initially load predetermined settings and applications to mobile devices. These will include:
  - 1) Setup for Wi-Fi access using county network access points.
  - 2) Mobile Device Management (used to monitor, security and to support desired applications.
  - 3) County email access.
  - 4) Agenda and document file management for Board and committee meetings.
  - 5) Other applications which are appropriate for county functionality and/or collecting and/or storing HIPPA, PCI or other sensitive information, may require additional controls above and beyond the default controls, procedures and policies.
- f) Each mobile device shall be numbered to ensure that it is consistently provided to, and used by, the same user.
- g) All electronic data, communications, and information, including information transmitted or stored on the electronic systems of the county, remain the property of Calumet County.
- h) The county retains the right to access, inspect, monitor, and/or disclose any data stored on any mobile device owned by the county, whether transmitted or received via electronic information systems (including information downloaded from the Internet or received or sent via e-mail), media of any kind, and/or any other means of data input. Users have no right or reasonable expectation of privacy in anything they create, store, send or receive using the mobile device.
- i) Assigned mobile devices shall be used in an appropriate and professional manner at all times.
- j) County reserves the right to disconnect or disable services without notification.
- k) Assigned mobile devices may not be used in any way that:
  - 1) Is contrary to or damages the county's interest.
  - 2) Results in any incremental costs to the county.

#### **10.07 Mobile Device Applications**

- a) All applications running on county mobile devices must be properly licensed.
- b) For purposes of this Policy, applications fall into one of the following categories:

- 1) Initial Applications are applications loaded onto the mobile device at the time the mobile device is provided.
  - 2) Additional applications may be made available at a later time. These applications will be made available through MDM (Mobile Device Management). A notification will be sent to the user that an application is available for download and request user installation.
- c) The user will not add personal payment information that is tied to an app store account using the county id. If it is found that a personal payment account has been tied to a county user id:
- 1) The county will not reimburse the user for any applications that the user has personally purchased using a credit card, gift card, store credit, PayPal or any other method of personal payment.
  - 2) Any funds remaining when the mobile device is returned to the county that are attached to a county user id will not be reimbursed.
  - 3) Applications purchased using the county id will become the property of the county when the mobile device is returned to the county.
- d) The MDM tool has the capabilities to monitor mobile device usage and compliance.

**10.08 Wireless Connections.**

- a) Use of wireless connections should be used with caution and should not be considered secure, unless there is definitive proof that it is a secure network. Extreme caution should be practiced when sending or receiving confidential or sensitive material.

**10.09 Mobile Device Security.**

- a) As part of the setup, Information Technology will provide a password to the user. This password should be changed when the mobile device is delivered. Passwords should not be shared, nor should they be posted.
- b) Users will be expected to take reasonable precautions to protect any mobile device assigned to them from damage, destruction, or theft. Any suspected breach of security, damage, destruction, or theft of any mobile device owned by the County should be reported to the Information Technology Department as soon as possible. Information Technology will determine the extent of damage and provide an estimate of the cost to repair or replace. The user department or area of responsibility will be requested to cover the cost of repairs or replacement.

**10.10 Use of a Personally-Owned Mobile Device**

- a) The use of a personally-owned mobile device for work-related purposes is completely voluntary on the employee's behalf. The County does not request, expect, or demand that an employee use any personally-owned mobile device for work purposes; therefore, there is no stipend or other compensation for choosing to use a personal mobile device.
- b) To be eligible to use a personally-owned mobile device for work-related purposes, the County system user must understand and agree to the following provisions of set-up and conditions:
  - 1) Information Technology may not be able to answer how-to questions having to do with specific device functions. The employee should seek such support from the manufacturer or mobile device service provider.

- 2) Due to the sensitive nature of work, personally-owned device option may not be available to some employees based upon their position.
- 3) The County is not responsible for loss of functionality or damage to your personal mobile device as a result of efforts to get you connected to our systems.
- 4) The County is not responsible for charges or billing which may be a result of your connecting your personally-owned mobile device to our networks. The employee is personally liable for all costs associated with his or her device.
- 5) Mobile Device Management used to monitor security and to support desired applications is required if accessing county email, calendar and contacts. MDM software may be charged back to the requesting department (Exception: MDM software is not required for users accessing email, calendar and contacts through Webmail functions only).
- 6) Personally-owned mobile devices may be subject to review under the Open Records Law or pursuant to discovery during litigation in which the county or state is involved. Data and activity on the device may be reviewed by the County or the Courts and the County data and/or call detail may be disclosed. Personal data may be reviewed by the County, but omitted from open records disclosure based on the County or the court's analysis.
  - i. Due to Open Records Law requirements, text messaging for business purposes is discouraged on personally-owned devices or user must have a means of archiving said text messages.
- 7) Individuals are put on notice that use of a personal mobile device for business related purposes may subject the individual's personal mobile device and mobile device records to public and county inspection.
- 8) Protect the work-related applications with a PIN. Do not share PINs/passwords with anyone. The use of PINs and/or passwords for county applications may be forced by the MDM software.
- 9) Personal devices may have credit card/profile associated, but be aware that account should not be used to purchase County applications or software
- 10) The individual assumes full liability for risks including, but not limited to, the partial or complete loss of county and personal data due to an operating system crash, errors, bugs, viruses, malware, and/or other software or hardware failures, or programming errors that render the device unstable.
- 11) Termination or Department Change. If employment ends, access is terminated (for whatever reason), the user transfers to another department, or is no longer authorized to use the personally-owned mobile device, the department head is responsible to notify I.T. immediately to perform a selective wipe of the device using MDM to remove County data.
  - i. The County system user is responsible to:
    - (1) Provide County data and information remaining on the phone for compliance business retention policies and open records law to the County and then delete the County data and information from the device and any backups.
    - (2) The County system user remains liable for any County data retained in any personal device and back-up whether locally stored

at home, on USB, laptop or PC or cloud based service. This means the County system user may be personally liable for information disclosures including HIPAA criminal penalties.

- ii. If the County system user approves (in writing or email), the entire Personal Device may be wiped by Calumet County Information Technology.

**10.11 Hourly Employee Usage.** Hourly employee mobile device use for business-related calls and activities outside of regular business hours must be recorded as compensable time unless such time is de minimis (i.e., increments of time less than 10 minutes). If this results in overtime, the overtime will be paid, but the employee is subject to departmental rules and directives regarding approval for overtime.

**10.12 Use of Camera Enabled Devices.** Use of camera enabled devices to take photographs or videos may violate the privacy rights of co-workers, vendors, customers, and their sensitive information or undermine the County's operations. Use of a camera on a camera enabled device to capture images or video is prohibited while performing work unless it is being used directly for work purposes, regardless if the device is personally-owned or a county-owned and prior approval is obtained from the user's department head. If the County system user is authorized to capture visual images for work purposes, the user acknowledges that:

- a) Violating an individual's privacy rights can invoke a number of state and federal criminal statutes as well as expose an individual to civil liabilities. Obtain permission from adults and children when taking photographs utilizing the County's [Photo and Video Release Form](#).
- b) Usage must be in compliance with County Code of Ethics and Conduct, and respectful of client and staff privacy rights. Generally, photographs should not be taken contrary to a person's wishes, or where client or personal confidentiality or privacy may be violated. Absolutely no lewd or obscene photographs may be taken or displayed at work. Violations may result in confiscation of the device in addition to discipline up to and including termination.
- c) Photos and videos for evidence collection, healthcare and/or other official purposes are permitted by this policy or state statute. Regardless of authority to record, County system users must treat all images as confidential; supervisory staff has authority to release.
- d) The camera should not be used to take any photographs or video which may be of a confidential nature and stored on the device in an unencrypted manner.
- e) If photographing or videoing individuals ensure compliance with Photo Policy.

**10.13 Driving Safety Issues**

- a) Texting. Using a mobile device to text while driving is prohibited by law under WI Statute 346.89 Inattentive Driving. As noted in the statute, the operation of an emergency vehicle is exempted provided they drive with due regard for safety at all times.
- b) Phone Calls. While operating a motor vehicle and placing or receiving a phone call, employees are required to drive with due regard. In general, a phone should not be used while operating a motor vehicle. Use of hands free devices such as a Bluetooth device to place phone calls is permitted, if driving conditions permit.
  - 1) Due to the nature of their work, Highway employees shall not use a personal cellular phone while working except in emergency situations.

## SECTION 11 – MEETING ROOMS

**11.01** All meeting rooms shall be reserved through E-calendar on the County’s Intranet, with the exception of the conference rooms located around the Courtrooms. These conference rooms are not intended for Committee meetings, but are intended for use by attorneys and clients and will be used on a first-come, first-served basis. There shall be no meetings held in the Courthouse Complex in the evenings and weekends, other than in the basement meeting rooms as follows: Rooms 014, 015, 017, 018, 019, and 025. This is done for security reasons. Night meetings shall mean any meeting held after 4:30 p.m. Meeting rooms are available to government affiliated groups and are reserved on a first-come basis. Meeting room doors shall be unlocked by the Department using the room and locked by the Department using the room at the completion of the meeting.

## SECTION 12 – SOCIAL MEDIA POLICY

**12.01 Purpose.** To address the fast-changing landscape of the Internet and the way residents communicate and obtain information online, Calumet County Departments may consider participating in social media formats to reach a broader audience.

**12.02 Scope.** This policy and procedure applies to all departments and employees, contractors, and elected officials of Calumet County contributing to blogs, wikis, social networks, virtual worlds, or any other kind of social media, both on and off County websites.

**12.03 Definitions.**

- a) Protected Health Information (PHI). PHI is defined as individually identifiable health information that is created by or received by the County, including demographic information, that identifies an individual or provides a reasonable basis to believe the information can be used to identify an individual as it relates to a physical or mental health condition of an individual, health care to an individual, and/or payment for the provision of health care to an individual.
- b) Social Media or Social Media Sites. Social Media or Social Media Sites are defined as interactive online pages that allow for and encourage multiple postings or interactions, and whose information is constantly altered by its readers and producers. Examples of these sites include blogs, wikis, RSS feeds, and web sites such as Facebook, Twitter, TikTok, GovLoop, YouTube, LinkedIn, Instagram and others.

**12.04 Employee Responsibility.** Calumet County employees are responsible for appropriate use of social media in accordance with this policy.

- a) County social media login information will be established, assigned, changed, and/or deleted by the Communications and Project Specialist as needed.
- b) Social media activities are subject to all employer policies, including those designed to provide guidance for technology and email use, protect confidential information and prevent discrimination and harassment.
- c) Employees are expected to adhere to the highest ethical standards when conducting County business.
- d) All use of social media must be able to withstand public scrutiny without embarrassment to Calumet County, its school districts, its customers, or its employees.
- e) Employees found in violation of this policy may be subject to disciplinary action, up to and including termination.

- f) Work-related social media transactions and communications must be kept separate from employees' personal social media unless promoting or sharing posts from County social media pages.

**12.05 Management Responsibility.** Calumet County Department Heads and supervisors are responsible for ensuring the appropriate use of social media through training, supervising, coaching, and when necessary, taking disciplinary action.

- a) Department heads and supervisors will be responsible for ensuring only authorized individuals will be permitted to post or modify content for official Calumet County social media sites.
- b) Calumet County reserves the right to deny access to post information on County-sponsored social media sites to any employee or representative of the County who violates this Social Media Policy. Any reference in this document to "employee" or "County employee" shall be considered to include any contractor, vendor, or agent working for or representing the County, but not in County employ.
- c) County social media sites are subject to applicable public records laws (Wis. Stat. Chapter 19). Any content maintained in a social media format related to County business, including communication posted by the County and communication received from citizens, is a public record. Retention of social media content as public records would likely include any comments, queries, information, or materials submitted by end users, including under certain circumstances, personal information submitted voluntarily such as the user's name and/or address. Information Technology (IT) will retain these records in an accessible and usable format that preserves the integrity of the original records, pursuant to the record retention schedules. The Department maintaining the site is considered the custodian of the records and, therefore, is responsible for responding completely and accurately to any public records request for social media content in a timely manner. Assistance to obtain the records may be required of the IT Department and guidance by Corporation Counsel, if necessary.
- d) Social media sites are to be used to further the goals of Calumet County departments and provide a service to citizens. Appropriate time spent on updating social media sites should be discussed between the employee and supervisor, and should not interfere with completion of other job duties.
- e) Department Heads and supervisors are not allowed to ask potential or current employees for their personal social media passwords or usernames.

**12.06 General Social Media Site Guidelines for Authorized Sites/Users.**

- a) All Calumet County social media accounts/platforms must be reviewed by the Communications and Project Specialist and approved by both the requesting Department Head and the County Administrator. All content must be published using approved County social media platforms and tools. Any content that might act as the "voice" or position of the County must be approved by the Department Head.
- b) Whenever possible, links to more information should direct viewers back to Calumet County's official website for more information, forms, documents, or online services.
- c) County employees posting official information to social media sites generally may do so only for the department they represent. They may post information or links to information already published on existing County web pages or social media sites but may not post any new or original materials relating to the activities or operations of other County departments. County representatives should refer any questions, comments, or discussion

outside of their department's responsibility, or their personal expertise, to an appropriate responder within their own or another County department.

- d) Due to the nature of social media, information may be widely disseminated and is unlikely to remain private. Employees are expected to recognize the confidentiality of certain County information, and the privacy rights of employees, and residents, and are prohibited from disclosing confidential, personal employee and non-employee information, and any other proprietary and/or nonpublic information, to which employees have access. This includes, but is not limited to disclosing personally identifiable information such as social security numbers, phone numbers, addresses, email addresses, or other information protected under the Health Insurance Portability and Accountability Act ("HIPAA") – do not even remotely identify an individual. Questions regarding whether information has been released publicly, or doubts regarding the propriety of any release, shall be directed to the employee's supervisor before releasing the information. Report to your supervisor immediately any violation or breach of this policy.
- e) Maintain privacy of yourself and others. Do not discuss a situation involving named or pictured individuals on a social media platform without their permission, including co-workers. As a guideline, do not post anything that you would not present in any public forum again, due to the nature of social media and the wide distribution of information.
- f) If posting a picture or video of an adult, the individual must consent to the use of their image on the social media site, by signing the [Photo and Video Release Form](#).
- g) Pictures or videos of minors will not be posted unless the minor is unidentifiable, or a parent or legal guardian has signed the [Photo and Video Release Form](#) granting permission to photograph, audiotape, videotape, publish, and copyright images of their minor child.
- h) Section 508 of the Rehabilitation Act of 1973 governs web accessibility on federal government sites for people with visual and hearing disabilities. Social media users are highly encourage to follow these guidelines unless impractical:
  - 1) Video captions and transcriptions - Embed captions within videos as part of the postproduction process. Provide transcripts of videos and attempt to include these transcripts on the social networking site. Maintain Section 508 compliant videos, captions, and transcripts on the County's website and attempt to link back to the County website from the social networking site.
  - 2) Photo – alternative descriptions. Name the photo after the description before uploading it to the social networking site. Write text captions and descriptions when social networking site makes these form fields available.
  - 3) PDFs – work to make document compliant in source format before converting to a PDF. Use formatting, such as headers, when applicable. Embed hyperlinks within the anchor text rather than supplying the physical URL to the right of the anchor text.
- i) It is the responsibility of the department to maintain the content of their pages on social media websites; however, they should not change settings. It is the responsibility of the department to ensure that information is accurate and up-to-date. Further, it is the Department Head or supervisor's responsibility to maintain compliance with this policy and all other applicable polices or laws in the management of their social media site(s).
- j) Departments using social media sites must adhere to all applicable federal, state, and county laws, regulations, and policies, including but not limited to Wis. Stats. §995.55, the First Amendment, HIPAA (when applicable), the Hatch Act, the Rehabilitation Act of 1973 -

Section 508 Amendment, all copyright laws, public records laws, retention laws, and all other laws, ordinances, and rules that might apply to the County.

- k) Employees may not post employment recommendations or references for current or former employees of Calumet County on any social media site. All requests for recommendations or references should be directed to the Department of Administration. Employees should use the following response to requests for recommendations and/or references:

“Thank you for your request for a recommendation. Unfortunately, I am unable to provide you with a recommendation due to County policy. Our Department of Administration provides all references and recommendations. Best of luck in your future endeavors.”

