



Manitowoc County

EMPLOYEE

POLICY MANUAL

Manitowoc County's Mission Statement

Our purpose is to improve the quality of life in Manitowoc County by providing effective, high quality, and responsive public services that promote the prosperity, self-sufficiency, and wellbeing of individuals, families, businesses, and communities.

DISCLAIMER

The contents of this policy manual are presented as a matter of information only. The plans, policies and procedures described are not conditions of employment. Manitowoc County reserves the rights to modify, revoke, suspend, terminate, or change any or all such plans, policies, or procedures, in whole or in part, at any time with or without notice. The language that appears in this booklet is not intended to create, nor is it to be construed to constitute, a contract between Manitowoc County and any one or all of its employees or a guaranty of continued employment. Subject only to the grievance process provided in this policy manual, employment may be terminated at any time, with or without cause. This document has been reviewed and recommended by the Personnel Committee and adopted as policy by the County Board. Any action of the County Board that conflicts with this policy manual shall automatically prevail over this manual. This manual shall be amended, when required, by recommendation of the Personnel Committee to the County Board in the same manner as adopted. Notwithstanding the above, for the purpose of maintaining this Employee Policy Manual, the Personnel Director is empowered to correct clerical and typographic errors in this Employee Policy Manual without the need to amend this Employee Policy Manual through a formal adoption process and shall report all such corrections to the Personnel Committee when such corrections have been completed.

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Section 1
OBJECTIVES AND GOALS

1.01 Purpose of Manual
1.03 Scope of Manual

1.02 Objectives and Goals of Manual

1.01 Purpose

This manual is designed to establish uniform County personnel policies and procedures and consistent personnel management throughout Manitowoc County government and to insure compliance with all local, State and Federal rules and regulations. It is the official policy of Manitowoc County to provide equal employment opportunities for all qualified persons without regard to race, color, national origin, religion, creed, sex, disability, marital status, arrest or conviction record, or any status protected by law. This policy is applicable to all phases of employment, and all employment decisions will be made in order to further the principles of equal employment opportunity. Manitowoc County expects all its employees to take an active role in this policy.

1.02 Objectives and Goals

In order to recruit, select, develop and maintain an effective and responsive workforce for Manitowoc County, this policy shall have the following objectives and goals:

- (1) To recruit, select, and advance employees on the basis of their knowledge, skill and ability.
- (2) To provide equitable and adequate compensation for all employees.
- (3) To recognize good job performance, and correct inadequate performance in a fair and timely manner.
- (4) To insure fair treatment of all applicants and employees in all aspects of personnel administration without regard to political affiliation, race, color, national origin, sex, disability, age, religious creed or any other protected status, and with proper regard for their rights as citizens.
- (5) To protect employees against coercive political activities and to prohibit the use of their official authority for the purpose of interfering with an election or a nomination for office.
- (6) To provide a work environment conducive to providing quality service to the residents of Manitowoc County.

1.03 Scope

This manual shall govern personnel administration for all officers, employees, and departments of Manitowoc County, except:

- (1) Members of the Manitowoc County Board of Supervisors;
- (2) Elected officials to the extent their duties are designated by State Statute;

- (3) Licensed professional employees to the extent that their professional obligations as established by their governing body or licensing authority (i.e. Attorney's Board of Professional Responsibility) may conflict with any provision hereof.

END OF SECTION

Section 2
AUTHORITIES

2.01 Authority

2.04 Conflict of Laws

2.02 Purpose

2.05 Savings Clause

2.03 Collective Bargaining Agreements

2.01 Authority

This manual is promulgated under the authority of Wisconsin Statute 59.22(2) (c) as amended, and Chapter Five (5) of the Manitowoc County Code of Ordinances.

2.02 Purpose

- (1) Proper organization and delegation of authority are essential to effective and efficient County government administration. The responsibilities and authorities delineated in this manual are intended to establish a clear understanding of the responsibilities in the establishment and maintenance of a personnel program for the County of Manitowoc.
- (2) This manual has been developed for use by committees, department directors and supervisors throughout the County in order to maintain fair and equitable decision making. In order to prevent these policies from becoming obsolete, continuous input is welcomed.

2.03 Collective Bargaining Agreements

- (1) Where specific language relative to these policies is provided in collective bargaining agreements, the language in those agreements shall control. In the absence of such language, the policies set forth herein shall apply.
- (2) Certain rights are retained by the County. Some of these rights are set forth herein. Others are set forth in the Managements Rights Article in each labor agreement. The County specifically retains all rights granted to it by the State. Management personnel shall carefully review the collective bargaining agreement covering their employees to obtain an understanding of those functions which are in the sole discretion of the County. If managers are uncertain of the County's rights, they shall consult the Personnel Department.
- (3) The Recognition Article in each collective bargaining agreement specifically outlines those employees who are not part of the collective bargaining unit. Each department director shall understand clearly those positions and job classifications that are not subject to restrictions under the collective bargaining agreement, so that the most efficient use of the County personnel and funds may be made.

2.04 Conflict of Laws

Should any of the provisions of this policy be in violation of federal or state law or regulations, the federal or state law or code will prevail.

2.05 Savings Clause

Should any part of this manual be found unlawful, the balance of the document shall remain intact.

END OF SECTION

Section 3
RECRUITMENT

3.01 Application
3.02 Advertisement

3.01 Application.

- (1) It is the policy of Manitowoc County to accept applications only when there is a properly advertised vacancy, or when Manitowoc County has advertised that it is in the process of establishing an eligibility list for potential future vacancies. All applicants must complete and sign an employment application form to be considered for employment with Manitowoc County. Applicants must specify the job applied for on the application. Incomplete applications may be rejected. All applicants will be asked to complete a Civil Rights Compliance form. This information form provides the County with statistical data such as age, sex, race, and veteran status. The completion of this form is voluntary, and separate from the employment application. The information on this form is used only to assure compliance with Manitowoc County's Civil Rights Compliance Plan.
- (2) Applicants will be advised that Wisconsin Statutes allow applicants to request that their application for employment, or other record related to the application process, not be released under the Open Records Law. Applicants wishing to conceal their identity may do so by providing a written statement to that effect. This exclusion to the Open Records Law is not accessible to applicants who are considered to be final candidates for the position for which they apply.

3.02 Advertisement

Unless an eligibility list exists for the vacant position, every position available for hire from the outside labor market shall be listed on Manitowoc County's website and the Job Center of Wisconsin. Additional public notification may be provided at the discretion of the hiring manager.

3.03 Reimbursement of Interview Expenses

- (1) Candidates who are selected to interview for professional positions may be reimbursed, at the County's approved rate, for mileage and meal expenses incurred in conjunction with the interview.
- (2) Candidates who are selected to interview for department director positions may be reimbursed, at the County's approved rate, for mileage and meal expenses, as well as overnight accommodations incurred in conjunction with the interview.