- l) Any information posted is considered an extension of Calumet County and must be relayed with the utmost level of professionalism. Information should be meaningful, accurate, and respectful.
- m) All social media platforms will clearly indicate they are owned and maintained by Calumet County and will have Calumet County contact information prominently displayed.
- n) Calumet County logos, marks, and insignia may be used on County social media platforms owned and maintained exclusively for County business and County purposes.
- o) Those in charge of publishing and updating within each Department must monitor any comments made by the public. The county [Social Media Terms of Use](#) must be clearly identified on all social media sites. If the platform does not provide space for the agreement in full, a link to the Social Media terms of agreement on the County website is to be provided. The initial post must contain the following:

“Welcome to the Calumet County [social media platform inserted here.] We’re glad you’re here!

On this site you will find posts related to Calumet County and the people who live, work and play in our community. We ask that you respect all participants and that you keep your comments focused and on the topic of the post you comment on.

This site provides updates and news related to Calumet County, Wisconsin. If you are seeking the official source of information for Calumet County, please visit our website at [www.calumetcounty.org](http://www.calumetcounty.org). By using and accessing our site, you agree to our Social Media Terms and Conditions. Please read these community guidelines that were created to help improve the quality of conversation on this page.

Keep in mind when you are posting that this is a community site, not an open forum, and Calumet County reserves the right to hide or remove any posts that are deemed unproductive and in violation of our terms.

Comments and posts containing any of the following will be removed:

- Abusive, defamatory, harassing or threatening of individuals.
- Graphic, obscene, sexual or explicit postings, or the depiction of violence.
- Unrelated to the particular site or topic.
- Other non-topically related content outside the limited public forum established to discuss Calumet County issues, operations and services.

- Language that is hateful to anyone with regard to race, creed, color, age, ethnicity, religion, gender, marital status, status with regards to public assistance, national origin, physical or mental disability, sexual orientation or political beliefs.
- Solicitations or advertisements (spam), including financial, commercial or non-governmental endorsements or promotion.
- Illegal or advocating illegal or illicit activity, including violating intellectual property rights, copyrights or trademarks of others; or invasion of privacy.
- Promotion of political purposes, a political candidate/party or point of view.
- Endorsement of any religious organization.
- Personally identifiable information, including medical or health information, phone numbers, email or postal addresses.
- Information that may compromise the safety, security or proceedings of the public or any criminal or civil investigations.
- External links constituting official endorsement or representative views on behalf of Calumet County.
- Comments that violate any of Calumet County policies.

As a government entity, all posts and comments are considered public record and will be retained and archived. Comments expressed on this site do not necessarily reflect the opinions of Calumet County or its employees. We assume no responsibility nor any liability for any content posted on this site. Participation is at your own risk.

This page is not monitored at all times. We typically respond to comments, if necessary, during normal business hours. Please contact the site administrator at (920) 849-1611 ext. 2007 for assistance with a comment you believe violates the above policy. DO NOT use this site to report emergency situations or time-sensitive issues.

Thank you for your participation on the Calumet County page. We are excited to have our neighbors participate and we look forward to connecting with you!"

- p) Encourage one-way communication when possible. Use of two-way communication is permitted in cases where limiting the application to one-way communication would reduce or negate the value of the social media application.
- q) Communication among members of governmental bodies using social media may constitute a "meeting" under the Wisconsin Open Meetings Law. For this reason, members of these bodies are strongly discouraged from interactions with other members on social media sites.
- r) Social media sites may not be used to disseminate information to County Board or Committee members on issues or topics that will be addressed and may need a decision or action by the Board or Committee.

**12.07 Site Establishment and Administration/Structure of Social Media Sites.** Users are to never remove, add or change any administrators or passwords or settings for social media accounts. A request should be sent to the Communications and Project Specialist for any changes needed.

- a) When a social media account is sought, the following is required:
  - 1) Completion of the [Social Media Account Request Form](#).
  - 2) Approval from the Department Head
  - 3) Meeting with Communications and Project Specialist to review and discuss request

- 4) Final decision from the County Administrator and notification to requesting department
  - 5) Coordination between Department of Administration and Information Technology on the following:
    - i) Establish new account
    - ii) Confirm authorized users
  - 6) Schedule required user training which may include policy and procedures review, maintenance of site, brand alignment and content strategy assistance.
- b)** County-authorized social media pages and sites permitting technology should contain the following information in a prominent place on the site:
- 1) County Department clearly identified;
  - 2) Comment policy as stated in the [Social Media Terms of Use](#).
  - 3) Stated purpose of page;
  - 4) Official contact for page
- c)** All social media accounts must comply with current county brand standards, including logo use, color scheme, etc. View the Brand Guide for details.

#### **12.08 Personal Use of Social Media.**

- a)** If an employee identifies themselves as a County employee in their personal use on social media, make it clear that you are speaking for yourself and not on behalf of Calumet County or its school districts.
  - 1) If any information posted is related in any way to the work you do or any topics related to the County or its school districts, a disclaimer must be used such as. "The opinions expressed are my own and do not reflect the opinions of Calumet County."
- b)** Avoid making comments that could reflect poorly on you and the County. Remember, you are a representative of Calumet County and should strive to portray the County in a positive light. Your personal profile and any related content should be consistent with how you wish to present yourself to your colleagues, supervisors, and the public.
- c)** Employees are discouraged from venting personal complaints about supervisors, co-workers, customers, or the organization on social media sites. It is recommended that any concerns regarding these issues be addressed within the organization.
- d)** As a County employee, be aware that you are responsible for the content you post, and that information remains in cyberspace forever.
- e)** Employees are discouraged from sending or receiving Facebook friend requests to or from their Department Head or Department Supervisors.
- f)** Use privacy settings when appropriate. Remember, the internet is immediate and nothing posted is ever truly private, nor does it expire.
- g)** If you see unfavorable opinions, negative comments or criticism about yourself or Calumet County, do not try to have the post removed or send a written reply that will escalate the situation. Forward this information immediately to your Department Head or the Director of Human Resources to be reviewed.

- h)** All existing County HIPPA rules and policies currently in place must be complied with when using social media. Do not post any confidential, proprietary or sensitive information that relates to Calumet County, clients, patients, or departmental operations.
- 1) Confidential information may not be discussed or posted on social media at any time.
    - i) Confidential Information includes, but is not limited to protected health information (PHI), electronic protected health information (ePHI), employee medical information, user names and passwords, information system configurations, and other nonpublic information.
  - 2) Information about a client may not be posted/communicated in even a general manner as it may lead to a breach of confidentiality.
  - 3) Do not post pictures, images, scans, etc. involving confidential information.
  - 4) Do not respond to someone else’s communication/post about a client.
  - 5) Do not attempt to contact clients through social media, personal accounts, or publically accessible information systems.
    - i) Do not extend or accept “friend” requests with clients.
    - ii) Do not interact with current or past clients on personal social networking sites.
  - 6) If PHI is seen on a social media site, public website, personal account, or unauthorized information system, immediately report it to the Privacy Officer and Department Head. The Privacy officer and Department Head will:
    - i) Immediately remove the PHI from the websites/information systems or request it be removed after the facts have been documented.
    - ii) Complete a privacy and security incident investigation.
- i)** The County recognizes that an employee may occasionally use County technology for personal use to access social media sites.
- 1) All such personal use shall in no way interfere with the employee’s job duties or the use of County technology for County business purposes.
  - 2) Such personal use must not be excessive and should be limited to personal break times whenever possible.
  - 3) Department Heads may develop more restrictive guidelines as they deem appropriate applying to personal use of social media with County technology.
  - 4) The Information Technology policy (Section 10) of the Employee and General Administrative Policy Manual apply to social media usage.
  - 5) When accessing social media sites for personal use through County technologies, an employee has no reasonable expectation of privacy and comments/posts may be considered public record for purposes of the open records statute.
- j)** Personal use of social media platforms using County technologies may be subject to legal discovery, including subpoenas, in legal proceedings.
- k)** Employees will not use their Calumet County email address for their login to their personal social media profiles.

## SECTION 13 – FIRST AMENDMENT AUDITING

**13.01 Definition.** First Amendment Auditing is when an individual or group “Auditors” film on government property to test their rights to film or enter a public space.

**13.02 Right to Access.** The right to access public property and the standard by which limitations upon free speech exist differ depending on the character of the property – public forums, designated public forums, nonpublic forums.

**13.03 Types of Public Property.**

- a) Public Forums – an area that has been traditionally used for expressive activity like assembly or debate. Ex. Streets, sidewalks, public parks.
- b) Designated Public Forums – public property the state has opened for use by the public as a place for expressive activity. Ex. University meeting facility, school board meeting.
- c) Nonpublic Forums – public property which is not by tradition or designation a forum for public expression (a.k.a. all other public property). Ex. Military bases, jails, airport terminals.

**13.04 The Right to Record.** The right to record is protected by the First Amendment. Generally, public officials may place reasonable time, place, and manner restrictions on this right if the restrictions are necessary to maintain safety and control. Confidentiality concerns also support the impositions of restrictions (e.g., client confidentiality in human services.)

**13.05 Best Practices.**

- a) Identify and mark nonpublic forums with signs that define access. Ex. Authorized Personnel Only, No Admittance Without Official Business, To Protect Confidential Access to Services, Video and Photography are Prohibited.
- b) All public-facing employees should have familiarity with First Amendment audits and how to respond to them.
- c) Areas marked as restricted access must be kept secure. Doors must be closed and locked. Access must be privileged and only for legitimate purposes.
- d) Policies will be enforced. Employees will be held accountable for preserving security. If the area presents a safety issue, discipline will result if the area is not secured.
- e) When confronted by an auditor:
  - 1) Be polite and patient
  - 2) Act in conformity with the County’s Mission
  - 3) Comply with policies and security requirements
  - 4) If an auditor is in a location in which clients or confidential information is observable, state “to protect clients and privileged information, video and photography are prohibited in this area.”
  - 5) Allow the filming as long as they are not committing any crimes or disrupting

the use of the property.

- 6) Contact Corporation Counsel if any issues arise with an auditor.
- 7) Contact the Sheriff's Department if there becomes safety concerns.

**f)** When confronted by an auditor DO NOT:

- 1) Overreact
- 2) Take their recording device
- 3) Follow or intimidate them

## Chapter Eight – Employee Safety

### SECTION 1 – SAFETY & SECURITY

- 1.01 Notice of Injury to Non-Employee.** Any injury to the public arising from an incident on County property should be reported immediately to the Finance Director. Employees who are witness to such injuries are expected to help the party involved to comply with this policy by referring them to the appropriate place for help.
- 1.02 Employee Responsibility.** Employees must conduct themselves in a safe manner at all times, adhere strictly to all safety requirements, and immediately report any accidents, hazards or potentially unsafe conditions. If the unsafe condition can be corrected immediately as to avoid any additional hazard, then the employee should implement the corrective action. Similarly, all work areas are to be kept clean and free from debris, and tools and equipment are to be kept clean and in good repair.
- 1.03 Safety Contact.** The Human Resources Director shall be the contact for unsafe conditions in the workplace, for safety training of County employees, and for the administration of the safety programs as required by governmental entities and/or insurance companies. The Human Resources Director collaborates closely with Department Heads on these matters. While the following is not an all-inclusive listing, it is an example of some of the safety programs administered: Hazard Communication/Material Safety Data Sheets; Head Protection; Foot Protection; Face and Eye Protection; Lockout/Tagout; Hearing Conservation; Confined Space; Airborne Pathogen; Respiratory Protection; Evacuation / Disaster Planning; and Ergonomics.
- a) The Department of Administration shall maintain a record of all employee training, and shall coordinate safety-related employment matters (e.g. return-to-work, leaves of absence, discipline, etc.).
- 1.04 Safe Working Conditions.** County Department Heads are to provide the safest working conditions possible. It is the duty of Department Heads to establish safety regulations and to instruct employees in accident prevention. Suggestions regarding safety will be welcomed from all employees who are expected to immediately report unsafe conditions to their Department Head who shall, in writing, report the condition to the Department of Administration.

### SECTION 2 – NOTICE OF INJURY TO EMPLOYEE

- 2.01** An employee shall immediately report to his Department Head or Supervisor any injury incurred while in the course of his employment. The appropriate reporting forms should be filled out and forwarded to the Department of Administration within twenty-four (24) hours if at all possible. Under no circumstances should these forms be filed later than thirty (30) days following the date of said injury/accident. All serious injuries should be treated immediately and reported as soon as possible. All other injuries should utilize the County Mutual Care Line (1-833-564-0894) to assess the injury and provide helpful instructions. If an employee requires medical attention, a Return to Work Form should also be obtained and returned to the Supervisor or Department Head prior to returning to work or if accommodations need to be made due to temporary work restrictions. No employee who seeks medical attention for a work related injury will be allowed to return to duty without clearance from a health care provider.

### SECTION 3 – WORKER'S COMPENSATION

- 3.01** Medical expense and wage loss are covered by provisions of the State Worker's Compensation Act.
- a) The employee/supervisor/Department Head must fill out the necessary reporting forms documenting the injury and provide to the Department of Administration, as soon as possible.

- b) For an injury requiring medical attention, documentation must be provided by the physician to the Department of Administration concerning the injury.
- c) The worker's compensation insurance carrier (insurance carrier) will make a determination of a worker's compensation claim.
- d) There is a three (3) day waiting period. The first three (3) days following an injury are not compensable unless the employee misses work beyond the 7th calendar day following the injury or sustains permanent disability.
- e) At the time the physician indicates the employee is able to return to work, the County's Return to Work Form shall be completed and returned to the Department of Administration.

**3.02 Light Duty.** Some departments or divisions are able to offer employees injured in work related incidents continued active employment that is within their medical restrictions. This program is called "Light Duty" and is intended to keep the employee gainfully employed while recovering from a work related injury. Employees are expected to participate in the Light Duty Program as long as the duties to be performed are within their medical restrictions. Employees who refuse Light Duty Program assignment may be risking disciplinary action and/or termination of future Worker's Compensation benefits.

#### **SECTION 4 – BUILDING SECURITY**

**4.01** No employee shall let anyone in the building before 7:45 a.m. or after 4:30 p.m., or during times that the Courthouse is closed for business, unless they know the person and are doing business with them.

#### **SECTION 5 – MOTORCYCLE/MOPED**

**5.01** Employees shall not use a motorcycle, moped, or similar vehicle in the course of County business.

#### **SECTION 6 – DRUG, ALCOHOL, AND SMOKE FREE WORKPLACE**

**6.01** The County declares any location at which the County conducts its business to be a smoke, alcohol, and drug-free workplace.

**6.02 Smoke Free Workplace.** There is no smoking, as provided by Wisconsin Statutes 101.123(2)(a)(8r), or the use of or vaping with electronic cigarettes (or any electronic smoking devices designed to resemble a cigarette, cigar, cigarillo or pipe) in any enclosed County building, or in vehicles that are owned, leased or rented by Calumet County.

**6.03 Alcohol Free Workplace.** Alcoholic beverages are not allowed in any building or vehicle owned, leased or rented by Calumet County at any time with the exception of the storage of alcohol as evidence in the Sheriff's Office. All employees are prohibited from being under the influence of, or consuming alcohol during the employee's work hours.

**6.04 Drug Free Workplace.** All employees are prohibited from unlawfully manufacturing, distributing, dispensing, possessing, being under the influence of, or using a controlled substance in the workplace.

- a) Use of Prescription Medication. This Policy, however, does not prohibit an employee from ingesting a legally obtained prescription drug that was legally issued to said employee. Because prescription medication can also affect an individual's demeanor and job performance, it is the employee's responsibility to notify their immediate supervisor if they are taking legal prescription drugs that may affect performance or ability to perform the position duties. Such prescription drugs must be given under medical supervision and may not interfere with the performance of job duties.

- b) Drug-Related Convictions. Any employee convicted of violating a Wisconsin or Federal Criminal Drug Statute must inform the County of such conviction (including a plea of guilty and no contest) within five (5) days of the conviction occurring. When the federal government requires a County to notify the federal contracting office of an employee's drug conviction in a workplace, the County will provide such notification to the federal contracting office within ten (10) days of receiving such notice of conviction from an employee or otherwise receiving notice of such conviction.

**6.05 Drug and/or Alcohol Testing.**

- a) New Employees. As a condition of employment, all new employees must successfully complete a pre-employment drug test. In certain circumstances, as authorized by the Human Resources Director, applicants may be required to submit to a drug test.
- b) Current Employees. In certain circumstances, as authorized by the Human Resources Director, the County may conduct reasonable suspicion and/or post-accident drug or alcohol testing as it deems appropriate.
- c) DOT Drug Testing. As a condition of employment, employees required to possess a Commercial Driver's License (CDL) as part of their job duties are required to comply with, and submit to, drug and alcohol testing in accordance with County policy and all applicable state and federal regulations. As part of its compliance with the regulations, the County maintains a more comprehensive policy which is available in the Department of Administration. Each affected employee will receive a copy of that policy.

**SECTION 7 – BULLYING AND WORKPLACE VIOLENCE POLICY**

**7.01 Policy Statement.** It shall be the policy of the County to provide a workplace that is free from violence, intimidation and other disruptive behavior. The County does not tolerate acts of bullying or workplace violence committed by or against employees and strictly prohibits employees from making threats, possession, use, or threat of use of any weapon in the workplace, or engaging in violent acts and intimidation. This is a zero-tolerance policy, meaning that the County will discipline or terminate any employee found to have violated this policy. Workplace violence does not include the use of reasonable force in the defense of oneself or others.

- a) Exceptions to Weapons Prohibition. The weapons prohibition policy does not apply to individuals who, within the normal scope of the individual's employment, is required to use a device that is, or would be considered, a weapon and who is authorized to use such a device by the employee's Department Head or by the Department Head in which the device is used.

**7.02 Employee Responsibilities.** Employees will treat all other employees with dignity and respect. Department Heads and Supervisors will provide a working environment as safe as possible by having preventative measures in place and by dealing immediately with disruptive, threatening or potentially violent situations. No employee will engage in disruptive, threatening, violent, intimidating or other abusive conduct or behaviors.

**7.03 Restraining Orders.** Employees who are seeking or have obtained restraining orders or injunctions against abusive persons should notify their supervisor so that appropriate measures can be taken. When an injunction or restraining order lists County facilities as being protected areas, employees must provide their supervisor with a copy of any injunction or restraining order which is granted, and a copy of any injunction or restraining order which is made permanent.

**7.04 Reporting.**

- a) Notification of Supervisor. All employees shall notify their supervisor whenever they have witnessed, experienced, or become aware of any act or threat, physical or verbal, and/or

any abusive, disruptive or intimidating behavior from any individual. No attempt to engage or antagonize a person threatening violence shall be made. As an alternative means of reporting acts or threats of violence, an employee is authorized to bypass the chain of command and may report such incidents of workplace violence and bullying to their Department Head, a supervisory employee in any other County department (including the Sheriff's Office), or to the Department of Administration. Employees shall cooperate with any subsequent investigation of their complaints.

- b)** Supervisor Responsibility. Supervisors receiving employee reports of bullying or workplace violence, or who have knowledge of a situation which may affect the security of Calumet County and its assets shall report such information to their Department Head. The Department Head shall verbally inform the Human Resources Director, complete a confidential memorandum, and submit the memorandum to the Human Resources Director. The memorandum should include:
- 1) Detailed description of what happened, where it happened, and when it happened.
  - 2) Identity of persons reporting or witnessing the incident.
  - 3) How matter was resolved.
  - 4) Suggestions for minimizing the reoccurrence of this incident.
  - 5) While every effort will be made to keep reports and records made pursuant to this policy confidential, such reports and records may be subject to public disclosure under the Open Records Law.

#### **7.05 Investigation of Reports**

- a)** The Human Resources Director will receive, evaluate, intervene, and respond to reports of bullying and workplace violence with the assistance of the appropriate parties, including but not limited to the County Administrator.
- b)** Privacy rights will be observed in the investigation of bullying and workplace violence incidents. Only those individuals with a clear need to know of the potential risk will be notified in cases where a person is, or is perceived to be, a threat to others. Anonymity of employees reporting violence, threats of violence, intimidating or other abusive conduct will be maintained during the investigation to the greatest extent possible by those investigating and resolving the complaint. However, there is no right to or guarantee of anonymity since it is often necessary to make the employee or customer against whom the allegation has been made aware of the complaint in order to ascertain the facts.

### **SECTION 8 – EMERGENCY LEAVE / INCLEMENT WEATHER POLICY**

- 8.01** The County is always open for business, regardless of weather conditions or other emergency events including, not limited to, natural or man-made disasters that may jeopardize the health and safety of both County employees and the public, unless otherwise determined by the County Administrator or their designee.
- 8.02** **Emergency Leave.** The County Administrator shall designate what shall constitute an inclement weather or an emergency event condition when employees shall be released from work without loss of pay. The closing may affect all or a portion of the County facilities and employees. An employee leaving before such emergency is declared shall forfeit pay or may take vacation, PTO, or accumulated compensatory time for such periods of absence. This policy shall not apply to any Departments in the County where lack of proper personnel would affect patient care, protection of the public or required services to improve driving conditions.

Departments may also be required to maintain minimum level of staff needed to provide customer services. Designated employees may be required to report to work when other County employees are excused. Departments are responsible for maintaining and making available a list of employees responsible for providing minimum staffing. Any County employee may be required to report for work in the event of an emergency and, if contacted, must report regardless of weather conditions or emergency events. Any County employee may fulfill duties as assigned outside the scope of their regular job duties.

**8.03 Inclement Weather.** Employees are expected to make every reasonable effort to report to work during inclement weather. However, in the event of inclement weather such as snow, fog, or ice which creates hazardous traveling conditions to and from an employee's home, an employee may arrive late or leave work early, upon permission from his supervisor. When severe weather conditions exist, it will be the responsibility of each employee to contact the employee's supervisor before the start of their shift if they are unable to report to work on time. This policy shall not apply to any Departments in the County where lack of proper personnel would affect patient care, protection of the public or required services to improve driving conditions. Employees in those positions are expected, as a condition of their employment, to adjust their arrival and departure in accordance with predicted conditions.

- a) An employee may receive pay for the time away from work because of inclement weather conditions subject to the Supervisor's approval by using accumulated compensatory time, vacation or PTO.

# Chapter Nine – Employee Conduct/Grievance Procedure

## SECTION 1 – PERFORMANCE MANAGEMENT

- 1.01 Purpose.** To foster employee engagement, improve performance, strengthen supervisor-employee relationships, and recognize employee accomplishments and good work. Performance management at Calumet County is a framework to establish and ensure periodic meaningful coaching conversations are taking place between managers and employees. It is a partnership between managers and employees to support employee success and the success of Calumet County.
- 1.02 Staff Evaluations.** It is the policy of Calumet County to administer an Employee Performance Evaluation Program that will help employees and supervisors to assess employee work performance and effectiveness; to provide a means to provide constructive feedback and goals to improvement and suggest action for employee development; and to provide positive feedback in areas of excellence. Ongoing feedback should be provided at least quarterly and evaluations should occur at a minimum on an annual basis. Evaluations are documented on forms approved by the Department of Administration. Supervisors and employees sign the evaluation form as acknowledgement of the performance evaluation discussion.
- 1.03 New Employee Evaluations.** All newly hired employees will be evaluated during their first year of employment to determine the employee’s suitability for the position. Department Heads, or their designee, will evaluate newly hired employees prior to the end of their sixth (6<sup>th</sup>) and twelfth (12<sup>th</sup>) months of employment. Nothing contained in this policy prohibits a department from conducting more frequent evaluations (e.g. Field Training, etc.).
- 1.04 Promoted/Transferred Employee Evaluations.** Department Heads, or their designee, will evaluate employees who have been promoted or transferred prior to the end of their fourth (4<sup>th</sup>) month in their new position.
- 1.05 Filing of Evaluations.** All evaluations are filed with the Department of Administration.

## SECTION 2 – GENERAL

- 2.01 Public Relations.** It is the duty of every employee to deal courteously with the public. Favorable impressions created by courteous public relations develop citizen goodwill and support for the employee, his Department and the County as a whole.

## SECTION 3 – PERSONAL APPEARANCE

- 3.01 Purpose.** Employees must be well groomed and are expected to dress in a professional manner befitting their jobs with due consideration to the needs of the County, the perceptions of the public, clients, customers, vendors, and fellow employees and leaders while on duty or conducting County business.
- 3.02 Guidelines.** All County employees are expected to use good judgement and maintain appropriate standards of dress, grooming and hygiene. Employees will wear appropriate attire for their workday and anticipated interactions with the public. In general, the more interaction an employee has with external customers, the more ‘dressed up’ the employee should be. For example, a high public contact day may call for professional clothing (e.g., a suit or dress slacks with nice shirt and/or a blazer). For a low-key day, nice jeans and a polo might be the answer.
- a)** Because we take pride in representing the County and our citizens, please avoid:
- 1) Sweatshirts or sweatpants.
  - 2) Overly casual/distressed or worn-out clothing.
  - 3) Shorts.

- 4) Exercise/workout wear (e.g., yoga pants).
  - 5) Revealing clothing (e.g., low cut, short, and tight clothing, sleeveless tops such as tank tops, spaghetti straps, and strapless tops).
  - 6) Clothes and footwear with holes or frays.
  - 7) Caps/hats (unless required for your position).
  - 8) Leggings with short tops or wild patterns.
  - 9) Athletic shoes (dress tennis shoes are okay).
  - 10) Rubber soled flip-flops or other beachwear.
  - 11) Crocs.
  - 12) Hiking boots (unless you are in a position that requires steel toed boots or hiking boots for safety reasons).
  - 13) Clothing with controversial, distasteful, or offensive messages.
  - 14) Unkempt hair and hair colors other than natural hues such as black, brown, blonde, auburn, red, chestnut, gray or white.
- b) Department heads may develop more restrictive guidelines as they deem appropriate.
  - c) Employees must keep in mind that we all share in the responsibility to portray a positive image for the County. Managers and supervisors are responsible for fairly and consistently administering these guidelines. Employee rule of thumb: if in doubt whether something is appropriate, err on the side of caution and do not wear it.
  - d) Employees who fail to maintain appropriate standards of dress, grooming, and hygiene will be expected to immediately change their appearance, and which may include returning home to change clothing or groom and which shall be without compensation.
  - e) If an employee has a health or safety reason that they feel will not allow them to meet the expectations set forth, they should discuss their concerns with their supervisor and/or department head. The decision of the supervisor and/or department head is final.

**3.03 Protective Clothing.** All protective clothing must be worn during required activities and removed when leaving the designated work area.

#### **SECTION 4 – CONFIDENTIALITY**

**4.01 Scope.** No information concerning the internal operations of the County, including but not limited to the release of records of the County, may occur except through, and with the permission of the Administrator or individual Department Head if designated by the Administrator. If requests for information are received by employees, whether on or off duty, from any person, then the employee is required to politely decline to provide such information and to direct that individual to the Administrator or Department Head for a response to that inquiry.

- a) Nondisclosure. Because of an employee's responsibilities, an employee may have access to confidential client, personnel or other sensitive information. This may include information concerning a client's financial status, the County's business practices including purchasing and negotiating strategies, and employee records. This sensitive information cannot be disclosed to any personnel who do not have a legitimate business need to know such information or to persons outside of the County without the determination of the County Administrator or Department Heads designated by the Administrator. All employees are responsible for protecting the confidentiality of this information.

- b) Custodian of Records. The Department's custodian of records is responsible for the disclosure of records pursuant to requests for records under Wisconsin's Public Records Law. Unless directed by the Department's custodian of records, employees shall not act as the Department's custodian of records or disseminate information.
- c) Release of Information. Specific questions regarding the release of information should be referred to the Department Head. Consultation with the Corporation Counsel is urged if there are any questions regarding the propriety of the release of information.

## SECTION 5 – HARASSMENT

- 5.01 Anti-Harassment Statement.** The County is committed to maintaining a work environment that is free of illegal harassment. The County will not tolerate harassing conduct that affects tangible job benefits, that interferes unreasonably with an individual's work performance, or that creates an intimidating, hostile, or offensive working environment.
- 5.02 Scope.** This policy applies to all elected officials, and to all employees, including regular, limited term or contracted personnel. It also includes others who do business with the County such as outside contractors, vendors or customers.
- 5.03 Complaint Procedure.** Any employee who believes they are being harassed by another person subject to this policy will promptly take the following steps:
- a) If at all possible, the employee will politely but firmly inform the harasser how she or he feels about the actions and request that the person ceases the harassment.
  - b) If the harassment continues, or if the employee believes some employment consequence may result from such a confrontation, the employee will report it to his immediate supervisor, or Department Head. Regardless of the outcome at this step, the supervisor or Department Head will provide a report to the Human Resources Director regarding the complaint.
  - c) If the employee feels a Resolution has not been reached in the previous steps, or if the employee believes some employment consequence may result from making such a complaint, the employee will ask the Human Resources Director, or designee, to investigate the complaint.
- 5.04 Reporting.**
- a) All employees will notify their supervisor whenever they have witnessed, experienced, or become aware of any act or threat of harassment. As an alternative, an employee may report such incidents of harassment to their Department Head, a supervisory employee in any other County department (including the Sheriff's Office), to the Department of Administration.
  - b) Supervisors receiving employee reports of harassment, or who have knowledge of a situation, shall report such information to their Department Head. The Department Head shall verbally inform the Human Resources Director, complete a confidential memorandum, and submit the memorandum to the Human Resources Director. The memorandum should include:
    - 1) Identity of persons engaging in workplace harassment.
    - 2) Detailed description of what happened, where it happened, and when it happened.
    - 3) Identity of persons reporting or witnessing the incident/harassment.
    - 4) How matter was resolved, or if it is ongoing.

5) Suggestions for minimizing the reoccurrence of this incident/harassment.

**5.05 Confidentiality.** Confidentiality will be maintained to the greatest extent possible in order to protect the reporting person's identity as well as potential defamation of a wrongfully accused person. However, in most instances it will be necessary, at some point, to identify the reporting person so a thorough investigation can be completed. Only persons with a need to know will be informed.

**5.06 Non-Retaliation.** There will be no retaliatory action taken against any employee who, in good faith, raises or reports a legitimate issue of sexual harassment, or other harassment, or other discriminatory practice.

**5.07 Investigation.**

- a) All harassment claims shall be investigated as promptly and as thoroughly as possible by those conducting the investigation.
- b) Accurate and complete records of all interviews shall be maintained.
- c) Normally, interviews shall be conducted with the reporting employee, alleged harasser, and witnesses.
- d) The reporting employee and accused harasser shall be notified in writing of the decisions reached.

## SECTION 6 – EMPLOYEE CONDUCT, DISCIPLINE, AND DISCHARGE

**6.01** Calumet County expects its employees to deliver high quality services that represent the efficient and effective use of resources. The expectation is that all employees perform their jobs at a high quality level that exceeds the expectations of our citizens, and the County must only employ individuals who are committed to and capable of providing such a high quality of services. Therefore, apathy, an inability to work as a member of a team, attitudinal issues, and marginal or unacceptable work performance are inconsistent with the interests and expectations of the County and the public.

**6.02 Employee Conduct.** The County has established this Manual and its rules of conduct to ensure the effective operation of the County and to provide high quality service to all of its citizens, those persons interacting with the County, and visitors. The County expects all employees to demonstrate professional, competent and reasonable behavior, and to continually serve, both on-duty and off-duty, as positive examples of the high-quality personnel affiliated with this organization and consistent with the high expectations of the public;

- a) Compliance with the policies, rules and general expectations of conduct is of paramount importance in order to fulfill these objectives and for the employee to have a successful career in the County. Failure to comply with these policies, rules and general expectations of conduct can undermine these objectives, and the trust and confidence that the public, businesses, employees and officers of the County must have in that employee.
- b) The County treats all violations of policy, the rules and general expectations of conduct very seriously. Violations of these policies, the rules, and general expectations of conduct can subject an employee to discipline, up to and including discharge.