END OF SECTION

Section 4

SELECTION

4.01	Hiring Procedure for Regular Positions	4.07	What to do if an Improper Deduction Occurs
4.02	Temporary Help – Extra Hire	4.08	Criminal Background Investigation
4.03	Salary Basis Policy	4.09	Notification
4.04	Salary Basis Requirement	4.10	Classification of Employees
4.05	Circumstances in Which Manitowoc County May make Deductions from Pay	4.11	Residency
4.06	Manitowoc County Policy for Employees Paid on a Salary Basis	4.12	Nepotism
		4.13	Contracted Employees

4.01 Hiring Procedure for Regular Positions

- (1) If a procedure to fill the vacated position is contained in the collective bargaining agreement that represents the position, that procedure supersedes this policy.
- (2) Positions will be posted internally so current employees have an opportunity to be considered. Current employees must demonstrate that they are qualified for the vacant position. Qualifications may be determined on the basis of written tests, physical capacity test, and oral interviews. Except with a recommendation from their current Department Director, current employees must have either completed their probationary period or been in their current position for at least 6 months (whichever is later) to be eligible to post for an internal position.
- (3) If the position is not filled internally the position will be listed as provided in Section 3.02 of this Employee Policy Manual unless recruitment has been conducted for an identical position within the past six months and a qualified applicant pool is available.
- (4) Applicants must demonstrate that they are qualified for the vacant position. Qualifications may be determined on the basis of written tests, physical capacity testing, reference checks, and oral interviews. All applicants offered a position with Manitowoc County will be required to take a pre-employment drug test.
- (5) The Department Director or designee shall select the applicants to be interviewed.
- (6) Interviews shall be coordinated and conducted by an employee of the Personnel Department.

4.02 Temporary Help - Extra Hire

- (1) Any arrangement which results in the use of temporary or extra hire employees to perform services under the direction and control of a Manitowoc County official or employee for or on behalf of Manitowoc County shall be coordinated by and through the Personnel Department.
- (2) Temporary employment for persons scheduled to work 30 hours or more per week must be less than 6 months.

- (3) All former employees of Manitowoc County must have a break in service of at least 13 weeks prior to being hired into a temporary position.
- (4) The Personnel Department is responsible for reviewing the hours worked by temporary employees to avoid conflicts with the collective bargaining agreements and to determine eligibility for Wisconsin Retirement System benefits.
- (5) The Personnel Department shall assure that adequate pre-employment background investigation and drug testing are conducted on persons who may be hired for temporary or extra-hire positions.
- (6) The Personnel Department shall ensure that employment records are maintained for temporary and extra-hire employees.

4.03 Salary Basis Policy

The Fair Labor Standards Act (FLSA) is a federal law which requires that most employees in the United States be paid at least the federal minimum wages for all hours worked and overtime pay at time and one-half the regular rate of pay for all hours worked over 40 hours in a work week.

However, Section 13(a)(1) of the FLSA provides an exemption from both minimum wage and overtime pay for employees employed as a bona fide executive, administrative, professional, and outside sales employees. Section 13(a) (1) and Section 13(a) (17) also exempt certain computer employees. To qualify for an exemption, employees generally must meet certain tests regarding their job duties and be paid on a salary basis at not less than \$455 per week. Job titles do not determine exempt status. In order for an exemption to apply, an employee's specific job duties and salary must meet all the requirements of the Department's regulations.

4.04 Salary Basis Requirement

Being paid on a salary basis means an employee regularly receives a predetermined amount of compensation each pay period on a weekly, or less frequent, basis. The predetermined amount cannot be reduced because of variations in the quality or quantity of the employee's work. Subject to exceptions listed below, an exempt employee must receive the full salary for any workweek in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any workweek in which they perform no work. If the employer makes deductions from an employee's predetermined salary, i.e., because of the operating requirements of the business, that employee is not paid on a "salary basis". If the employee is ready, willing, and able to work, deductions may not be made for time when work is not available.

4.05 Circumstances in Which Manitowoc County May Make Deductions From Pay

Deductions in pay are permissible when an exempt employee is: absent from work for one or more full days for personal reasons other than sickness or disability; for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy, or practice of providing compensation for salary lost due to illness; to offset amounts received as jury or witness fees, or for military pay; or for unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace

conduct rule infractions. Also, Manitowoc County is not required to pay the full salary in the initial or terminal week of employment; for penalties imposed in good faith for infractions of safety rules of major significance, or for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act. In these circumstances, either partial day or full day deductions may be made.

4.06 Manitowoc County Policy For Employees Paid on a Salary Basis

It is Manitowoc County's policy to comply with the salary basis requirements of the FLSA. Therefore, we prohibit any County official from making any improper deduction for the salary of exempt employees. Manitowoc County wants its exempt employees to be aware of this policy and to know that Manitowoc County does not allow deductions that violate the FLSA.

4.07 What To Do If An Improper Deduction Occurs

If an employee believes an improper deduction has been made from their salary, the employee should immediately report this to their supervisor or to the Personnel Director. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, the employee will be promptly reimbursed for any improper deduction.

4.08 Criminal Background Investigations

All persons considered for a position with Manitowoc County will be asked to sign a release to allow a criminal background check to be conducted. Certain other County positions may be required to complete a background check with other agencies and in cases such as this the law or regulation shall prevail as to what type of background check is done. An unconditional offer of employment shall never be made prior to conducting the criminal background investigation. In accordance with Manitowoc County's Civil Rights Compliance Plan, applicants cannot be discriminated against on the basis of past convictions unless the conviction was for a charge that is substantially related to the job for which he/she is applying. In determining whether the criminal conviction is substantially related, the length of time between the conviction and the application, the nature of the offense, and comparing the general circumstances of the crime to the likelihood of those circumstances being duplicated in the workplace shall be considered.

Criminal history information collected under this policy shall be kept in the confidential personnel file or electronic equivalent of the employee. For those candidates not hired, the criminal history information will be kept with the hiring packet and discarded based on retention requirements. The information shall be used for the sole purpose of evaluation of the candidate and shall only be disclosed as permitted or required by law.

If the candidate had a criminal background investigation completed by Manitowoc County within the last 12 months and the results are satisfactory for the position(s) for which they are applying, a subsequent investigation may be waived at the discretion of the Personnel Department.

Criminal background checks for volunteers are not covered under this policy. Volunteer background check requirements are covered under Section 25.05 (1)(c) of this manual.

4.09 Notification

The Personnel Department or designee will inform the successful applicant in writing of their selection and starting date. Candidates not selected will be notified that the position has been filled.

4.10 Classification of Employees

- (1) Exempt Employees: Those employees exempted from the Fair Labor Standards Act (FLSA) requirement to pay overtime/compensatory time.
- (2) Non-Exempt Employees: Those employees covered under the Fair Labor Standards Act, which requires that employees be paid for all hours worked. Employees are required to record all time worked. This includes time spent after work hours monitoring and responding to e-mail, text messages, and phone calls. Non-exempt employees must be paid at a rate of time and one-half for all hours worked over 40 in a seven-day work week. Employees engaged in law enforcement activities are covered under Section 207(k) of the FLSA, which requires that overtime be paid at the rate of time and one-half for working more than 171 hours in a 28-day work period. Collective bargaining agreements must also be referenced regarding employee's eligibility for overtime.
- (3) Non-Represented Employees: Employees not represented by a bargaining unit.
- (4) Represented Employee: Employees who are represented by a collective bargaining representative.
- (5) Temporary and Casual Employees: Collective bargaining agreements shall be reviewed prior to hiring an employee in these classifications, because some restrictions may exist.
 - A. Temporary – is an employee that is hired for a limited period of time. The length of employment for a temporary employee must be defined before hire and in no case shall employment be more than six months. Seasonal employees are considered temporary employees
 - B. Casual employee – is an employee who is hired with no set hours or days of work who will be asked to work as and when it is required. While there is no set end date to the assignment for a casual employee – the need for employees hired in this category should be evaluated frequently. Casual employees who have not worked for a period of 1 year will be removed from the payroll – unless an exception is granted by the County Executive. While there may be an occasional need for a casual employee to work up to full time hours, casual employees may not work over 20 hours per week on a consistent basis.

Employees in these classifications cannot work more than 1200 hours per year so contributions to the Wisconsin Retirement System can be avoided.

Employees in these classifications are not eligible for fringe benefits other than those provided for by law.