**6.03 Examples of Behaviors or Actions.** Listed below are examples of behaviors or actions, which may result in discipline or discharge. No list of rules or types of unacceptable conduct can substitute for the sound and reasonable judgment expected of each employee. It is impossible to list every conceivable type of unacceptable conduct contrary to the interests of the County. While it is impossible to list all types of unacceptable conduct, the County believes certain acts of misconduct, standing alone, warrant serious discipline up to and including discharge, such as the following:

- a) Circumventing the chain of command or undermining the authority of a supervisor;
- b) Failing to cooperate with others;
- c) Incompetence or inefficiency in the performance of duties, substandard quality or quantity of work, including deliberate reduction of output, or failure to complete assignments promptly and accurately;
- d) Possession, use, or being under the influence of drugs or alcohol while on duty;
- e) Violation of smoke, alcohol, and drug-free workplace policies or regulations;
- f) Conviction of a felony or misdemeanor directly related to the employee's duties;
- g) Insubordination or failure to perform duties or directives as instructed; arguing, verbal abuse or assault of others;
- h) Unauthorized possession of weapons or firearms during work time or on County premises or property;
- i) Fighting, disturbing or violent behavior, threatening, humiliating, intimidation or harassment of others;
- j) Retaliation and/or reprisal against an employee who genuinely, and in good faith, reports threats of bullying or workplace violence;
- k) Use of offensive, profane or abusive language, disrespectful discourteous, insulting, abusive or inflammatory conduct toward others;
- l) Unauthorized or inappropriate use of identification cards or keys, or unauthorized access to data, e-mails, or restricted areas;
- m) Failing to completely and accurately document relevant information, including falsification of a time card or other records;
- n) Theft or misappropriation of County property or the property of others, including theft of work time, excessive time at break periods, misuse of sick leave or other designated leave, misrepresenting work time, or failing to accurately record work time;
- o) Failure to work scheduled overtime, or overtime worked without prior authorization from the supervisor.
- p) Misuse, excessive personal use, carelessness, negligence, or unauthorized use in the handling or control of County property;
- q) Careless or sloppy work resulting in poor quality, or concealing defective work;
- r) Damage or defacing of County or employee property;
- s) Absence of two work days without notice;
- t) Excessive absenteeism or tardiness, including excessive unscheduled or unexcused absences;
- u) Failing to promptly report absence or tardiness;
- v) Working another job while absent due to an unscheduled or unexcused absence;
- w) Engaging in illegal or immoral conduct;
- x) Unauthorized solicitations or distributions;
- y) Dishonest, misleading, or deceptive conduct;

- z) Horseplay, violating of safety rules, or engaging in conduct that creates an unsafe work environment;
- aa) Engaging in conduct or activities which serve to lengthen the healing period for a work-related injury;
- bb) Failure to promptly report defective equipment, safety hazards, or failure to report and injury or accident immediately;
- cc) Excessive use of personal property or technology during working hours;
- dd) Loafing or sleeping during working hours;
- ee) Leaving the job without permission;
- ff) Engaging in illegal discrimination or harassing conduct;
- gg) Unauthorized release or disclosure of confidential information;
- hh) Where applicable, violation of state or federal laws pertaining to duties as a caregiver;
- ii) Gambling on County property;
- jj) Making intimidating, threatening, hostile, false or malicious statements, including rumor-mongering, gossiping, and false reports for harassment or violence;
- kk) Conducting personal business on County time or property;
- ll) Failing to fully comply with, or violation of, expectations of conduct, County or departmental policies, regulations, or procedures.

The County reserves the right to modify this list at any time or determine whether any other conduct is contrary to the interests of the County and warranting of disciplinary action up to and including discharge.

- 6.04 Disciplinary Procedure.** Discipline may be applied to County employees for violation of this Manual, or other reasonable work standards not specifically defined herein, but only after consultation with the Human Resources Director. As part of the disciplinary process, the County may conduct an investigation to review the allegations and conduct any necessary interviews. The action chosen by the County may involve varying degrees of disciplinary action up to and including immediate termination, if warranted. Repeated infractions of even minor offenses can and will result in increasingly severe disciplinary actions. The County reserves the right to take any such disciplinary action it considers appropriate.
- 6.05 Demotion, Suspension or Termination.** Department Heads including Elected Officials shall discuss all demotion, suspension or termination actions with the Human Resources Director, who will then make a recommendation and obtain approval of the County Administrator before taking any such action. Any administrative leave suspension pending the outcome of an investigation may be with or without pay at the discretion of the County Administrator.
- 6.06 Reporting Requirements.** Pursuant to Wis. Stat. §457.25(1), any public or private mental health or health care agency, institution or facility, or any other person or entity that employs or contracts for services with a credential holder, that terminates, suspends, or restricts the employment or contract of the credential holder as a result of adverse or disciplinary action against the credential holder relating to his or her practice of social work shall submit a written report of the action to the appropriate section of the examining board within 30 days after the dates on which the action is taken or, if grounds for such an action exist and the credential holder terminates his or her employment before the action is taken, within 30 days after the dates on which the credential holder terminates his or her employment. This notification will be drafted by the Director of Health

and Human Services, or his or her designee, and reviewed by the Human Resources Director prior to submission to the examining board.

## SECTION 7 – EMPLOYEE GRIEVANCE PROCEDURE

**7.01 Statement of Policy.** Pursuant to Wis. Stat. §66.0509(1m), Calumet County (“County”) has established this Grievance Procedure (“Procedure”) for an employee to utilize for matters defined by this Procedure. This Procedure provides an employee (aka “Grievant”) with the individual opportunity to address concerns regarding discipline, termination or workplace safety matters, to have those matters reviewed by an Impartial Hearing Officer, and to appeal to the Calumet County Board of Supervisors (“Board”) for final and binding review.

- a) Informal Resolution. The County expects an employee and management to exercise reasonable efforts to resolve any questions, problems or misunderstandings prior to utilizing this Procedure. Prior to filing a written grievance, the employee is expected to discuss the dispute with the supervisor who made the decision or is responsible for workplace safety in an attempt to informally resolve the dispute.
- b) Modification of Procedure. This Procedure may be modified or eliminated by the County at any time, with or without prior notice.

### 7.02 Limitations of the Scope of the Grievance Procedures

- a) Contractual Procedures. An employee subject to a contractual grievance procedure shall follow the contractual grievance procedure to the extent those procedures address matters covered by this Procedure.
- b) Statutory Procedures. An employee subject to statutory dispute resolution procedures, or to the jurisdiction of a governmental body, shall be subject to those procedures to the extent those procedures address matters covered by this Procedure.
- c) Grievance Procedure Not a Contract. This Procedure is not a guarantee of employment, a guarantee of any rights or benefits, does not create or grant covered employees with a property interest in their employment or tenure rights of any kind, and does not constitute a contract of employment, express or implied.
- d) At-Will Employment. Unless specifically required by another statute or code, employees of the County are employed at-will and may resign with or without reason. The County may terminate the employment relationship at any time with or without reason and without violation of applicable law.

### 7.03 Definitions.

- a) Business Days. Days during which the Calumet County Courthouse is open for business with the public; Monday through Friday, less holidays, 8:00 a.m. through 4:30 p.m. Any action occurring after 4:30 p.m. on a business day shall be deemed to have occurred on the following business day.
- b) Employee. For purposes of a grievance of Discipline and Termination (as defined in this Procedure), an employee is defined as a regular full-time employee who has completed six (6) continuous months of employment with the County. Employees do not include employees subject to a collective bargaining agreement with a grievance procedure addressing employee discipline, termination and workplace safety, other part-time employees, limited term employees, statutorily appointed individuals identified specifically in statute as serving at the pleasure of an appointing authority, elected officials, and independent contractors or their respective employees.

- 1) For purposes of Workplace Safety (as defined in this Procedure) Employee means any employee of the County.
- c) Employee Discipline. An employment action that results in disciplinary suspension, with or without pay, or disciplinary demotion. Employee discipline does not include oral reprimands or warnings, written reprimands or warnings, performance improvement plans, performance evaluations or reviews, documentation of employee acts or omissions, administrative leave or suspension with or without pay, non-disciplinary wage, benefit or salary adjustments, non-disciplinary demotions, changes in assignment, action taken pursuant to an ordinance created under s. 19.59(1m), or other non-material employment actions.
- d) Frivolous Grievance. Any grievance that is false or misleading, factually baseless, in bad faith, or filed solely for purposes of intimidation, annoyance or harassment.
- e) Grievant. The individual filing the grievance or appeal personally affected by the discipline, termination or workplace safety matters. A Grievant is the only person who may file a grievance. The issues related to any grievance must relate to issues personal to the Grievant filing the grievance and may not relate to matters affecting other parties.
- f) Human Resources Director. The Human Resources Director is designated by the County to represent the interests of management in this Procedure. The Human Resources Director is located in the Department of Administration, and responses required as part of this procedure will be deemed to be timely upon receipt by the Calumet County Department of Administration. The County may designate another individual to handle matters related to this procedure. Further, the County retains the exclusive right to be represented at any stage of this Procedure by someone other than the Human Resources Director.
- g) Termination. The separation from employment by the County for disciplinary or quality of performance reasons. Termination does not include layoff, furlough, reduction in workforce, job transfer, reduction or position elimination based on failure to meet qualifications, resignation, abandonment, retirement, nonrenewal of contract, death, separation as a result of disability, action taken pursuant to an ordinance created under s. 19.59(1m), or the end or completion of temporary employment, seasonal employment, contract employment, or assignment.
- h) Workplace Safety. Any standard established or adopted under Wis. Admin. Code Chapter Comm 32.

#### **7.04 Timelines and Grievance Format.**

- a) Written Grievance Submission. Provided that any preliminary steps contained herein have been satisfied, an Employee may initiate a grievance by presenting a written grievance to the Human Resources Director within ten (10) business days of the event giving rise to the grievance or the date upon which the Employee should have reasonably known the facts giving rise to the grievance.
  - 1) Said grievance must be submitted on the appropriate form attached to this Procedure.
  - 2) A grievance will not be considered filed until the Employee signs and dates the grievance, and the grievance is received by the Human Resources Director in a timely manner.
  - 3) Employee Declaration. By signing the grievance, the Employee is declaring under penalty of law that the statements contained in a grievance are true and correct to the Employee's belief. Any Employee who files a frivolous grievance is subject to

disciplinary action and to an assessment of the costs of the Impartial Hearing Officer as set forth herein.

- b) Incomplete Grievances. If a timely filed grievance is missing information or is incomplete, the Human Resources Director shall issue a written request to the Employee identifying the information needed to complete the grievance form and proceed with this Procedure. The Employee shall have five (5) business days from receipt of the written request to provide the Human Resources Director with the missing information.
  - 1) If the Employee timely responds to this request, and the Human Resources Director finds that the information provided by the Employee is complete, the grievance shall move forward in this Procedure.
  - 2) Failure of the Employee to timely provide the requested information, or a failure to provide sufficient information to allow the grievance to move forward in this Procedure, shall constitute a waiver of the right to use this Procedure and an abandonment of the grievance.
- c) Importance of Timelines and Process. A grievance will be processed pursuant to the established timelines.
  - 1) A Grievant may advance a grievance to the next step if a response is not provided within the designated timeframes. A Grievant may not file or advance a grievance outside of the designated timeframes.
  - 2) The County may advance a grievance to the next step at the written request of either the Grievant or the County.
  - 3) The failure of the Grievant to follow the requirements in this Procedure shall result in the Impartial Hearing Officer not having jurisdiction over this matter and shall terminate this Procedure for that grievance. The Impartial Hearing Officer shall have the sole authority to determine whether the Impartial Hearing Officer has jurisdiction, which may be subject to review by the governmental body.
- d) Impact of Untimely Filing. Failure to timely file a grievance, or timely appeal of a decision, within the established timelines, or any period of extension granted by the Human Resources Director, shall constitute a waiver of the right to use this Procedure and an abandonment of the grievance.
- e) Extensions of Time. The Human Resources Director may, in their sole and absolute discretion, agree to extend the time for filing a grievance up to an additional five (5) business days based upon a written request for an extension received from the Employee prior to the expiration of the ten (10) business day deadline to file the grievance. Any written request for an extension of time must explain the reasons why the Employee cannot meet the grievance filing deadline.
- f) Scheduling. Grievance meetings and hearings will typically be held during the Grievant's off-duty hours. To the extent allowed by law, time spent in grievance meetings and hearings will not be considered as compensable work time.
- g) Review of Timeliness or Completeness. Any denial based solely on the timeliness or completeness of a grievance will be referred by the Human Resources Director to the County Administrator for verification and confirmation. The County Administrator's decision as to the timeliness or completeness of a grievance shall be final.
  - 1) The County Administrator will provide a written response within five (5) business days of the referral.

**7.05 Administrative Review and Response.** The Human Resources Director, or designee, shall meet with the Grievant within ten (10) business days of receipt of a written grievance to discuss the issues associated with the grievance and to determine if voluntary resolution of the grievance is feasible.

- a) If those discussions do not resolve the grievance, the Human Resources Director will provide a written response to the grievance within five (5) business days of the meeting. The written response shall contain: a statement of the date the meeting between the County and the Grievant occurred; the decision to sustain or deny the grievance; and the deadline for the Grievant to appeal the grievance to an Impartial Hearing Officer.
  - 1) In the event that the Human Resources Director fails to answer within five (5) business days or any period of extension, the grievance shall be deemed denied and the Grievant may file a written appeal requesting a hearing before an Impartial Hearing Officer.
- b) The decision of the Human Resources Director 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 Human Resources Director within ten (10) business days of the Administrative Response.

**7.06 Pre-Grievance Procedure – Workplace Safety**

- a) Report of an Unsafe Condition. An Employee may not file a grievance relating to a condition that the Employee believes constitutes a Workplace Safety violation unless the Employee has first reported the condition to the Human Resources Director in writing on the form provided by the County.
- b) County Response. Upon receiving notice of an alleged Workplace Safety violation from an Employee, the County shall have ten (10) business days in which to investigate the condition and advise the Employee in writing that the County: (a) has determined that the condition does not constitute a Workplace Safety violation and will not be taking corrective action; (b) is taking corrective action in accordance with law to address the condition; or (c) is referring the condition to the County’s Loss Control Committee for further review and discussion.
  - 1) *Loss Control Committee.* At the discretion of the Human Resources Director, the matter may be referred to the Loss Control Committee for further review at its next regular meeting or within thirty (30) business days, whichever is less. The agenda shall indicate that the Workplace Safety matter is being considered a copy of which shall be personally delivered to the Employee filing the complaint. The Committee shall have the power to resolve the Workplace Safety matter in the manner it deems appropriate. Prior to concluding the meeting, which may be continued at the Committee’s discretion, the Committee shall take action proposing to resolve the Workplace Safety matter.
- c) Grievance Filing Limitation. If the County advises the Employee in writing within ten (10) business days that it is taking corrective action in accordance with law and has commenced corrective action within this period, or that the matter is being referred to the Loss Control Committee, an Employee may not initiate a Workplace Safety grievance.
- d) Dissatisfaction with the County’s Corrective Action. If, at completion of the County’s or Loss Control Committee’s corrective action, the Employee believes a Workplace Safety violation continues to exist, the Employee must resubmit a new Unsafe Condition or Hazard Report and follow the procedures in this paragraph prior to proceeding with a Workplace Safety grievance.

## 7.07 Grievance Procedure – Workplace Safety

- a) Individual Claim. Any grievance filed regarding workplace safety shall show how the Grievant has been personally affected by the alleged workplace safety violation, and may not relate to, without limitation by enumeration, safety of property or third parties.
- b) Initiating a Grievance. An Employee may initiate a grievance relating to Workplace Safety by presenting a written grievance on the form provided by the County to the Human Resources Director within ten (10) business days of: (a) the Employee’s receipt of written notice from the County that the County will not be taking corrective action with respect to an alleged Workplace Safety violation; (b) the County’s failure to begin corrective action relative to a Workplace Safety violation within ten (10) business days as provided in section 14.06 b) above; (c) the failure of the County to respond to a report of a Workplace Safety violation within ten (10) business days.

## 7.08 Hearing Procedures

- a) Selection of Hearing Officer. Following receipt of an appeal requesting a hearing before an Impartial Hearing Officer, the County shall appoint an Impartial Hearing Officer and provide the grievant with the name of the individual appointed.
  - 1) The selection of the Impartial Hearing Officer shall be at the sole discretion of the County.
  - 2) The County shall pay any cost associated with the service of the Impartial Hearing Officer, unless the Impartial Hearing Officer deems that the grievance was frivolous as provided herein.
- b) Hearing Date. Within ten (10) business days of the date of the appointment of the Impartial Hearing Officer, the Impartial Hearing Officer shall conduct a pre-hearing conference with the Human Resources Director and the Grievant to determine a suitable date for the hearing and address any preliminary matters that may arise prior to the hearing.
  - 1) Following said conference, the Impartial Hearing Officer shall schedule a hearing within a period of not less than ten (10) business days nor greater than thirty (30) business days.
  - 2) Once a hearing date is scheduled, it may be adjourned only upon written request by the Employee or the County to the Impartial Hearing Officer and a finding by the Impartial Hearing Officer that there is “good cause” for an adjournment. The decision of the Impartial Hearing Officer regarding a request for adjournment shall be final, binding and not subject to appeal.
- c) Discovery. There shall be no formal pre-hearing discovery. However, the Employee and the County shall exchange a list of witnesses they intend to call at the hearing and any documents and exhibits they intend to introduce at the hearing no less than seven (7) business days before the hearing with a copy provided to the Impartial Hearing Officer.
  - 1) No witness, exhibit or document which was not identified or exchanged by a party may be introduced in the hearing absent a written finding by the Impartial Hearing Officer that there was good cause for the failure of the party to timely identify a witness or produce a document.
- d) Grievance Amendment. Any amendments to the grievance by the Employee shall be made in connection with the witness list and exchange of documents.

- 1) A material or substantial amendment to the grievance shall be cause for the County to request adjournment. The adjournment shall be granted unless Impartial Hearing Officer determines the grievance has not been materially or substantially amended. The decision of the Impartial Hearing Officer regarding whether a grievance has been materially or substantially amended shall be final, binding and not subject to appeal.
- e) Pre-Hearing Statement. Each party may file a pre-hearing statement of no more than one thousand words outlining their position relative to any issues related to the grievance. Said statement shall be exchanged between the parties no less than seven (7) business days before the hearing with a copy provided to the Impartial Hearing Officer.
- f) Conciliation. Prior to the Hearing, the parties may, by mutual agreement, engage in conciliation meetings to resolve the dispute.
  - 1) It shall be at the Impartial Hearing Officer's sole discretion whether or not to participate in any conciliation meetings.
  - 2) The Impartial Hearing Officer's involvement in any conciliation process shall not disqualify the Impartial Hearing Officer from hearing the merits of any grievance unless all parties agree to replace the Impartial Hearing Officer.
- g) Closed Hearing. The hearing shall be closed to the public.
- h) Recording. The hearing before the Impartial Hearing Officer may be digitally recorded at the County's option. The County shall maintain any digital recording for the period required by law. A copy of the recording shall be provided at no cost to the Employee, the County and the Impartial Hearing Officer.
- i) Representation. The Grievant shall have the right to representation by an attorney during this Procedure provided the representative is not a material witness to the dispute.
- j) Hearing Fees and Costs. Excepting frivolous grievances, neither party shall be responsible for the costs of representation, attorneys' fees, witness fees or any other costs of the other.
- k) Witnesses/Order of Case. The Employee shall call witnesses and present testimony and exhibits that are relevant to the grievance. At the close of the Employee's case, the County shall call its witnesses and present testimony and exhibits that are relevant to the grievance.
  - 1) The parties may cross-examine witnesses presented by the other party. Cross-examination shall be limited to ten (10) minutes per witness unless extended by the Impartial Hearing Officer.
  - 2) The Impartial Hearing Officer may allow for opening or closing statements at the discretion of the Impartial Hearing Officer, such statements not to exceed ten (10) minutes in length.
  - 3) Right of Impartial Hearing Officer to Question. During the hearing, the Impartial Hearing Officer may ask questions as the Impartial Hearing Officer deems necessary.
- l) Evidence. The Impartial Hearing Officer is not bound by rules of evidence and may admit all evidence that the Impartial Hearing Officer determines is relevant and may exclude immaterial, irrelevant or unduly repetitious testimony or evidence.
  - 1) The Impartial Hearing Officer shall recognize the rules of privilege.

- 2) The Impartial Hearing Officer may not base any finding or conclusion based solely on hearsay evidence.
- m) Close of the Hearing. After the Employee and the County have finished introducing evidence, the Impartial Hearing Officer shall close the hearing. Prior to the close of the hearing, the County may request the Impartial Hearing Officer for a determination that the grievance was frivolous. The parties shall have no right to file briefs or position statements following the hearing.

#### 7.09 Impartial Hearing Officer's Decision: Discipline and Termination.

- a) Burden of Proof. Unless specifically required by another statute or code, the Employee bears the burden of proof to persuade the Impartial Hearing Officer by a preponderance of the evidence that the County's decision to Discipline/Terminate the Employee did not have a rational basis. If the Employee does not meet their burden of proof, the Impartial Hearing Officer shall deny the grievance.
- 1) In determining whether an Employee has proved by a preponderance of the evidence that the County's decision to Discipline/Terminate did not have a rational basis, the Impartial Hearing Officer may only consider the evidence introduced at the hearing and the weight of that evidence. The Impartial Hearing Officer may not overturn the County's decision to Discipline/Terminate based upon their own personal judgment or opinion regarding the matter.
  - 2) The Impartial Hearing Officer may only consider evidence and facts relating to the Grievant's personal situation and shall not consider, without limitation by enumeration, matters related to other parties or conditions such as discipline, leniency, or consideration given to other employees; differences in standards between departments; consistency of enforcement of past actions; prior versions of policies; past practices; etc.
    - i) Moreover, the Impartial Hearing Officer may not determine that a decision to Discipline/Terminate did not have a rational basis based on the County's failure to implement or follow concepts of progressive discipline or just cause, in whole or in part, in making the decision to Discipline/Terminate the Employee.
  - 3) Finally, the Impartial Hearing Officer must recognize all County policies, rules, procedures and regulations and may not modify or disregard the same in determining whether the County's decision to Discipline/Terminate has a rational basis.
- b) Written Decision. The Impartial Hearing Officer shall issue a written decision within twenty (20) business days of the close of evidence. The decision of the Impartial Hearing Officer shall, at a minimum, contain a statement of issues, standard of review, findings, and a remedy for the Employee if appropriate. Further, the Impartial Hearing Officer must answer the following question: *"Based on the preponderance of the evidence presented, has the Grievant proven the decision of the County was arbitrary or capricious?"*
- 1) If the Impartial Hearing Officer sustains the grievance, in whole or in part, the Impartial Hearing Officer's decision must include a detailed explanation as to why the County's decision to Discipline/Terminate has no rational basis as well as a detailed description of the Impartial Hearing Officer's reasons for reducing or modifying the Discipline/Termination imposed by the County.

- 2) If the County has requested the Impartial Hearing Officer for a determination that the grievance was frivolous, the Impartial Hearing Officer's decision must include a ruling on the request and the reasons for granting or denying the same. If the Impartial Hearing Officer determines that the grievance was frivolous, the Impartial Hearing Officer shall require the Employee to pay for the all of the costs associated with the hearing, if any, including but not limited to the costs of the Impartial Hearing Officer.
- c) Powers of the Hearing Officer. The Impartial Hearing Officer shall have the power to sustain or deny the grievance.
  - 1) If the grievance is sustained, the Impartial Hearing Officer may award the Employee one or more of the following remedies: (a) reinstatement; (b) a lesser adverse employment action consisting of a suspension, reduction in the length of a suspension, written reprimand or documentation of employee acts and/or omissions in an employment file; (c) back pay; and (d) in the event of a reinstatement following termination, reimbursement of the County's applicable percentage of any payments made by the Employee for continuation of health insurance under the Consolidated Omnibus Budget Reconciliation Act (COBRA).
    - i) If reinstatement is awarded, the Impartial Hearing Officer may award back pay to the Employee reduced by any unpaid suspension imposed by the Impartial Hearing Officer, any wages or salary earned during the period of suspension or termination, and any unemployment compensation paid to the employee.
      - (1) The Impartial Hearing Officer shall not award back pay greater than the equivalent of seventy-five (75) working days.

**7.10 Impartial Hearing Officer's Decision: Workplace Safety.**

- a) Burden Of Proof. The County bears the burden of proving by a preponderance of the evidence that the condition identified by the Employee does not constitute a Workplace Safety violation and that no corrective action is required. If the County does not meet its burden of proof, the Impartial Hearing Officer shall grant the grievance.
- b) Written Decision. The Impartial Hearing Officer shall issue a written decision within twenty (20) business days of the close of evidence. The decision of the Impartial Hearing Officer shall, at a minimum, contain a statement of: (a) the standard of review; (b) the particular provisions of Wisconsin Administrative Code, Chapter Comm 32 that are implicated by the Workplace Safety grievance; (c) the Impartial Hearing Officer's findings as to whether a Workplace Safety violation exists; and (d) a remedy, if any.
- c) Remedies. If the grievance is sustained, the Impartial Hearing Officer may order the County to take corrective action in accordance with law to address the Workplace Safety violation.
  - 1) The Impartial Hearing Officer shall have no authority to require the County to take any specific corrective action or provide any specific remedy in response to the Workplace Safety violation.

**7.11 Appeals to Governmental Body.** An appeal of the Impartial Hearing Officer's decision may be filed by either the Employee or the County.

- a) Written Appeal. An appeal may be initiated to the Board by filing an appeal with the Human Resources Director on the form provided by the County within ten (10) business days of the date of the Impartial Hearing Officer's decision.

- 1) The appeal shall be filed with the Human Resources Director with a copy to the prevailing party.
    - i) When the Human Resources Director receives a timely request for appeal, the Human Resources Director shall forward the appeal to the Chair of the Board along with a copy of hearing record inclusive of the digitally recorded hearing and any exhibits introduced at the grievance hearing.
  - 2) The written notice of appeal shall contain a statement explaining the reasons for the appeal and a copy of the grievance, the County's response to the grievance, and the Impartial Hearing Officer's response.
  - 3) The written notice of appeal may not include information that was not presented at the Hearing.
- b) County Board Appeal.** The Chair shall schedule the appeal during the next regular meeting of the Board or within sixty (60) business days, at the Chair's discretion, for purposes of reviewing the hearing record and the Impartial Hearing Officer's decision.
- 1) The Board shall not take testimony, accept additional evidence, accept briefing, accept oral argument or otherwise conduct a hearing of any sort in relation to an appeal.
  - 2) The Board may review the written decision of the Impartial Hearing Officer.
  - 3) The Board may listen to any portion of the audio recording of the hearing before the Impartial Hearing Officer.
  - 4) The Board may confer with the Impartial Hearing Officer regarding the hearing record and the basis of the Impartial Hearing Officer's decision.
- c) Closed Session.** To the extent allowable by law, the portion of the meeting that the appeal is heard shall be held in closed session.
- d) Review.** The Board shall not overturn or otherwise modify the Impartial Hearing Officer's decision unless the decision of the Impartial Hearing Officer is found to be arbitrary, capricious, oppressive or unreasonable or represented the Impartial Hearing Officer's will and not judgment.
- 1) The Board shall review the record and determine whether to uphold the Impartial Hearing Officer's decision.
  - 2) In the event the Board overturns the Impartial Hearing Officer's decision, then the Board may (a) render a new decision and remedy, (b) request the Impartial Hearing Officer to take further evidence, or (c) assign an Impartial Hearing Officer to create a recommendation for the Board's review.
  - 3) The manner and process of review is the sole choice of the Board.
- e) Remedies on Appeal**
- 1) Discipline and Termination. The Board may award the following remedies to the Employee on appeal in a matter involving Discipline or Termination: (a) reinstatement; (b) a lesser adverse employment action consisting of a suspension, reduction in the length of a suspension, written reprimand or documentation of employee acts and/or omissions in an employment file; (c) back pay; and (d) in the event of a reinstatement following termination, reimbursement of the County's applicable percentage of any payments made by the Employee for continuation of

health insurance under the Consolidated Omnibus Budget Reconciliation Act (COBRA).

i) If reinstatement is awarded, the Board may award back pay to the Employee reduced by any unpaid suspension imposed by the Board, any wages or salary earned during the period of suspension or termination, and any unemployment compensation paid to the employee.

(1) The Board shall not award back pay greater than the equivalent of seventy-five (75) working days.

2) Workplace Safety. If the Board determines on appeal that a violation of Workplace Safety has occurred, the Board may order that corrective action be taken by the County according to law.

f) Decision. All decisions of the governing body involving the grievance shall be by simple majority vote, in writing, and filed with the County Clerk within twenty (20) business days of the date of the final decision, unless the governmental body extends this timeframe.

1) The written decision shall contain: (1) a statement of the issues; (2) findings of fact, along an explanation as to why the findings differ from the Impartial Hearing Officer; (3) conclusions of law, along with an explanation as to why the conclusions differ from the Impartial Hearing Officer; and (4) a remedy along with an explanation as to why the remedy differs from the remedy granted by the Impartial Hearing Officer.

2) A copy of the final decision shall be delivered to the Grievant and the Human Resources Director.

3) The decision of the Board shall be final.

4) Any judicial review of the Board's decision shall be only as provided by law.

# Chapter Ten – Purchasing/Budgeting

## SECTION 1 – PURCHASING POLICY

### 1.01 Definitions. Solicitations fall into one of four process types:

- a) Direct Purchases. Direct purchasing may include many types of procurements that do not require a separate bid process. Low dollar value purchases, certain professional services where Request for Proposal (RFP) is not cost effective, sole source purchases and purchasing/piggybacking off other public entity contracts are typical direct purchase procurements for Calumet County. In making direct purchases, it is the responsibility of the Department Head in collaboration with the Purchasing Agent to negotiate price, terms and conditions with suppliers where possible/practical and where results may be advantageous to the County prior to making the purchase.
  - 1) Low dollar value purchases are those procurements that have an estimated cost of less than the federal micro purchase threshold (currently \$10,000) as defined by 48 CFR 2.101. The Purchasing Agent and/or the authorized staff may make these purchases direct. When feasible, quotes should be obtained for all purchases. Micro purchases are typically standardized goods or services available from many sources. Such purchases do not require competitive bidding or detailed documentation. Whenever practicable, micro purchases should be distributed equitably among qualified suppliers. The threshold for micro purchases is \$2,000 in the case of acquisitions for construction subject to the Davis-Bacon Act.
  - 2) Professional services may also be purchased direct as allowed by this County policy and may be acquired through an RFP process if deemed advantageous to County.
- b) Request for Quotations (RFQ). Informal method for procurement used when purchases have an estimated cost of between \$10,000 and \$24,999, and where obtaining quotes is advantageous and cost effective to the County, and involve obtaining pricing from supplier(s) for specific commodities/services (should only be used for low risk/low dollar purchases). As each agency has specific challenges relative to their own operations, definitions of “low risk” and “low dollar” purchases will vary across each organization. It should also be kept in mind that some low dollar purchases still carry a high risk. Each purchase request must be assessed on an individual basis to determine the most appropriate solicitation method. The County strives to receive at least three quotes per RFQ.
- c) Request for Bids (RFB). Formal method for procurement used for purchases that have an estimated cost of \$25,000 or more. An RFB may be used for purchases that have an estimated cost of less than \$25,000 when advantageous to the County. Authorized staff with the assistance of the Purchasing Agent may release a Request for Information (RFI) to assist in the development of an RFB.
  - 1) Request for Bids are used for Public Works projects, and may be used when exact specifications can be used to describe the product or service required. Bids received in this manner are received as a sealed bid and remain sealed until the bid due date and time of the request has past. Sealed bids are opened and read aloud as provided in the bid solicitation. Bid tabs are typically posted on the Calumet County website after being awarded.
  - 2) The Purchasing Agent strives to receive at least three sealed bids per RFB by advertising in accordance with §59.52(29), Wis. Stats., the solicitation in local, regional or state journals, newspapers and posting the solicitation on the County’s

website. Request for Bids does not allow for negotiations. Award is made to the lowest responsive, responsible bidder. However, Calumet County reserves the right to reject all bids.

d) Request for Proposal (RFP). Request for Proposals is another formal method for procurement used when specifications are not easily written to describe the product or service and are generally received as a sealed response to a request. An RFP is used for purchases that have an estimated cost of \$25,000 or more. An RFP may be used for purchases that have an estimated cost of less than \$25,000 when advantageous to the County. Authorized staff with the assistance of the Purchasing Agent may release an RFI to assist in the development of an RFP.