Employees in these classifications working more than six months cannot work an average of more than 20 hours per week

- (6) **Full-time Employees:** A regular full-time employee is one who is ordinarily scheduled to work the full normal work week of the Department in which employed.
- (7) **Part-time Employees:** A regular part-time employee is one who is ordinarily scheduled to work less than the full normal work week. Part-time employees are eligible for all fringe benefits pro-rated according to the percentage of full-time paid. The calculation of the pro-ration shall be done annually. Benefits paid on an hourly basis (such as shift premium) or on wages earned (such as retirement contributions or long term disability benefits) are not pro-rated.

4.11 Residency

Section 5.14 of the Manitowoc County Code governs those employees required to attain residency within the County within six months following the completion of their probationary period.

4.12 Nepotism

- (1) No employee of Manitowoc County shall be hired, promoted or transferred to a position in which they will be directly supervised by an individual with whom they have a close personal relationship which would give the appearance that such action was taken for reasons other than merit. For purposes of this policy, the term "family" means a person who is related as a child, parent, sibling, or spouse; grandchild or grandparent; brother-in-law, daughter-in-law, father-in-law, mother-in-law, sister-in-law, or son-in-law; or stepbrother, stepdaughter, stepfather, stepmother, stepsister, or stepson; is the domestic partner or legal dependent of the employee; or claims the employee as a legal dependent for tax purposes.
- (2) The Personnel Committee may grant waivers of the nepotism policy provided that the position being filled requires unique skills unavailable elsewhere so that waiving the policy is in the public interest.
- (3) No employee or elected official of Manitowoc County may seek improperly to promote the employment of a person to whom they have a family relationship.

4.13 Contracted Employment

- (1) Any arrangement which results in the placement of an individual through an employment agency to perform services under the direction and control of a Manitowoc County official or employee for or on behalf of Manitowoc County shall be deemed Contracted Employment.
- (2) All Contracted Employment shall be coordinated by and through the Personnel Department to assure that adequate advance background investigations are conducted on persons who are to engage in Contracted Employment. The Personnel Department shall ensure that adequate records are maintained on persons engaged in Contracted Employment.

- (3) No county funds may be expended or disbursed to any person or entity for Contracted Employment that has not been coordinated by and through the Personnel Department.

END OF SECTION

Section 5
PROBATIONARY PERIOD

5.01	Length of Probationary Period	5.04	Extensions of Probationary Period
5.02	Evaluation of Probationary Employees	5.05	Notice of Completion of Probationary Period

5.03 Termination of Probationary Employee

5.01 Length of Probationary Period

The length of the probationary period for represented employees may be dictated by the applicable collective bargaining agreement. If not dictated by a collective bargaining agreement, all employees shall serve a six (6) month probationary period, except Sheriff's Department and Joint Dispatch Center employees who shall serve a twelve (12) month probationary period.

5.02 Evaluation of Probationary Employees

During the probationary period the department director or his/her designee shall evaluate all new employees at regular intervals. The County Executive shall evaluate department directors. Evaluations shall be conducted in accordance with Section Six (6) of this manual.

5.03 Termination of Probationary Employees

Department directors may recommend that an employee be terminated during their probationary period. The recommendation shall be reviewed by the Personnel Director prior to a final decision being made. Probationary employees shall not be entitled to a just cause standard of review, the standard of review for probationary employees shall be at-will.

5.04 Extension of Probationary Period

Probationary periods may be extended by mutual agreement of the employee and their supervisor. The mutual agreement must be condensed to writing and signed by both parties. If the probationary period is dictated by the collective bargaining agreement, it may be extended by written agreement of the Personnel Director and the Union.

5.05 Notice of Completion of Probationary Period

Upon successful completion of the probationary period the Department Director shall inform the employee and the Personnel Department by completing an employee status report.

END OF SECTION

Section 6

Section 6 (Evaluation) was repealed pursuant to Resolution 2018/2019-59 and is reserved for future use

END OF SECTION

Section 7
INVESTIGATION AND DISCIPLINARY ACTION

- 7.01 Definitions
- 7.02 Applicability
- 7.03 Evaluation of Whether Discipline is Appropriate
- 7.04 Required Notification of Employee

7.01 **Definitions**

The definitions in §14.02 of the Employee Policy Manual shall apply to this Section 7.

7.02 **Applicability**

Except for the following employee classifications, this Section 7 of the Employee Policy Manual is applicable to all regular full-time and regular part-time employees as defined in §4.10 of this Employee Policy Manual. This Section 7 does not apply to the following classifications of employees:

- (1) Department Directors appointed by the county executive pursuant to Wis. Stat. §59.17(2)(br);
- (2) Circuit court commissioners appointed pursuant to Wis. Stat. §757.68;
- (3) Register in probate appointed pursuant to Wis. Stat. §851.71(1); and
- (4) Corporation counsel appointed pursuant to Wis. Stat. §59.42(1) (b).

7.03 Evaluation of Whether Discipline is Appropriate

- (1) Employees may be disciplined for reasons that include, but are not limited to a violation of state or federal law, the Manitowoc County Code, department work rules, this Employee Policy Manual, or other Manitowoc County policy or safety rule.
- (2) Department Directors are responsible for ensuring that a fair and objective investigation into allegations of misconduct is conducted. If disciplinary action is to be recommended, the department director should be able to answer yes to each of the following questions:
 - (a) Could the employee reasonably be expected to know the probable consequences of his or her conduct?
 - (b) Is the rule or order that the employee allegedly violated reasonable?
 - (c) Was a reasonable effort made to investigate whether the employee violated the rule or order?
 - (d) Was the employee given an opportunity to respond to the alleged misconduct?
 - (e) Did the investigation produce substantial evidence that the employee violated the rule or order?

- (f) Has the rule or order been applied reasonably and without discrimination?
- (g) Does the recommended discipline reasonably relate to either the seriousness of the offense or the employee's overall record?

(3) A department director shall consult with the Personnel Director and Corporation Counsel before disciplining an employee. If the department director decides that an employee must be removed from duty immediately, the department director shall suspend the employee with pay until the matter can be resolved.

(4) If, after consultation between the department director, Personnel Director and Corporation Counsel, the recommendation for discipline is approved, the department director shall schedule an appointment with the employee.

7.04 Required Notification of Employee

The department director shall meet with the employee and advise the employee of the preliminary decision to discipline the employee and state the reasons for the proposed discipline. If the employee is a member of a bargaining unit, the employee shall be allowed union representation in the interview.

The employee shall be given a final opportunity to provide any additional information that he or she would like considered before a final disciplinary decision is made. If, after listening to the employee's response, the department director believes the basis for discipline remains valid, the department director may discipline the employee.

All disciplinary action shall be reduced to writing. A copy of the disciplinary notice shall be given to the employee. The original disciplinary notice shall be forwarded to the Personnel Department for inclusion in the employee's personnel file.

Eligible employees shall be advised they have the right to appeal a discipline decision through the grievance procedure found in Section 14 of this Manitowoc County Policy Manual.

Employees with the power of arrest shall be advised that they have the right to appeal the discipline to the Manitowoc County Grievance Committee.