- 1) With an RFP, vendors are asked to submit proposals addressing a solution or solutions to the request and the price for each option. Request for Proposals include a Scope of Work section that details what is required from the successful bidder to meet the needs of the County. Generally, the RFP requires each responder to submit two sealed envelopes.
- 2) The first sealed envelope is the firm's technical response to the request and typically addresses the firm's qualifications and describes performance to meet the procurement need. The second sealed envelope contains the firm's fees to perform the work. To undertake an unbiased review of the technical proposal, the fee envelope is kept separate from the technical envelope so that the technical proposal can be evaluated first without knowing the fees involved.
- 3) Request for Proposals may also allow for negotiations and normally do not include a public bid opening as the responses are evaluated on more than just price. It is the County's policy not to disclose any information about the proposals submitted until a contract has been approved by the County Administrator. Final evaluation and award of request are available for public review.
- 4) Responses to RFPs are scored based on predetermined criteria established by the department with the assistance of the Purchasing Agent. Cost of the services is not the sole factor in determining successful responder. The Purchasing Agent is not an evaluator of the responses, but acts as facilitator of the evaluation process and records results of the evaluation to include strengths and weaknesses identified of each response. Proposal awards are made to the highest scoring firm through the evaluation process.
- 5) Confidentiality of the information contained in the proposals shall be maintained until award.

**1.02 Conflict of Interest.** Calumet County procurement activities shall be conducted in a manner that is impartial, above reproach, and without preferential treatment. Calumet County employees shall perform their duties in a manner that avoids even the appearance of a conflict of interest.

a) No county employee shall:

- 1) Have a financial interest in any procurement to which Calumet County is a party (see §946.13, Wis. Stats.) Contracts in which any single public officer or employee is privately interested that do not involve receipts and disbursements aggregating more than \$15,000 in any year may be allowed.
- 2) Release information regarding any procurement that would give an unfair competitive advantage to any individual, prospective contractor, vendor, supplier or business entity.

- 3) Participate in the selection, award, or administration of any procurement if a conflict of interest exists or could be perceived to exist or participate in any actions that might result in favored treatment of an individual, prospective contractor, vendor or supplier.
- b)** Calumet County may not enter into a contract for public works, goods or services for which compensation is paid to a former employee of Calumet County or a business/company in which the former employee has a financial interest for a period of 75 days following the date of the former employee's retirement, dismissal, or separation from service.
- 1.03 Contracts and Leases.** The County Administrator shall review, approve, and sign all contracts for goods and services – including sample contracts – after consultation with and review by the Corporation Counsel and Finance Director.
- 1.04 Purchasing Agent.** The Finance Department in conjunction with the Department of Administration shall be responsible for the enforcement and administration of this policy.
- 1.05 Purchasing System.** The County's computer based system shall be used to initiate all requisitions for goods and supplies required for all Departments.
- 1.06 Purchase Approval Process.** Purchase requisitions shall be generated at the Department level. Department Heads or designee(s) by approving the purchase requisitions are attesting that there are sufficient budget dollars available; that the purchase requisition is being charged against the proper account; and that when applicable, Home Committee and Board approval has been granted.
- Approved requisitions will be forwarded to a purchasing 'buyer' for review before a purchase order is generated. The buyer(s) will check requisitions for completeness and consolidate items when appropriate to obtain price breaks, or purchase items from a County approved vendor.
- a) Budgeted Items.**
- 1) *Purchases up to Ten Thousand Dollars (\$10,000).* Department Heads, or designee(s), may approve purchase requisitions providing the item is budgeted and does not exceed ten thousand dollars (\$10,000).
  - 2) *Purchases Over Ten Thousand Dollars (\$10,000), but Less than Twenty Thousand Dollars (\$20,000).* Department Heads, or designee(s) may approve purchase requisitions for purchases over ten thousand dollars (\$10,000) but less than twenty thousand dollars (\$20,000), providing the item is budgeted. If approved, these shall then be forwarded to the Purchasing Agent for final approval.
  - 3) *Purchases Over Twenty Thousand Dollars (\$20,000).* Department Heads, or designee(s), may approve purchase requisitions over twenty thousand dollars (\$20,000), provided the item is budgeted. If approved, these shall then be forwarded to the Purchasing Agent for final approval.
  - 4) *Operating Supplies and Expenses, and Contracts for Services for Day-to-Day Operations.* Department Heads or designee(s) may approve purchase requisitions for all budgeted County operating supplies and expenses, and contracts for services needed for day-to-day operations. If approved, these shall then be forwarded to the Purchasing Agent for final approval.
- b) Unbudgeted Items.**
- 1) *Purchases up to Twenty Thousand Dollars (\$20,000).* Except in an emergency, as defined in Section 1.11, purchases of unbudgeted items less than twenty thousand dollars (\$20,000) must be approved by the Home Committee, County

Administrator, and Administrative Services Committee to create the budget capacity prior to generating a purchase requisition.

- 2) *Purchases Over Twenty Thousand Dollars (\$20,000)*. Except in an emergency, as defined in Section 1.11, purchases of unbudgeted items over twenty thousand dollars (\$20,000) must be approved by the Home Committee, County Administrator, Administrative Services Committee, and County Board by Resolution, with a two-thirds ( $\frac{2}{3}$ ) majority vote, to create the budget capacity prior to generating a purchase requisition.
- 3) After the proper approval has been granted for the purchase of an unbudgeted item, the purchase requisition is generated at the Department level, and follows the Purchase Approval Process outlined above.

#### **1.07 Stock Requisitions for Supplies.**

- a) Office Supplies. Requests for all inventoried office supplies, by all Departments shall be made to the Finance Department through the use of a 'stock requisition'. The individual Department Head or designees shall initiate the stock requisition. A requisition may be generated if there are sufficient funds within the Departmental budget for the specified purpose. Inventory shall be maintained through the use of the purchasing system. The Finance Department shall purchase supplies by using purchase orders.
- b) Printing Supplies. Requests for printing supplies and paper shall be routed to the Publishing and Records Management Office for review.

#### **1.08 Quotations/Bids for Purchases.** If possible, Departments shall present three (3) quotations or bids for purchases exceeding micro purchase threshold (see 1.01), to the Purchasing Agent for review. Exceptions to this policy are:

- a) Bidding of Department of Health and Human Services purchase of Service Contracts, which will be done in the manner approved by the Health and Human Services Board. Every effort shall be made to insure competitive pricing and fair and open dealing with regard to all contracts.
- b) In order to utilize the mass purchasing power of the State of Wisconsin, material goods or services may be purchased directly from vendors awarded bids by the State, without the solicitation of County bids.

#### **1.09 Specifications.** If a purchase requires specifications, the Department requesting the purchase shall prepare the specifications and submit them to the County Administrator. The County Administrator may assist the Department in preparing the specifications.

#### **1.10 Waiver.** The County Administrator may waive any of the provisions concerning purchasing, unless prohibited by law, if such waiver is deemed to be in the best interest of the County.

#### **1.11 Emergency Purchases.** These purchases involve conditions adversely affecting the health, safety or welfare of any person or substantial damage to property, or affect the efficient operation of County government. The Department Head shall contact the County Administrator concerning the need for the purchase, who may authorize the purchase if necessary.

#### **1.12 Sole Source Purchases.** Sole source procurement is a noncompetitive exception to the norm when, after a good faith review of all possible sources, it is determined there is only one viable source for material, supply, or service. It is accomplished by soliciting a quote from only one source under conditions that normally require the use of competitive procurement methods.

- a) Sole source procurement may only be used when competitive procurement procedures are deemed impractical due to at least one of the following reasons:

- 1) The vendor shall have the ability to deliver a unique material or service, have technical expertise or qualifications, the ability to deliver at a particular time, or have the ability to fulfil the needs for a special purpose or situation such as a client choice purchase from a qualified provider.
  - 2) A public emergency does not permit the time needed for a competitive procurement.
  - 3) After solicitation of a number of sources, competition is determined to be inadequate.
  - 4) The contract is for services received from another government agency.
- b)** When sole source is the reason for the direct purchase, the authorized staff must justify a deviation from the policy prior to the actual procurement, must document thoroughly and carefully in the event an audit or investigation is performed and file documentation with the Purchasing Agent. Documentation justifying a sole source procurement should include:
- 1) The effort made to solicit competitive bids or proposals, if any.
  - 2) A summary outlining the reason for the sole source, based on the allowable exceptions set forth in the paragraph above.
  - 3) Cost information for similar services and differences that should be noted and explained.
  - 4) Any special factors affecting the cost.
  - 5) An explanation why the cost is appropriate.

**1.13 Sale of Obsolete Equipment.** Departments with equipment or supplies which have become unsuitable, unnecessary to their needs, or are part of a planned replacement program, and which will not be traded in or applied on any purchase, shall notify the Finance Department with a description of such equipment or supplies. The Finance Department shall advise other County Departments to determine if they can use the equipment or supplies. If equipment or supplies are transferred from one Department to another Department, it shall be noted on the inventory. The Finance Department is responsible for the final approval and sale, and the proceeds from the sale of any equipment or supplies shall be paid to the County Treasurer and deposited in the appropriate accounts.

## SECTION 2 – PUBLIC WORK

**2.01 Purpose.** Pursuant to Wis. Stats. §59.52(29), all public work for construction, repair, remodeling or improvement of any building, or supplies or material, of any kind, must follow the guidelines below:

- a)** Over \$25,000. For any of the above, over \$25,000, a formal bidding process shall occur. See the Bid Procedures policy.
- b)** Between \$5,000 - \$25,000. For any of the above, between \$5,000 - \$25,000, notice or publication, shall occur in the newspaper.
- c)** Exceed \$25,000 and Done by County. If any work exceeds \$25,000, and will be done directly by the county, no bids are required. However, the Board must vote on this issue with a ¾ vote in support of the county doing the work.
- d)** Exception.
  - 1) The above requirements do not apply in an emergency situation.

- 2) This policy is not mandatory for the repair or reconstruction of public facilities when damage or threatened damage creates an emergency. Corporation Counsel should be contacted if this situation is applicable as a resolution by the Board is required.

**2.02 Notice, i.e. Publication.** When work or materials totaling \$5,000 - \$25,000 are needed, a Class 1 Notice is required seeking quotes for the work or materials.

- a) Notice Must Include:
  - 1) A general description of work or materials needed;
  - 2) A specific description of the work or materials, or in the alternative, the County website address which will indicate the specific information; or a meeting date and time to discuss the specific requirements;
  - 3) The date the Notice is to be posted;
  - 4) The date no more quotes will be accepted.
- b) Proof Document. Be sure to proof your Notice and specific description prior to forwarding to the appropriate parties. They will not be proofing the documents, only publishing them.
- c) Posting on County Website. If you choose to have the specifics identified at the County website, create a Word document with all the specifics for the project, equipment, or supplies. Forward the document to Sue Vanne, Publishing and Records Management at [sue.vanne@calumetcounty.org](mailto:sue.vanne@calumetcounty.org). She will post the document in the Bidding/Quotes section of the website. Please be sure to include in your email when the information should be posted and when it should be taken off the website.
- d) Publishing in Newspaper. Once the Notice is created, and if applicable, the information forwarded to Sue Vanne for the website, email the Tri-County News at [sschjoth@wisconsinmediagroup.com](mailto:sschjoth@wisconsinmediagroup.com). Be sure to include in your email that the Notice is a legal notice. Legal notices have specific formatting requirements and fee schedules newspapers must follow. In addition, request a Proof of Publishing to ensure the Notice was published and you have a record of such posting. Lastly, ensure you have attached your created Notice.
  - 1) The Notice must be published for at least one week.
  - 2) Items received by 10:00 a.m. on Monday will be published on Thursday of that same week.
  - 3) If any questions regarding publication of the Notice, the Tri-County News contact number is 920-894-2828 and speak to the person in legal notices.
- e) Vendor Selected. Once the date has passed to accept quotes, the quotes should be reviewed and a contractor or vendor should be selected. There is no mandated process that is required in selecting or receiving these quotes.
- f) Included is a sample of a [Request for Quotations](#) that can be utilized for your Notice. Complete the italicized sections.
- g) Publish All at Once. As a suggestion, each department may want to publish all of their projects/equipment/supplies all at once at the beginning of the year so this requirement is met. If additional items come up throughout the year, they can be published separately. This is optional, however. Keep in mind that if you decide to publish all at once but do not intend to make the purchase or do the project immediately, you should include the date of

the project within your Notice to make sure the vendors, contractors, etc. are aware the project will not immediately be forthcoming. This may impact the price.

### SECTION 3 – BID PROCEDURES

#### 3.01 Building, Remodeling, etc. on County Property.

- a) Capital Improvement Projects under one million dollars shall be the responsibility of the respective home committee. Home committees include: Parks Commission (all Park buildings and properties), Highway Committee (all Highway Department buildings), Protection of Persons and Property (Jail) and the Administrative Services Committee (Courts and Courthouse).
- b) Capital Improvement Projects related to structures (excluding roadways) over one million dollars shall adhere to the Capital Improvements Rule as defined in the Rules of Order of the Calumet County Board of Supervisors.
- c) The Administrative Services Committee shall be responsible for the purchase and sale of all County land except for Highway right-of-way and *in rem* property.
- d) All contracts and agreements shall be signed by the County Administrator, and filed with the Facilities Director.

**3.02 Change Orders.** After contracts or agreements are signed, all change orders must be processed through the Department of Administration.

**3.03 Sealed Bids.** Sealed bids, except those for the Highway Department and County Parks, will be handled by the County Administrator. The Highway Department and County Parks shall follow the Bid/Quotes Procedures as outlined. It is the responsibility of the Department involved to provide the County Administrator with the technical specifications of the bid prior to the letting of the bids. All bids must be written in clear, specific language, leaving no ambiguous language to be interpreted by the bidders. Sealed bids must follow the procedures outlined herein.

The Department involved must provide the County Administrator with a draft copy of the specifications. The appropriate committee will assign a date that the bid will be due and opened in a public reading. This date should allow for advertising of at least twenty-one (21) days. Exceptions to the twenty-one (21) days may only be made by the Committee or the County Administrator.

- a) Advertisement. Bids or quotes shall be solicited by advertising in the appropriate media by the County Administrator. Sealed bids will be advertised as determined by the Committee and Department Head and approved by the County Administrator.
  - 1) Public Works bids of twenty-five thousand dollars (\$25,000) or more require a Class II advertisement, which requires it to be advertised on two (2) separate days.
  - 2) Public Works projects of five thousand dollars (\$5,000) and less than twenty-five thousand dollars (\$25,000), whether sealed bid or quoted, require a Class I advertisement or to be advertised at least once in the legal section of the newspaper.
- b) Content - Newspaper Notices. At a minimum, the newspaper notice must provide the following information:
  - 1) County name
  - 2) Tax exemption statement
  - 3) Clear description of item to be bid
  - 4) Date, time and place of receipt of bid

- 5) Manner in which specifications may be obtained
- 6) Information on sealed envelope and proper markings
- 7) Any cost in obtaining specifications
- 8) Date, time and place of opening and reading
- 9) Faxes will not be accepted
- 10) County not liable for costs in replying statement
- 11) County's right of rejection
- 12) Contact for further information

c) Content - Specifications. At a minimum, the Specifications should have the following information:

- 1) Title Page:
  - i) County name
  - ii) Department name
  - iii) Month and year
  - iv) Bid description
  - v) Date due to be received
- 2) Index Page specifying the sections and pages of the bid
- 3) General Notice and Invitation:
  - i) All the information from the ad repeated
  - ii) When awarding will be made
  - iii) Length of time bid is to be binding
  - iv) Right to accept or reject any or all bids
  - v) A sample copy of the contract the bidder will use if they receive the bid and a copy of insurance information. Said sample contracts shall be reviewed and approved by the parties noted in Section 3.02.
  - vi) Bid security, if required
  - vii) Performance Bond, if required
  - viii) Prevailing Wage Rate, if required
  - ix) Insurance requirements
- 4) Technical specifications:
  - i) The scope of work and complete description of items, including all technical aspects to be supplied by Department or consultant
- 5) Proposal Page(s):
  - i) Description of items or services
  - ii) Place to write cost
  - iii) Section to list any deviation from specifications
  - iv) Delivery date- Warranty information
  - v) Provide the County with three (3) sets of operator manuals
  - vi) Bidder's name, company, address, telephone number, and signature

- 3.04 Addendums/Additional Information.** All addendums are to be issued by the County Administrator. They will be sent to every bidder on the official bidder's list. All additional information supplied to one bidder will be forwarded to all other bidders.
- 3.05 Submission/Opening of Bids.** The bids or quotes shall be received by the County Administrator. Bids are always to be sent or brought into the County Administrator's Office unless otherwise indicated. Copies of the bids may be given to the Department involved. Faxing of bids will not be accepted.
- 3.06 Awarding of Bids.** The bid shall be awarded to the bidder deemed to be most advantageous to the County.
- a) County Property/Public Works Projects. If there is any question about not taking the low bid, the Committee shall discuss it with the Corporation Counsel prior to awarding the bid.
  - b) Once the contract has been signed, a purchase order should be produced and signed by the Purchasing Agent.
  - c) The County Administrator will send letters to all other bidders thanking them for their participation, and indicate the name of the bidder awarded the purchase.
- 3.07 Bid Documents.** The Facilities Director shall retain the original bids and all documents pertaining to building remodeling, improvements or fixtures to County property and place the documents in the records storage area. For all documents related to successful bids (Notice to contractors, Bid bonds, Bidder's proof of responsibility, bids, Affidavit of organization and authority, performance bond, and contracts) retention of documents for seven (7) years after completion of the project and then documents can be destroyed. For unsuccessful bids, all the above documents shall be retained for two (2) years and then the documents can be destroyed. Bid tabulations shall be retained for two (2) years and then destroyed.
- 3.08 Miscellaneous Provisions.**
- a) On those projects that involve Prevailing Wage Rates on Public Works Projects, an architect or project manager shall obtain the information from the State.

#### **SECTION 4 – ACCOUNTS PAYABLE CHECKS**

- 4.01** Accounts Payable checks will be run every Tuesday and Thursday. All invoices must be submitted to the Finance Department immediately upon receipt and approval by the Department Head or designee. The Finance Department will determine due dates and pay invoices accordingly. Invoices, registrations, check requests, should be in the Finance Department no later than 9:00 a.m. on Monday in order to be paid with the Tuesday checks and no later than 9:00 a.m. on Thursday to be paid with Thursday checks.

#### **SECTION 5 – INVENTORY**

- 5.01** The County Administrator is charged with the care and custody of all buildings, grounds and property of the County, and the Finance Department is responsible for maintaining an accurate inventory of said property is maintained. The Finance Department shall provide a computer inventory printout to the Departments for their review. It shall be the responsibility of the Department Head to present an updated inventory listing to the Finance Department when requested.

#### **SECTION 6 – GRANTS**

- 6.01** All grants applications submitted or completed by Departments shall be reviewed and approved by the Finance Director and County Administrator before being submitted to the grant agency. The County Administrator may waive this provision for routine annual grant renewals.

- a) Grant applications of \$50,000 or greater shall receive Home Committee approval prior to acceptance of the grant.
- b) Grant applications of \$100,000 or greater shall receive both Home Committee and Board approval prior to acceptance of the grant.

### SECTION 7 – POLICY ON DONATIONS

**7.01** Wisconsin Statutes provide that the Board may accept donations, gifts or grants for any public governmental purpose within the powers of the county. The following are the guidelines for the acceptance of gifts:

- a) Budgeted Gifts. Departments that regularly accept gifts as a function of their regular business (e.g. meal sites, home health care, etc.) should include an estimate of said gift in their annual budget.
- b) Unbudgeted Cash & Non-Cash (i.e. In-Kind) Gifts.
  - 1) Department Heads have the authority to accept unbudgeted gifts with a value of less than two-thousand dollars (\$2,000).
  - 2) Unbudgeted gifts with a value of greater than two-thousand dollars (\$2,000), but less than ten-thousand dollars (\$10,000), shall require the approval of the Department’s Home Committee.
  - 3) Unbudgeted gifts with a value of greater than ten-thousand dollars (\$10,000) shall require the approval of the Board.
  - 4) The Administrative Services Committee shall approve all budget adjustments for cash regardless of any dollar threshold noted above.
- c) Gifts of “Real Property”. Regardless of any dollar threshold noted above, the acceptance of any gift of “Real Property” shall require the approval of the Board.
  - 1) “Real Property” is defined as real estate and buildings.
- d) Solicited Gifts.
  - 1) Solicited Gifts are defined as monetary and non-monetary donations which have been solicited through approval by the Board and the creation of a budget line item for this purpose.
  - 2) Donations obtained through this process do not need approval by Department Heads, Department Home Committee, or the Board as outlined in b) above.

**7.02** All donations shall be recognized.

- a) All budgeted and unbudgeted gifts as defined above, should be recognized with a thank you letter. The letter should include the amount of the donation, reference to the date the donation was received as well as appreciation for the donation.
- b) Any solicited gifts funded solely through donations over \$500 should be recognized via the department’s social media website or the social media website specific to the cause, i.e. K-9 page, specific Park page, etc. In addition, a letter of appreciation with the amount of the donation should be sent to the donor.
  - 1) Use of the following or similar text is recommended: Company XYZ made a \$X,XXX donation towards the K-9 fund. Donations to the K-9 fund make it possible to (identify purpose of program/project.)”
- c) Gifts of real property should be recognized as the Board deems appropriate.

- d) Departments may provide additional requirements and recognition of donations as identified in department specific policies approved by the County Administrator.

## **SECTION 8 – POLICY ON BUDGETS**

**8.01 Purpose.** The purpose of a budget is to determine the activities and services to be provided to the citizens of the County and the costs of providing such activities and services. Budget adoption provides a mechanism for monitoring and controlling local spending and is in conformance with Wisconsin Statute 65.90.

**8.02 Preparation and Approval.** Preparation and approval procedure is as follows:

- a) Each Department Head is responsible for the preparation of his budget(s) according to the timetable as established by the County Administrator. Each Department Head shall review his budget with his Home Committee.
- b) The County Administrator and the Finance Director shall review all budget requests in detail and present a proposed budget to the Administrative Services Committee.
- c) The Administrative Services Committee shall review the budget and recommend changes, if any, to the proposed budget to the County Administrator.
- d) The County Administrator presents the budget to the Board by Resolution.
- e) The Board makes changes as necessary to the proposed budget and approves the budget.

**8.03 Spending in Excess of Approved Budget.** The legal level of budgetary control (i.e., the level at which expenditures may not legally exceed appropriations) is maintained at the fund or department level. Departments are expected to operate within their approved budget. Budgets are to be reviewed throughout the year by the County Administrator, Finance Director and Department Heads. At times, additional grants are received to enhance a department's programs or unforeseen circumstances arise deeming it impossible to operate within the limits of said budget requiring a budget amendment to be prepared. If a Department has knowledge they will overdraw a line item by twenty thousand dollars (\$20,000) or more, the Department Head shall advise the County Administrator and Finance Director, who may report the overdraft to the Administrative Services Committee. Budget amendments may be approved throughout the year in accordance with the following procedures:

- a) Revisions by the County Administrator. Appropriation and revenue estimate revisions within a department which has no impact on fund balance (i.e. new grant award received).
- b) Revisions Approved by the Administrative Services Committee.
  - 1) Transfers from the Contingency Fund to cover unforeseen expenditures providing the request is no more than twenty thousand dollars (\$20,000). The request shall be with the approval of the Home Committee and in writing to the Administrative Services Committee. After the transfer is approved, it shall be published as provided by Wisconsin Statutes 59.60 and 65.90.
  - 2) Transfers between Departments of the County's general fund, providing the request is no more than ten percent (10%) of the approved Department's annual budget and does not change total general fund appropriations. After the transfer is approved, it shall be published as provided by Wisconsin Statutes 59.60 and 65.90.
- c) Revisions Approved by the County Board. The Administrative Services Committee shall review and approve the following budget revisions and present to the County Board in the form of a Resolution. The budget revision shall have two-thirds (⅔) affirmative vote of the

entire Board before the transfer can be made. After the budget revision is approved, it shall be published as provided by Wisconsin Statutes 59.60 and 65.90.

- 1) Transfers from the Contingency Fund of more than twenty thousand dollars (\$20,000). The request shall be with the approval of the Home Committee and in writing to the Administrative Services Committee.
- 2) Transfers between Departments of the County's general fund of more than ten percent (10%) of the approved Department annual budget.
- 3) New capital projects from new revenue sources or which require the use of fund balance.
- 4) All appropriation and revenue estimate revisions between County funds.

**8.04** No expenditures can be approved for payment until the overdraft has been eliminated. This is in conformance with Wisconsin Statute 66.0607.

### **SECTION 9 – SALE OF ITEMS ON INTERNET AUCTION SITE**

**9.01 Purpose.** Items are offered for sale by Calumet County utilizing an Internet auction site. Internet auction sites are able to attract buyers from within Calumet County's own community, as well as buyers from across the nation. There is no cost to Calumet County for registering, listing, or re-listing items for sale. For each item that sells, there will be a fee for the sale of auctioned items, due and payable within 30 days after Calumet County has received payment.

**9.02 Procedure.**

- a) All items offered for sale by auction by any department must first be approved by the Finance Director.
- b) Pursuant to Wisconsin Statute 175.10(1), employees are prohibited from participating in any Calumet County online auction. In addition, anyone bidding on behalf of an employee are prohibited.
- c) Once approved, a completed listing must be provided to the Finance Director for the purposes of audit and payment of invoices.
- d) If the item doesn't sell, the Finance Director and the originating department will determine what will happen with the items(s), i.e. donate, scrap, etc.

### **SECTION 10 – INDEPENDENT CONTRACTOR REFERENCES**

**10.01** Unless delegated by the Department Head, no County employee will reply to a reference check request from an individual regarding a contractor's work performance or specific service to the County. Requests for reference checks should be forwarded to the County Administrator and must be made in writing and include an authorization from the contractor for the release of the requested information. The County Administrator will determine who is the appropriate Department Head to respond to the inquiry. When the County Administrator forwards the request to a Department Head, the Department Head shall provide a Request for a Release of Information, for the contractor to complete. In the event a reference check is not accompanied by a contractor release, the County Administrator will only authorize the Department Head to provide the dates of service, type of work and job location. Verification regarding contractor work will be referred to for celebratory events and holiday decorations are inappropriate uses of County funds, and the costs the Department Head and must include the same authorization requirements as listed above.

### **SECTION 11 – EMPLOYEE CELEBRATIONS/EVENTS/DECORATIONS**

**11.01** The County recognizes there are many employee life events or occasions to celebrate including, but not limited to: birthdays, significant work-related accomplishments (i.e. retirement), welcoming a child, holidays, etc. Except with approval from the Human Resources Director, expenses will be supported through employee donations.

- a) Employee celebrations and/or recognition must treat employees consistently when recognizing important life events. However, the manner of acknowledgment may vary according to the wishes of the individual employee and these wishes should be taken into consideration when the event or recognition is planned (i.e. an employee may decline a celebration or recognition and wish to remain private).

**11.02** **County Sponsored Employee Events.** This policy does not govern any County-wide sponsored events for all employees, such as Public Service Employee Recognition Week and Employee Appreciation Day; service awards; or other department level employee recognition events. These events will be established by the Department of Administration and the expense may be reimbursed by the County, with approval from the Human Resources Director.

- a) No reimbursement shall be made for the cost of alcoholic beverages.

## Appendix “A” – Index of Forms

<b>Acknowledgement Form</b>	Completed by an employee acknowledging receipt of the Calumet County Employee and General Administrative Policy Manual.
<b>Alternative Work Schedule Request Form</b>	Completed by an employee requesting either a Flexible Work Schedule or Compressed Workweek.
<b>Caregiver Background Information Disclosure</b>	Completed by an employee providing services to vulnerable individuals, after a conditional offer of employment has been made, and needs to be completed every four (4) years.
<b>Certification of Health Care Provider</b>	Completed by a physician certifying illness or injury, in order to process an employee’s request for leave, due to employee’s illness or injury.
<b>Development Goal Status Worksheet</b>	Completed by an employee to create a development plan for maintaining their skills and abilities, and career goals identified in the Performance Evaluation Form.
<b>Direct Deposit Authorization Form</b>	Completed by an employee to participate in direct deposit for all of their pay through up to three (3) banking institutions.
<b>Door Access Card User Acceptance Agreement</b>	Completed by an employee when issued a door access card, for the purpose of unsupervised access to various parts of the Courthouse Complex.
<b>Employee Grievance Form</b>	Completed by a qualifying employee and submitted to the Human Resources Director within the timeline established, to address concerns regarding discipline, termination or workplace safety matters.
<b>Employee Injury/Accident Report Form</b>	Completed by an employee after an injury/accident. Needs to be completed no later than twenty-four (24) hours after the injury/accident occurs and returned to the Department of Administration – Human Resources Division.
<b>Employee Request for Leave Form</b>	Completed by an employee to request a personal leave.
<b>Fitness Center Policy/Waiver Form</b>	Completed by an employee and family member(s) before using the Calumet County Fitness Center.
<b>Flex Spending Direct Deposit Form</b>	Completed by an employee to enroll in Direct Deposit for reimbursement of eligible expenses incurred in the Flexible Spending Account program.
<b>Flex Spending Enrollment Form</b>	Completed by an employee to enroll in the Flexible Spending Account.
<b>Flex Spending Claim Form</b>	Completed by an employee to claim reimbursement for eligible expenses incurred in the Flexible Spending Account program.
<b>Health Savings Account Contribution Form</b>	Completed by an employee to authorize the deduction from their payroll check, on a bi-weekly basis, for a Health Savings Account contribution.
<b>Health Savings Account Qualified Medical Expense Reimbursement Form</b>	Completed by an employee for reimbursement of qualified Health Savings Account expenses incurred by them, their spouse or other eligible dependents.

<b>Insurance Enrollment Forms</b>	Completed by an employee to enroll in, change, cancel or opt out of insurance plans.
<b>Job Description Questionnaire</b>	Completed by an employee to document their classification's essential accountabilities, formal preparation and experience requirements, judgments made, problem solving, working relationships, work environment, supervision/management, and unusual/unique mental requirements.
<b>Job Assessment Form</b>	Completed by the Department Head, or designee, to document the physical requirements of a position. This form is included with the Return to Work Form and job description and is presented to the physician prior to the employee returning to work when the employee is absent from work due to medical reasons.
<b>Justification for Upgrades Form</b>	Completed by the Department Head to document recommended employee reclassification and specific reasons for classification upgrade.
<b>New Position Authorization Form</b>	Completed by the Department Head when a new position is requested, or an increase in the full-time equivalency status of an existing position is requested, that has not been budgeted.
<b>Orientation Checklist</b>	Completed by Department of Administration – Human Resources Division staff and the Department Head, or designee, as a checklist during new employee orientation to County and orientation to work site.
<b>Outside Employment Form</b>	Completed by an employee to notify their Department Head of their desire to seek outside employment in addition to Calumet County employment.
<b>Paid Time Off (PTO) Distribution Form</b>	Completed by an employee by date specified by the Department of Administration – Human Resources Division. The form includes hours allocated for transfer to the Extended Leave Bank, Annual Transfer to the Post-employment Health Plan Account or carry forward.
<b>Performance Evaluation Form</b>	Completed by an employee and their supervisor to assess employee's work performance and effectiveness; to provide a means to provide constructive feedback and goals to improvement, and suggest action for employee development; and to provide positive feedback in areas of excellence.
<b>Performance Goal Status Worksheet</b>	Completed by an employee to document their progress toward performance goals that they and their supervisor established on their Performance Evaluation Form.
<b>Human Resources Action Form</b>	Completed by the Department Head on behalf of a termed employee to document last day of work and eligibility for rehire.
<b>Pre-employment Drug Screening / Physical Permission Form</b>	Completed by applicant under the age of 18 who has been given a conditional offer of employment, to receive parental permission for pre-employment testing.
<b>Publication for Quotes Notice</b>	Completed by Department Head when work or materials for construction, repair, remodeling or improvement of any building, or supplies or material, of any kind, totaling \$5,000-\$25,000 are needed.
<b>Reasonable Accommodation Request Form</b>	Completed by an employee to request a reasonable accommodation under the American with Disabilities Act when as a qualified employee, with a disability, they need an accommodation to perform the essential functions of the job, to gain access to the workplace, or an accommodation to enjoy equal benefits and privileges of employment.