END OF SECTION

Section 8
PERFORMANCE STANDARDS

8.01	Equal Employment Opportunity Policy	8.10	Designation of Outdoor Smoking Area
8.02	Policy on Harassment in the Work Place	8.11	Contracts with Current and Former Employees and Elected Officials
8.03	Employee Integrity	8.12	Off Duty Conduct
8.04	Confidential Information	8.13	Performance Management
8.05	Productivity	8.14	Performance Evaluation
8.06	Attitude, Demeanor & Comportment	8.15	Failure to Meet Performance Standards
8.07	County Property	8.16	Commercial Driver's License
8.08	Gifts, Gratuities and Kickbacks		
8.09	Drug Free Work Place		

8.01 Equal Employment Opportunity Policy

- (1) It is the official policy of Manitowoc County to provide equal employment opportunities for all qualified persons without regard to race, color, national origin, religion, creed, sex, disability, marital status, arrest or conviction record, ancestry, membership in the national guard, state defense force or reserves, age, or status as a special disabled veteran or veteran of the Vietnam era or any other status protected by law except where age, sex or physical requirements constitute a bona-fide occupational qualification. No otherwise qualified person shall be excluded from employment, be denied the benefits of employment, or otherwise be subject to discrimination in employment in any manner on the basis of age, race, religion, color, sex, national origin or ancestry, handicap, physical condition, developmental disability, arrest or conviction record, sexual orientation, marital status or military participation or any other status protected by law. All employees are expected to support Manitowoc County's goals and programs relating to nondiscrimination in employment.
- (2) This policy is applicable to all phases of employment, including but not limited to job and placement procedures, testing, training, layoff and recall, disciplinary action, termination and all other personnel procedures. All employment decisions will be made in order to further the principles of equal employment opportunity. Hiring and promotional decisions will be made in accordance with the principles of equal employment opportunity by imposing only valid requirements for hiring and promotional opportunities.
- (3) Manitowoc County provides equal opportunity to become employed and advance in employment, and will treat qualified individuals with disabilities without discrimination. Manitowoc County will make reasonable accommodations to the physical or mental impairments of applicants or employees, consistent with the qualifications required for the work, and the effective operation of the County. Manitowoc County's commitment to equal opportunity for persons with disabilities shall include but not be limited to: hiring, advancement, reassignment, recruitment or recruitment advertising, layoff or termination, all forms of compensation, and selection for training. Manitowoc County expects all its employees to take an active role in this policy.

8.02 Policy on Harassment in the Work Place

- (1) It is the policy of Manitowoc County to provide a work environment that is free of harassment and/or discrimination. Manitowoc County strictly prohibits harassment on the basis of sex, race, age, national origin, sexual preference, religion, disability, marital status, arrest/conviction record, military participation, political affiliation, color or any other protected status. Various Federal and State laws also prohibit these forms of harassment.
- (2) Sexual Harassment is defined as any unwanted, deliberate or repeated unsolicited comments, gestures, graphic materials, physical contact or solicitation of favors when:
 - (a) Submission to the conduct is made either explicitly (specific request for sexual favors as a condition for job opportunities) or implicitly (change in attitude, performance evaluations, work assignments, etc. following an employee's negative reaction to a sexual suggestion) a term or condition of an individual's employment; or
 - (b) Submission to or rejection of the conduct by an individual is used as the basis for employment decisions affecting the individual; or
 - (c) The conduct has the purpose or effect of unreasonably interfering with an individual's work performance, or the conduct creates an intimidating, hostile or offensive working environment.
- (1) Unwelcome Conduct: Sexual conduct becomes unlawful when it is unwelcome. The challenged conduct must be unwelcome in the sense that the employee regarded the conduct as undesirable or offensive. The victim of harassment need not always confront the harasser directly. Evidence showing that the victim demonstrated through comments and actions that the harasser's conduct was unwelcome is sufficient, even though the victim's participation may have been voluntary. Some examples of sexual harassment include sexual propositions, sexual innuendos, suggestive comments, sexually orientated "jokes" or teasing, displays of sexually explicit pictures or cartoons, leering, whistling, making obscene gestures and physical contact such as touching, pinching, brushing against another's body or coercing sexual intercourse.
- (4) Hostile Environment: In determining whether unwelcome sexual conduct rises to the level of a "hostile environment", the conduct must unreasonably interfere with an individual's work performance or create an intimidating, hostile or offensive working environment. Since hostile environment harassment takes a variety of forms, many factors may affect this determination, including:
 - (a) Whether the conduct was verbal, physical, or both.
 - (b) How frequently it was repeated.
 - (c) Whether the conduct was hostile or patently offensive.
 - (d) Whether the alleged harasser was a co-worker or a supervisor.
 - (e) Whether the alleged harasser was a non-employee with whom the County is associated or does business with.

- (f) Whether others joined in perpetuating the harassment.
- (g) Whether the harassment was directed at more than one individual.

(5) Complaint Procedure: Any employee who believes that he/she has been the subject of harassment should immediately report the matter to any of the following: their supervisor, department director, manager, any other County management person, or the Personnel Department. Manitowoc County forbids retaliation against anyone for reporting harassment or otherwise assisting in the investigation of a harassment complaint.

(6) It is the policy of Manitowoc County to investigate all complaints of harassment thoroughly and promptly. Manitowoc County will, to the greatest extent possible, maintain the confidentiality of those involved in the investigation. If the investigation confirms that harassment has occurred, Manitowoc County will take appropriate disciplinary action, up to and including discharge of the harassing employee(s).

(7) Complaints may be filed using either the informal or the formal complaint procedure.

(8) Informal Complaints: Employees may wish to bring issues of harassment to management's attention in an informal manner. The management representative will conduct a thorough review to determine the nature, extent and merit of the employee's complaint. If further review is warranted, the management representative shall contact the Personnel Director. Following the course of the investigation, an appropriate course of action will be recommended. The person conducting the review shall follow-up with the employee making the complaint to advise the employee of the conclusion of the investigation.

(9) Formal Complaint: Employees represented by a Union and covered by a collective bargaining agreement that contains a grievance procedure may file complaints through the grievance procedure outlined in the collective bargaining agreement. Other employees wishing to file a formal complaint should contact the Personnel Department for the appropriate form. The Personnel Department along with Corporation Counsel will conduct a thorough review to determine the nature, extent and merit of the employee's complaint. The Personnel Department shall follow-up with the employee making the complaint to advise the employee of the conclusion of the investigation. Employees who are not familiar with these procedures may obtain a copy and/or explanation of the process which affects them through their union representatives, department supervisors or the Personnel Department.

(10) All complaints will be investigated promptly and, where investigation confirms that this policy has been violated, appropriate action will be taken in a timely fashion. Employees will be protected against retaliation and their complaints will be treated confidentially.

(11) Complaints can also be filed with various State and Federal agencies, including the Equal Rights Division, the Equal Employment Opportunity Commission, the U.S. Department of Health and Human Services, the Office of Federal Contract Compliance and the U.S. Department of Justice.

8.03 Employee Integrity

- (1) Employees are frequently entrusted with the care and custody of county equipment, tools, materials or funds. As a condition of employment and that trust, employees must be able to account for all equipment, tools, materials or funds which have been entrusted to them.
- (2) Employees may not convert County equipment, supplies, funds or materials to their own use.
- (3) Employees who are required to perform a task or keep a record of any tasks performed, funds received or expended, equipment maintained or the like are responsible for actually performing the work required and making an accurate and honest record of that performance.
- (4) Employees of Manitowoc County have a duty to advise Manitowoc County's managers when other employees fail to meet required performance standards. Employees shall inform their supervisors whenever a fellow employee violates a work rule or performance standard. No employee may refuse to testify against a fellow employee in a proceeding held to review discipline of an employee.
- (5) Employees may not threaten, intimidate or in any way attempt to dissuade another employee or person from reporting a violation of work rules or performance standards.
- (6) Employees shall assist other employees in performing their duties, including orientation of new employees.

8.04 Confidential Information

Many employees of Manitowoc County are entrusted with information that may not be disclosed to outside parties without the express written consent of the person to whom the information pertains. No employee of Manitowoc County may disclose confidential information to any person who has not been authorized to receive that information by law or attempt to attain confidential information for which they have no legitimate need.

Manitowoc County has adopted and adheres to a Privacy Policy as required by the Health Insurance Portability and Accountability Act. Disclosure of protected health information not authorized by the Privacy Policy may result in progressive discipline, up to and including termination of employment.

8.05 Productivity

Employees are expected to meet high productivity standards. Standards contributing to high productivity include but are not limited to:

- (1) Being at your work site prepared to begin work at the scheduled start time and working until the scheduled end time.
- (2) Avoiding distractions and fully engaging in work while on paid time.

- (3) Avoiding unnecessary distractions of others at work.
- (4) Minimizing the need to conduct personal business during work hours. Except in the case of an emergency or when authorized by a supervisor, the use of County-issued or personally owned mobile devices for personal use is prohibited during work time.

8.06 Attitude, Demeanor and Comportment

- (1) Manitowoc County is a unit of local government. All citizens and residents have the right to expect good service, fair treatment, and courtesy.
- (2) Employees shall be civil, helpful and friendly to all members of the public.
- (3) Employees may not display a hostile, angry, or abusive demeanor. Employees are expected to avoid impolite behavior at all times.
- (4) Employees may not harass, intimidate, abuse, injure or malign others.

8.07 County Property

- (1) All employees shall use and maintain County property in a reasonable and proper manner.
- (2) County property includes but is not limited to: real estate holdings, buildings and facilities owned, leased or occupied by the County, tools, equipment, books, furnishings, fixtures, materials owned or leased by the County, and any materials produced or resulting from County operations.
- (3) Incidental use of the telephone, County-issued cell phone and Computer Resources is permitted to the extent that the use does not interfere with the performance of job duties and does not create an expense for Manitowoc County.
- (2) Other than for incidental use as expressly permitted by this Employee Policy Manual, County property shall be used only for County purposes. Use of County property for private or personal reasons is prohibited. Theft or improper use of County property is sufficient grounds for discipline, up to and including discharge.

8.08 Gifts, Gratuities and Kickbacks

- (1) No employee or public official may solicit or accept from any person anything of value that may tend to influence the employee or public official in the discharge of his or her duties.
- (2) No employee or public official may solicit or accept from any person anything of value, such as a bribe, kickback, rebate, reimbursement, or other inducement, for himself or herself or any member of his or her family, in connection with the

purchase or provision of any benefit, good, or service that is paid for directly or indirectly, wholly or in part with county funds.

- (3) This policy does not preclude the acceptance of rebates that are available to the general public. An employee or public official may accept awards for meritorious achievements or contributions, may accept loans from banks or other financial institutions on customary terms of finance for personal use, and may participate in student loan or scholarship programs.
- (4) Manitowoc County Code Chapter 30, Ethics, provides further guidance regarding an employee or public official's ethical obligations with respect to gifts and gratuities, including the duty to report potential violations of the Ethics Code.

8.09 Drug Free Workplace

It is the policy of Manitowoc County to provide a drug-free workplace for all of its employees. Manitowoc County prohibits the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance on County premises as set forth in PL 100-690, Title V, Subtitle D, 41 USC 701 et seq.

Any employee found to be in violation of the drug free workplace policy shall be subject to disciplinary action, up to and including termination.

As required by the Drug-Free Workplace Act of 1988, employees who are convicted of an illegal drug charge are required to report, in writing, such a conviction to their supervisor within five days.

8.10 Designation of Outdoor Smoking Areas

- (1) Smoking is prohibited in all County owned and leased buildings. "Smoking" means to burn tobacco, to burn a tobacco substitute, to use or inhale smoke produced by a tobacco product, or to use or inhale any substance produced by a tobacco substitute, whether by means of a cigar, cigarette, electronic cigarette, water pipe, or any other instrumentality
- (2) Chewing tobacco or spitting tobacco juice is prohibited in all County owned and leased buildings.
- (3) Smoking is allowed in designated outdoor areas only. The designated areas are:
 - (a) Administration Building – West side of building
 - (b) Communications Center – West side of building
 - (c) Courthouse – East Steps, top of stairs and north of the window that is north of the Entrance (toward Washington Street)
 - (d) Expo/Ice Center – Smoking is allowed anywhere outside.
 - (e) Highway Department – Outside employee lunch room on east side of building
 - (f) Human Services Department – Picnic table on east side of building
 - (g) Office Complex – South side of building
 - (h) Sheriff's Department – Fenced in parking lot south of the Jail
 - (i) Heritage Center – West side of building
 - (j) Human Services Department Hamilton Street Building – Northwest side of building

8.11 Contracts with Current and Former Employees and Elected Officials

- (1) No employee or elected official may enter into a contract on behalf of Manitowoc County with any Manitowoc County employee or elected official if the contract involves a payment that would be reported on an IRS Form 1099, unless the employee or elected official entering into the contract on behalf of Manitowoc County has made prior written disclosure of the contract, its parties, and terms to the County Executive and the County Board of Supervisors.
- (2) No employee or elected official may enter into a contract on behalf of Manitowoc County with any business in which a Manitowoc County employee or elected official holds a 10% or greater interest if the contract involves a payment that would be reported on an IRS Form 1099, unless the employee or elected official entering into the contract on behalf of Manitowoc County has made prior written disclosure of the contract, its parties, and terms to the County Executive and the County Board of Supervisors.
- (3) No employee or elected official may enter into a contract on behalf of Manitowoc County with any former employee or elected official of Manitowoc County within 12 months following the former employee or elected official's separation from Manitowoc County if the contract involves a payment that would be reported on an IRS Form 1099, unless the employee or elected official entering into the contract on behalf of Manitowoc County has made prior written disclosure of the contract, its parties, and terms to the County Executive and the County Board of Supervisors.
- (4) No employee or elected official may enter into a contract on behalf of Manitowoc County with any business in which a former Manitowoc County employee or elected official holds a 10% or greater interest within 12 months following the former employee or elected official's separation from Manitowoc County if the contract involves a payment that would be reported on an IRS Form 1099, unless the employee or elected official entering into the contract on behalf of Manitowoc County has made prior written disclosure of the contract, its parties, and terms to the County Executive and the County Board of Supervisors.
- (5) Wisconsin Statutes sec. 946.13 prohibits private interests in public contracts and imposes criminal and civil sanctions for violations where the contract involves receipts or disbursements of more than \$15,000 in any year. This is a strict liability statute and does not require evidence of criminal intent or a corrupt motive.
- (6) A contract entered into in violation of sec. 946.13 is void and the county will not incur any liability on that contract. An employee or elected official who violates this statute faces a fine, imprisonment, or both, and may be required to pay back the amount of the contract.

8.12 Off Duty Conduct

- (1) While your free time is generally not subject to restriction by Manitowoc County, any action taken while off duty that is reasonably related to your employment with Manitowoc County and has an actual or reasonably foreseeable adverse effect on Manitowoc County operations may result in just progressive discipline. In determining the actual or foreseeable adverse effect on Manitowoc County operations the following factors will be considered:
 - (a) If the off duty conduct interferes with your ability to perform your job duties.
 - (b) If the off duty conduct leads to the refusal, reluctance or inability of other employees to work with you.
- (2) Use of Social Media: Employees are urged not to post information regarding Manitowoc County operations, their jobs, or other employees which may lead to morale issues in the workplace or detrimentally affect Manitowoc County operations. This can be accomplished by thinking before you post, being civil to others and their opinions, and not posting personal information about others unless you have their permission. You are personally responsible for the content you publish on blogs, wikis, or any form of social media. Be mindful that what you post will be public for a long time. Be also mindful that if Manitowoc County receives a complaint from an employee about information you have posted about that employee, Manitowoc County may need to investigate that complaint to insure that there has been no violation of Manitowoc County's employment policies. In the event that there is such a complaint you will be expected to cooperation in any investigation of that complaint, including providing access to the posts at issue.
- (3) Caregiver Notification: Pursuant to Wis. Admin. Code § DHS 12.07, employees covered under the Wisconsin Caregiver Law are required to notify their supervisor as soon as possible and no later than the employee's next working day, when any of the following occurs:
 - (a) The employee has been convicted of a crime.
 - (b) The employee has been or is being investigated by any governmental agency for any other act, offense, or omission, including an investigation related to the abuse or neglect, or threat of abuse or neglect, to a child or another client, or an investigation into the misappropriation of a client's property.
 - (c) The employee has a governmental finding substantiated against them of abuse or neglect of a client or of misappropriation of a client's property.
 - (d) In the case of a position for which the person must be credentialed by the department of safety and professional services, the person has been denied a license, or the person's license has been restricted or otherwise limited.