<b>Reasonable Accommodation Request – Healthcare Provider Information Form</b>	Completed by a physician to document an employee’s condition as it relates to the essential functions and possible accommodation(s) due to a request for a reasonable accommodation under the American with Disabilities Act.
<b>Request For Quotations</b>	Form completed by the Department Head to give notice that price quotes will be received by Calumet County for a specific work, material or equipment named in the notice.
<b>Response to the Employee Request for Leave of Absence</b>	Completed by the Department of Administration – Human Resources Division in response to an Employee Request for Leave of Absence.
<b>Return to Work Form</b>	Completed by a physician to document an employee’s ability to return to work when an employee is absent from work due to medical reasons for more than three (3) days.
<b>Routing Slip for Contracts and Leases</b>	Completed by the Department Head and attached to the contract or lease when obtaining County Administrator approval.
<b>Social Media Account Request Form</b>	When a social media account is sought, this form is completed by the Department requesting the social media account and submitted to the Communication and Project Specialist, in the Department of Administration.
<b>Social Media Photo and Video Release Form</b>	Form completed by an individual authorizing Calumet County to publish and copyright their image (including audio, video or photography) in any publication relating to Calumet County including, but not limited to, brochures, websites, and social media websites.
<b>Statement of Expenses Incurred for the County of Calumet</b>	Completed by an employee to receive reimbursement for expenses incurred for approved travel, conventions, seminars, training, and tours.
<b>Supervisor’s Report of an Injury/Accident</b>	Completed by the Supervisor in response to an employee’s injury/accident and returned to the Department of Administration –Human Resources Division.
<b>Telecommuting Request and Acknowledgment Form</b>	Completed by an employee to request a telecommuting arrangement. The employee's supervisor and/or Department Head must review and approve the request. Requests (approved and denied) must be sent to the Human Resources for review and placement in the employee’s personnel file.
<b>Telephone Change Report</b>	Completed by the Department Head when telephone changes are requested and returned to the Facilities Director.
<b>Tuition Assistance Program Application</b>	Completed by employee to make application to receive financial assistance for voluntarily enrolling in job-related, educational courses that are of benefit to the County as an employer.
<b>Tuition Assistance Program Payment Authorization</b>	Completed by an employee to receive reimbursement for approved job related tuition, books, course-required materials, and lab fees.
<b>W-4 Federal Withholding Tax Form</b>	Completed by an employee, so that the County can withhold the correct federal income tax from the employee’s paycheck.
<b>WT-4 WI Withholding Tax Form</b>	Completed by an employee, so that the County can withhold the correct state income tax from the employee’s paycheck.

<b>Workplace Modification Request Form</b>	Completed by an employee to request a long-term or permanent modification of the work environment in a situation which may not rise to the level of an ADA-qualifying event.
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## Appendix “B” – Definitions

<b>Administrative Attention</b>	Those matters including, but not limited to, questions regarding County policies and procedures; operations of the department or County, including departmental work rules; personnel problems or complaints; violations of laws, rules, or regulations; recommendations to management on programs or practices; etc.
<b>Bullying</b>	Repeated mistreatment of one or more persons that takes one or more of the following forms, which is not limited to, but may include, by the use of electronic technology: (1) verbal abuse; (2) conduct which is threatening, humiliating or intimidating; (3) work interference or sabotage which prevents work from being completed or performed; or (4) exploitation of a known psychological vulnerability.
<b>Casual Employee</b>	An employee hired to work on an intermittent or sporadic basis, subject to call, with limited expectation of a regular work schedule.
<b>Compensation Plan</b>	A schedule of pay grades for all classifications employed in County service.
<b>Contracted/Leased Services</b>	Limited Term employment situations where individuals are obtained through an agency for a specific purpose, need or project, and will normally be used to meet some sort of emergency staffing situation for County services.
<b>Controlled Substance</b>	All substances listed in Chapter 961 of the Wisconsin Statutes.
<b>County Board</b>	The Calumet County Board of Supervisors.
<b>Demotion</b>	Demotion is the movement of an employee from one class to another lower paid class resulting from a disciplinary measure, because of a request for voluntary demotion, or in response to cutbacks due to fiscal restraints.
<b>Department Head</b>	A County official with the responsibility for the operation of a County department.
<b>Disciplinary Action</b>	The action taken to discipline an employee for cause which may include any action from a verbal reprimand up to and including discharge.
<b>Employee</b>	An individual who is legally employed by the County and is paid in part or whole through the County payroll.
<b>Exempt Employee</b>	An employee who is excluded from specific provisions of the Federal Fair Labor Standards Act, such as overtime eligibility, by virtue of being classified as executive, administrative, professional, or certain computer employees and generally paid on a salaried basis.
<b>Extended Leave Bank</b>	A bank of time separate from PTO that is intended for use in situations where the employee is absent from work due to medical necessity, or for qualified Family and Medical Leave Act (FMLA) absences, of more than three (3) consecutive days.
<b>Full-Time Employee</b>	An employee who regularly works equivalent to the department’s normal, full-time work period on a regular basis.
<b>Grievance</b>	A written employee complaint, which alleges unsafe working conditions, unjust application of discipline, or unfair application or violation of the personnel rules and regulations of the County or the department for which the employee works. The complaint shall state the rule or policy believed to have been violated and the remedy sought.
<b>Harassment</b>	Unwelcome conduct, whether verbal, physical, or visual, that is based on a person’s protected status as defined by law.

<b>Hostile Work Environment</b>	Creating a work environment that is intimidating, hostile, or offensive because of unwelcome or unwanted sexually oriented conversation, suggestions, requests, remarks, demands, physical contacts or attentions. Such items as explicit or exposing posters, calendars, pictures, cartoons, or leers, gestures, questions or comments are also included.
<b>Immediate Family</b>	[Nepotism & Fraternalization Only] An employee's wife, husband, mother, father, guardian, son, daughter, brother, sister, grandchild, and grandparent, as well as the various combinations of half, step, and in-law relationships that can be derived from the family members named herein.
<b>Intern</b>	An employee working in the capacity of a training position for an accredited educational institution. An intern typically receives credit or formal recognition from the educational institution for the work performed and may also receive compensation for the services provided to the County.
<b>Intimate Relationship</b>	An employee's spouse, live-in companion, fiancée, boyfriend, or girlfriend.
<b>Job Description</b>	A written description of a position containing the title, a general statement concerning the purpose of the position, a list of the duties and responsibilities; supervisory responsibilities; education and/or experience; language skills; mathematical skills; reasoning ability; certificates; licenses; registrations; other skills and abilities; physical demands; work environment; and any additional information necessary to perform a particular job.
<b>Length of Service</b>	The continuous length of service with the County from an employee's last date of hire. Length of service shall be broken only by retirement, resignation or discharge.
<b>Limited Term Employee</b>	An employee employed on a temporary basis with a specific start and end date, due to unforeseen circumstances and/or needs of a department.
<b>LTE - Casual</b>	Casual employees are typically employed on a temporary, intermittent, or sporadic basis, with limited expectation of a regular work schedule.
<b>LTE - Seasonal</b>	Seasonal Employees are hired to meet seasonal program needs. Seasonal employment terminates at the end of the season, or when the need no longer exists, whichever comes first. These employees may be called back in subsequent seasons.
<b>LTE - Intern</b>	Interns are employees working for Calumet County in the capacity of a training position for an accredited educational institution. Depending on the program or institution, the intern may also receive compensation for the services provided to the County. Prior to entering into an agreement/contract for an intern, the Department Head must consult with the Human Resources Director, and said agreement/contract will be processed in accordance with the requirements for contract approval.
<b>LTE - Project Employee</b>	Project Employees are employed in instances where the position has some sort of condition such as a time limitation or funding contingency. In many instances, the need for a project employee will rise out of a funding source that was unforeseen in the budget process. Dependent upon the funding source and/or program requirements, a project employee's employment may exceed the restrictions established for other limited term employees (e.g. regular work schedule, benefits eligibility, etc.).
<b>Mobile Devices</b>	Electronic devices including tablets, laptops and smartphones.
<b>Non-Exempt Employee</b>	An employee, who is covered by the provisions of the Fair Labor Standards Act, classified as an hourly employee and is entitled to receive overtime compensation, or compensatory time off.

<b>Non-Represented Employee</b>	An employee who is not represented by a collective bargaining unit.
<b>On-call</b>	Employee's availability, at any time, to respond to after normal business hours emergency situations as they arise.
<b>Paid Time Off (PTO)</b>	A benefit plan which consolidates all leave benefits into a single "account" of paid leave, for which the employee is responsible for managing.
<b>Part-Time Employee</b>	An employee who works fewer hours than the department's regular full-time work week on a regular basis.
<b>Pay Step Increase</b>	A scheduled pay increase within a classification.
<b>Pay Steps</b>	The rates of pay established for each classification.
<b>Position</b>	A grouping of duties and responsibilities to be performed by an employee.
<b>Post-Employment Health Plan (PEHP)</b>	The PEHP is a multi-employer trust (IRS Code 501(c)(9)), also known as a VEBA (Voluntary Employee Beneficiary Association). The Plan allows for the tax-free pre-funding of post-employment medical expenses.
<b>Project Employee</b>	An employee employed on a limited term basis in instances where the position has some sort of condition such as a time limitation or funding contingency.
<b>Promotion</b>	Promotion is the movement of an employee from one class to another class and having a greater pay range maximum.
<b>Pronouns</b>	Masculine gender pronouns used herein refer to persons of either sex.
<b>Reasonable Accommodation</b>	Any change or adjustment to a job or work environment that permits a qualified applicant or employee with a disability to participate in the job application process, to perform the essential functions of a job, or to enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities.
<b>Red-circled</b>	The employee's rate of pay will be frozen at their current rate and the employee will not receive a pay increase until the maximum step of the pay grade exceeds the employee's current rate of pay.
<b>Regular Employee</b>	An employee who is expected to remain employed by Calumet County on a regular, ongoing basis as long as the work is required or necessary.
<b>Regular Full-Time Employee</b>	Regular full-time employees work equivalent to the department's normal, full-time work period on a regular basis.
<b>Regular Part-Time Employee</b>	Regular part-time employees work fewer hours than the department's regular full-time workweek on a regular basis.
<b>Represented Employee</b>	An employee who is represented by a collective bargaining unit.
<b>Requests or Demands for Sexual Favors</b>	Requests for any type of sexual favor which may be accompanied by an implied or stated promise of preferential treatment or negative consequence concerning one's employment, career or salary status.
<b>Retirement</b>	When an employee who will, upon termination of employment from Calumet County, be immediately eligible for a Wisconsin Retirement System pension.
<b>Salaried Employee</b>	An employee employed on a regular basis receiving a fixed dollar amount to compensate for all hours worked.

<b>Seasonal Employee</b>	An employee hired for an abbreviated time span or in response to a special climatic or calendar need whose employment terminates at the end of the season or when the need no longer exists, whichever comes first.
<b>Sexually Oriented Conduct</b>	Engaging in any type of sexually oriented conduct that would unreasonably interfere with another's work performance. This includes extending unwanted sexual attentions to someone, which, in turn, reduces productivity or time available to work at assigned tasks.
<b>Social Media</b>	Social Media is defined as interactive online pages that allow for and encourage multiple postings or interactions, and whose information is constantly altered by its readers and producers. Examples of these sites include blogs, wikis, RSS feeds, and web sites such as Facebook, Twitter, GovLoop, YouTube, LinkedIn, Instagram and others.
<b>Supervisor</b>	Any individual who has authority, in the interest of the County, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward or discipline other employees, or to adjust their grievances or effectively to recommend such action, if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.
<b>Telecommuting</b>	The practice of employees working a set schedule from a remote work area. Occasional work off-site including work while traveling on County business does not constitute telecommuting.
<b>Temporary Assignment</b>	An assignment for at least two week's duration.
<b>Termination</b>	The removal of an employee from the payroll for voluntary or involuntary reasons, including resignation, retirement or dismissal.
<b>Transfer</b>	The assignment of an employee from one position to another in the same class or to a class with the same pay grade.
<b>Unwelcome or Unwanted Sexual Advances</b>	Any physical contact normally considered unacceptable, unwelcome, or inappropriate by another individual.
<b>Verbal Abuse</b>	The use of words to cause harm to the person being spoken to, which may take many forms. The most commonly understood form is name-calling. Verbal abuse may consist of shouting, insulting, intimidating, threatening, shaming, demeaning, or derogatory language, among other forms of communication.
<b>Weapon</b>	Weapon means any device which is designed, used, or intended to be used in a manner that is calculated or likely to produce property damage, personal injury, or death.
<b>Workplace</b>	Any place where a person is functioning as a County employee.

## **Appendix “C” – County Board / Committee / County Administrator Approval**

**Date Original Document Approved:**..... January 16, 1996 [Board]  
**Changes Approved:**.....October 28, 1997 [Board]  
**Changes Approved:**..... January 30, 1997 [Board]  
**Changes Approved:**.....July 21, 1998 [Board]  
**Changes Approved:**..... December 15, 1998 [Board]  
**Changes Approved:**..... January 17, 2000 [Board]  
**Changes Approved:**..... December 19, 2000 [Board]  
**Changes Approved:**..... January 15, 2002 [Board]  
**Changes Approved:**..... January 21, 2003 [Board]  
**Changes Approved:**..... January 20, 2004 [Board]  
**Changes Approved:**..... January 18, 2005 [Board]  
**Changes Approved:**..... February 20, 2007 [Board]  
**Changes Approved:**..... April 21, 2009 [Board]  
**Changes Approved:**..... January 18, 2011 [Board]  
**Changes Approved:**.....November 1, 2011 [Board]  
**Changes Approved:**..... December 20, 2011 [Board]  
**Changes Approved:**.....December 11, 2012 [Committee]  
**Changes Approved:**.....December 10, 2013 [Committee]  
**Changes Approved:**..... December 17, 2013 [Board]  
**Changes Approved:**..... January 20, 2015 [Board]  
**Changes Approved:**..... January 19, 2016 [Board]  
**Changes Approved:**..... December 20, 2016 [Board]  
**Changes Approved:**.....December 27, 2018 [County Administrator]  
**Changes Approved:**..... June 14, 2022 [County Administrator]

## Appendix “D” – Acknowledgment Form

*(EMPLOYEE COPY- please retain top portion for your records.)*

The “*Calumet County Employee and General Administrative Policy Manual*” is available either in paper format, or in electronic format on the County’s Intranet server. Those employees with access to the Intranet server will not be supplied with paper copies, but will be granted electronic access to the policies.

I acknowledge that I have either received a copy of, or have been granted electronic access to, the revised “*Calumet County Employee and General Administrative Policy Manual*” dated June 2022.

I acknowledge that revisions to the Manual may occur, and I understand that revised information shall supersede, modify, or eliminate existing policies.

Furthermore, I acknowledge that this Manual is neither a contract of employment nor a legal document. I understand that it is my responsibility to read, review, and comply with the policies contained in this Manual and any revisions made to it.

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Distributor of Policy                      Employee Receiving Policy                      Date

*Cut along dotted line. Sign, date and return bottom portion to the Department of Administration*

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### ACKNOWLEDGMENT FORM

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\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Employee (Print Name)                      Employee (Signature)                      Date

\_\_\_\_\_/\_\_\_\_\_  
Distributor of Policy (Signature)                      Date