8.13 Performance Management

Manitowoc County has adopted a performance management system focused on creating a work environment in which employees are empowered to perform to the best of their ability. Managers play a critical role in the performance management system and are responsible for clarifying job duties, defining performance standards, and discussing and documenting performance throughout the year.

All employees covered under the Manitowoc County wage schedule are included in the performance management system.

8.14 Performance Evaluations

- (1) Performance evaluations are based on the principle of no surprises – nothing should appear on the performance evaluation that the employee has not seen or heard before. The performance evaluation process requires equal participation of employees and managers.
- (2) Employees shall be evaluated annually on their anniversary date in position. The performance evaluation shall be based only on job related behavior and reflects the cumulative performance of the employee throughout the review period. Events that occurred outside of the rating period shall not be included.
- (3) The evaluation form shall include the following sections:
 - (a) Performance of job duties;
 - (b) Performance competencies;
 - (c) Progress toward current goals; and
 - (d) Goals established for the next review period.

(4) Performance Ratings

It is possible to earn any of the following ratings. Managers must provide specific documentation for any rating that does not meet standards or exceeds standards (i.e. a rating of “1”).

1 Needs Improvement

2 Meets Job Requirements – this is the level of performance expected of any competent, qualified employee in the position

3 Exceeds Job Requirements

4 Outstanding

(5) Progression through the wage schedule provided by § 5.02 of the Manitowoc County Code is dependent on an employee’s cumulative score received on the annual performance evaluation as follows:

- (a) An employee’s progression through the wage schedule from the **minimum to the midpoint** is based on overall job performance which meets or exceeds job requirements. This is defined to be a cumulative score of at least 1.75 on the employee performance evaluation. Upon successful completion of a six-month evaluation, new employees may be moved up one (1) step within their paygrade, not to exceed midpoint. This increase may be awarded at the discretion of their department director and is reserved for new employees that demonstrate performance that exceeds requirements. “Performance that exceeds requirements” means a cumulative score of at least 2.75 on the employee performance evaluation

conducted at the end of the employee's first six month of employment.

- (b) An employee's progression from **midpoint to maximum** is based on performance that consistently exceeds proficient performance levels for incumbents in the class of positions as follows:
 - i. Employees with cumulative score of 2.01 to 2.74 receive 50% of the performance increase allocated in the annual budget.
 - ii. Employees with cumulative score of 2.75 or greater receive 100% of the performance increase allocated in the annual budget.
- (c) Performance awards may be provided to employees who have reached the maximum of the wage schedule in recognition of performance that consistently exceeds proficient performance levels. The performance award is paid for the upcoming anniversary year according to the following guidelines:
 - i. Employees with a cumulative score of 2.01 to 2.74 receive 50% of the performance increase allocated in the annual budget.
 - ii. Employees with cumulative score of 2.75 or greater receive 100% of the performance increase allocated in the annual budget.

8.15 Failure to Meet Performance Standards

- (1) Managers must make employees aware of performance concerns as soon as reasonably possible. When a manager becomes concerned that the employee is not meeting performance standards a performance evaluation should be conducted.
- (2) A non-probationary employee will be deemed to not meet performance standards when his or her cumulative performance score is less than 1.75 on the 4 point scale.
- (3) Managers must utilize the following performance improvement process when an employee fails to meet performance standards. The Personnel Department is available to assist managers through this process.
 - (a) The manager must meet with the employee to review the performance evaluation. The performance evaluation must specify the unsatisfactory work performance.
 - (b) The manager must provide the employee with a written performance improvement plan that describes the steps necessary to achieve a satisfactory performance evaluation.
 - (c) The manager must provide the employee a reasonable period of time to correct unsatisfactory performance.
 - (d) The manager must frequently communicate with the employee during the performance improvement process to give the employee feedback and coaching.
 - (e) If the employee successfully completes the performance improvement plan he or she

will be notified in writing of successful completion, along with a statement of expectations for the future. If the employee fails to meet performance standards in the future, the manager is not under any obligation to offer another performance improvement plan.

- (f) Employees failing to successfully complete a performance improvement plan may be terminated, subject to Section 9.02(1) of this Employee Policy Manual which requires consultation with the Personnel Director and Corporation Counsel.

8.16 Commercial Driver's License

- (1) The purpose of this policy is to establish a uniform system for determining responsibility for required Commercial Driver's Licenses and Endorsements for positions that require a Commercial Driver's License (CDL).
- (2) An employee shall provide proof of a CDL upon hire, or as soon as applicable after hire if the employee is participating in the CDL training program.
- (3) Manitowoc County will conduct Federal Motor Carrier Safety Administration (FMCSA) queries to ensure CDL status as required by FMCSA regulations.
- (4) An employee shall notify the Personnel Department immediately when they learn of the official loss or suspension of a required license, certification, or endorsement. This notification shall occur no later than the end of the following workday when the employee learns of the loss or suspension. Under no circumstances will the employee work after knowledge of the loss or suspension and prior to informing the Personnel Department of that loss or suspension.
- (5) If an employee's CDL (including endorsements) is suspended or revoked due to disqualification for reasons that arise out of or during the course of employment or are related to criminal activity, the County may in its sole discretion terminate the employee. Such termination shall be presumed to be with just cause.
- (6) If an employee's CDL (including endorsements) is suspended or revoked due to disqualification for reasons that do not arise out of or during the course of employment and are unrelated to criminal activity the County may in its sole discretion terminate the employee or the County may grant the employee up to a twelve (12) month leave of absence from the date of CDL loss subject to the following:
 - (a) The employee shall first use all available paid time off for which the employee is eligible to use.
 - (b) After all available paid time is exhausted, the remainder of the leave of absence shall be unpaid and without benefits. Normal COBRA rights will apply for applicable benefits.
 - (c) If the CDL suspension was for a period of at least 50 weeks but not more than one (1) year, the unpaid leave of absence may be administratively extended beyond twelve (12) months for up to two

additional weeks to permit an employee time to complete necessary paperwork for recertification and have CDL privileges reinstated.

- (d) If the employee does not have CDL privileges reinstated within the timeframe authorized by Manitowoc County, the County may terminate the employee in its sole discretion. Such termination shall be presumed to be with just cause.
- (e) It is the employee's responsibility to satisfy all the necessary requirements for reinstatement of their CDL and cover all associated costs. Reinstatement of employment will not be considered until the CDL and any required endorsements are reinstated.
- (f) No benefits will accrue for any month without pay while on the leave of absence.

(7) In lieu of a leave of absence, if qualified, the County may consider permitting the employee to fill a vacant position within the same department that does not require a CDL, subject to the following:

- (a) Pay will be adjusted based on the new position's pay grade.
- (b) Benefits will be awarded based on the new position's FTE.

(9) A loss of CDL for more than 12 months or a permanent disqualification from holding a CDL shall result in termination of employment. Such termination shall be presumed to be with just cause.

END OF SECTION

Section 9 **WORK FROM HOME**

- 9.01 Purpose of Policy
- 9.02 Eligibility
- 9.03 Work from Home Requirements
- 9.04 Maintenance of Standards
- 9.05 Authorization Process

9.01 Purpose of Policy

This policy defines when and under what circumstances employees can be allowed to work from home. This policy also defines the expectations and responsibilities for employees requesting to work from home.

Manitowoc County retains the right to refuse work from home requests and to terminate a work from home arrangement at any time. The terms and conditions of employment with Manitowoc County remain the same for employees working from home.

9.02 Eligibility

Employees may be allowed to occasionally work from home if their job duties permit it. Jobs that require that the duties be performed at a specific location are not eligible to work from home. Other considerations to be evaluated in determining whether or not the employee is eligible to work from home include, but are not limited to, the following:

- (1) How does the employee working from home impact the quality and quantity of services performed?
- (2) Are there security or privacy issues?
- (3) Will working remotely make it more difficult to communicate, collaborate or accomplish departmental objectives?
- (4) Are the necessary computer resources available?
- (5) Is the employee fully trained and able to perform the essential functions of their position?
- (6) Has the employee demonstrated the ability to meet productivity standards without close supervision?

9.03 Work from Home Requirements

Employees authorized to work from home must meet the following requirements:

- (1) The employee must designate a work space that is sufficient for the purpose of conducting work and maintaining strict adherence to privacy standards.
- (2) All County Business must be conducted using a Computer Resource as defined in Section 23.03(1) unless granted an exception by the Information Systems Division.

- (3) Employees must provide a phone number that they can be reached at during designated work hours, and must respond to email in accordance with established standards.
- (4) Any injury sustained while in the course of duties must be immediately reported using the established practice of the Department.
- (5) Unless granted authorization to flex hours, the hours worked will be the customary hours of assignment. Employees shall be fully accessible during work hours and must attend meetings and appointments as required.
- (6) Requests to flex time must be submitted using the established practice of the Department.
- (7) Hourly employees must log on to Workforce Ready to record hours of work. All hours worked must be recorded. Exempt employees must complete their timecards using the established practices of the Department.
- (8) Hours worked cannot exceed normally scheduled hours. Employees requesting to work in excess of their scheduled hours must obtain authorization to do so prior to working the additional hours.
- (9) If the employee incurs travel allowed to be reimbursed by Section 26.07 of this Policy Manual, the mileage reimbursement will be limited to the lesser of:
 - (a) Your permanent work site to your travel destination OR your home to your travel designation AND
 - (b) The travel destination to your permanent work site OR your home.

9.04 Maintenance of Standards

- (1) The Manitowoc County Employee Policy Manual continues to govern the terms and conditions of employment.
- (2) Employees must continue to meet established productivity standards. Supervisors are responsible monitoring work performance by making at least weekly contact with the employee.
- (3) Privacy standards must be strictly adhered to. Employees must not allow nonauthorized persons to view work product. Employees must comply with all policies and procedures concerning the handling of protected health information
- (4) Employees cannot provide care for children or other family members during working hours.
- (5) Employees cannot work at other jobs, run their own business, or conduct any other work or business during working hours.
- (6) Manitowoc County equipment cannot be used for private purposes. No one other than the employee may use County equipment.

- (7) Employees must guard equipment against damage and theft. If equipment is damaged or stolen the employee must immediately report this to their supervisor.
- (8) Office supplies may be approved and supplied by the employee's supervisor.
- (9) Manitowoc County is not responsible for private property used, lost, damaged or destroyed.
- (10) Manitowoc County will not be responsible for operating costs, utility costs, internet costs, home maintenance or any other incidental costs associated with the authorization to work from home.
- (11) Employees cannot meet with clients or hold business meetings at their residence. Employees working from home agree to hold the County harmless against any and all claim including injuries to others at the telecommuting location.

9.05 Authorization Process

- (1) Employees must request authorization to work from home. The request must be limited to a specific period of time, not to exceed 30 days. Requests which exceed 30 days must be approved by the County Executive. Work from Home cannot be authorized for more than 30 days per year unless approved by the County Executive.
- (2) Department Directors will approve or deny the request.
- (3) Granting a request to work from home does not create a guarantee that the arrangement may last as long as initially approved. Work from Home arrangements can be terminated at any time, with 24 hours advance notice to the employee.

END OF SECTION

Section 10
POSITION DESCRIPTIONS

- 10.01 Development
- 10.02 Review

10.01 Development

The Personnel Department is responsible for the development and maintenance of position descriptions for every regular position. The description shall include a brief statement of the purpose of the position, the essential and non-essential functions, physical requirements, and the education and experience required for the position. Position descriptions are reviewed and signed by the department director, and placed on file in the Personnel Department.

10.02 Review

As part of the annual performance appraisal the position description shall be reviewed and revised as necessary to maintain accuracy.

END OF SECTION

Section 11 **COMPENSATION**

- 11.01 Pay Plans
- 11.02 Compensation during Temporary Employment
- 11.03 Uniform Allowance
- 11.04 Moving Allowance
- 11.05 Meals

11.01 Pay Plans

Compensation plans for Manitowoc County are described in Section 5.02 of the Manitowoc County Code of Ordinances.

11.02 Compensation During Temporary Assignment

- (1) An employee who is temporarily assigned to a position in a higher decision band for more than 30 consecutive calendar days will receive a 5% wage increase beginning on the 31st calendar day and continuing until the assignment ends.
- (2) An employee who is designated to perform the majority of the duties of an elected official during an absence, sickness, or other disability of the elected official that lasts for more than 30 consecutive calendar days will receive a 5% wage increase beginning on the 31st calendar day and continuing until the assignment ends.
- (3) Any temporary assignment that exceeds 6 months must be approved by the Personnel Committee.

11.03 Uniform Allowances

Uniform allowances accrue monthly and are paid annually to the following classifications of employees:

- (1) Sheriff's Department employees:
 - (a) Employees with arrest powers - \$650.00
 - (b) Corrections officers - \$360
 - (c) Administrative staff - \$150
 - (d) Food Services staff - \$150
 - (e) Nursing staff - \$150
- (2) Joint Dispatch Center employees - \$150
- (3) Non-exempt Highway Department and Public Works employees holding maintenance positions and exempt supervisors in those Department required to wear safety boots/glasses - \$100

11.04 Moving Allowances.

Moving allowances may be paid to department directors and exempt employees recruited by Manitowoc County. Moving allowances must be approved by the County Executive. The amount allowed shall be as follows:

- (1) Department directors - Total cost of all reasonable and customary expenses. Total reimbursement shall not exceed \$2500.
- (2) Other exempt personnel - Full cost of all reasonable and customary expenses up to \$1000 and then 75% of any amount over \$1000 up to an additional pay-out of \$500. Total reimbursement shall not exceed \$1500.
- (3) An employee who voluntarily resigns their position with Manitowoc County before the completion of one year of service may be required to pay back the moving expense reimbursement.

11.05 Meals

A Sheriff's Department employee may purchase meals and snacks from the jail kitchen for his or her own consumption on premises during the employee's working hours. The jail kitchen will charge the employee the cost of items purchased as determined by the Comptroller.

END OF SECTION

Section 12
PAID AND UNPAID LEAVE

12.01	General Restriction	12.10	Eligibility for Sick Leave
12.02	Holiday, Vacation, Sick Time Schedules	12.11	Regulation of Sick Leave
12.03	Funeral Leave	12.12	Sick Leave on Holiday or When Suspended from Work
12.04	Holidays		
12.05	Leaves of Absence		
12.06	Family and Medical Leave Act	12.13	Sick Leave Payout upon Retirement
12.07	Jury Duty	12.14	Short Term Disability Income and Employment Continuation
12.08	Military Leave	12.15	Vacation
12.09	Sick Leave	12.16	Determination of Years of Service

12.01 General Restriction on Use of Paid Time Off

Except for positions that the employer requires to be staffed at all times, and except for non-accrued leave as further provided in this section, an employee may not combine paid time off with hours actually worked to exceed his or her normally scheduled hours in a calendar week. This policy does not prohibit an employee from combining non-accrued leave such as funeral leave as provided in Section 12.02, holidays as provided in Section 12.03, and jury duty as provided in Section 12.07, with hours actually worked to exceed his or her normally scheduled hours. This policy does not prohibit an employee from combining approved scheduled vacation leave with hours actually worked when an employee is called in with a shift starting outside a department's normal business hours.

12.02 Holiday, Vacation and Sick Time Schedules

Holiday, vacation and sick time is provided on an hourly basis according to the following schedule unless otherwise provided by resolution of the Manitowoc County Board of Supervisors. The schedules are based on full-time employee status. Holiday, vacation and sick time for part-time employees is pro-rated according to the percentage of full-time authorized. Elected Officials are not provided with holiday, vacation and sick time.

Award Date	Positions Required to be Staffed at All Times & Positions with 2080 Budgeted Hours		All Others
HOLIDAY			
Annually on January 1	80	75	
VACATION*			
6 Months	40	37.50	
1 Year	80	75.00	
2 Years	120	112.50	
8 Years	144	135	
12 Years	152	142.50	
13 Years	160	150	
14 Years	168	157.50	
15 Years	176	165	
16 Years	184	172.50	
17 Years	192	180	
18 Years	208	195	
19 Years	216	202.50	
SICK LEAVE			
Annually on January 1	40	37.50	

*Any employee who receives more vacation than provided in the schedule above as of 12/31/2021 shall continue to maintain the amount of vacation he or she receives as of 12/31/2021

12.03 Funeral Leave

Regular employees of Manitowoc County may be allowed paid time off when there is a death in the immediate family according to the following schedule:

- (1) Employees may take up to three (3) working days with pay, depending upon travel and other extenuating circumstances in the event of the death of a spouse, child or step-child, parent or step-parent of the employee or spouse, brother or step-brother, or sister or step-sister.
- (2) Employees may take up to (2) two working days with pay, depending upon travel and other extenuating circumstances in the event of the death of a brother-in-law or sister-in-law of employee or spouse, or in the event of the death of a son-in-law, and daughter-in-law.
- (3) Employees may take one (1) day with pay in the event of the death of the grandparents or grandchildren, aunts or uncles, of the employee or spouse.
- (4) Employees who take more than the allowable number of days off for funeral purposes shall be required to substitute other paid leave for which they are eligible.

12.04 Holidays

- (1) Holidays for part-time salaried employees are granted so that there is no reduction in salary in the weeks in which holidays occur.
- (2) For employees other than those in positions required to be staffed at all times, holidays are designated as follows: New Year's Day, Spring Holiday, Memorial Day, July 4, Labor Day, Thanksgiving Day, Day after Thanksgiving Day, Christmas Eve, Christmas Day and New Year's Eve.
- (3) When a designated holiday falls on a Saturday employee will be granted the holiday time off on the preceding Friday. When a designated holiday falls on a Sunday employee will be granted holiday time off on the following Monday.
- (4) When Christmas Day falls on a Saturday, employees will be granted the following Monday as holiday time off. When Christmas Eve and Christmas Day fall on Saturday and Sunday respectively employees will be granted the following Monday and Tuesday as holiday time off. When Christmas Eve and Christmas Day fall on a Sunday and Monday respectively employees will be granted the following Monday and Tuesday as holiday time off.
- (5) When New Year's Day falls on a Saturday, employees will be granted the following Monday as holiday time off. When New Year's Eve and New Year's Day fall on a Saturday and Sunday respectively employees will be granted the following Monday and Tuesday as holiday time off. When New Year's Eve and New Year's Day fall on a Sunday and Monday respectively employees will be granted the following Monday and Tuesday as holiday time off.

- (6) Positions required to be staffed at all times do not have designated holidays. Employees may schedule holiday time off at any time, subject to their supervisor's approval.
- (7) Employees occupying positions that are required to be staffed at all times and were unable to use holiday time off during a calendar year may request an extension of time to utilize the holiday time off from the Department Director. The Department Director may grant the extension only if the employee can demonstrate both that they requested holiday time off and that the request was denied due to staffing demands. Extensions cannot exceed 6 months.
- (8) Employees who occupy positions required to be staffed at all times who separate from employment shall be required to repay holidays taken in excess of the number of designated holidays that have occurred at the time of separation. For example, an employee who uses 8 holidays by August 1st shall be required to repay 4 holidays because only 4 designated holidays had occurred as of August 1 (New Year's Day, Spring Holiday, Memorial Day and July 4th).
- (9) To be eligible for holiday pay the employee must have worked the scheduled hours of work on the last workday prior to the holiday and the scheduled hours of work of the workday following the holiday, except:
 - (a) When an employee's absence has been prior approved by the employee's supervisor.
 - (b) Because of illness. The employee may be asked to present a physician's certificate to verify the necessity to be absent from work. Any expense required to obtain a physician's statement shall be paid by Manitowoc County.
- (10) Employees with alternative religious preferences may take off their religious holidays, but will be required to substitute available paid leave for which they are eligible.
- (11) Salaried employees scheduled to work on the actual calendar date of a holiday will be paid a \$100 premium for each actual holiday worked.

12.05 Leaves of Absence

- (1) Employees may request an unpaid leave of absence. No leave shall be granted for the purpose of seeking other employment.
- (2) Up to ten (10) days of unpaid leave may be granted by the Department Director, Supervisor or in the case of a Department Director requesting a leave of absence, by the County Executive. Unpaid leave required for quarantine as recommended by a County Health Department or Physician is not counted against these days. Additional unpaid days may be approved by the County Executive.

(3) Leaves for Illness or Disability:

- (a) Length of Leave. Employees may be granted an unpaid leave of absence for up to twelve (12) consecutive months for prolonged illness or disability due to injury.
- (b) Notice of Leave. An employee requesting such leave must notify his or her respective department director who will in turn contact the Personnel Committee in writing.
- (c) Medical Certificates. The employee shall be required to furnish the Personnel Department with a physician's statement which identifies the illness or injury and estimates the length of time anticipated to be absent. An updated statement shall be required every two (2) months. The Personnel Department may require the employee to be examined by a physician designated by the Personnel Department and in such instance the County shall pay the cost of such examination.
- (d) Continuation of Insurance Coverage. An employee on an unpaid leave of absence in excess of one (1) calendar month shall be permitted to continue insurance coverage through their rights under COBRA. The premium for this COBRA coverage shall be paid by the employee. Manitowoc County will reimburse an employee for the portion of any required COBRA premium that exceeds the normal employee premium for any month in which COBRA coverage is required and the employee has actively returned to work.

12.06 Family and Medical Leave Act (FMLA)

- (1) General Notice: Manitowoc County complies with all applicable state and federal laws relating to family and medical leave, and will not discriminate against or interfere with the rights of an employee to take such leave. Employees should contact the Personnel Department to coordinate FMLA leave.
- (2) Eligibility Requirements: Employees are eligible for Federal FMLA leave if they have worked for Manitowoc County for at least 12 months at any time within the last seven years, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by Manitowoc County within 75 miles of their worksite.

Employees are eligible for Wisconsin FMLA if they have been on the payroll for 52 consecutive weeks, and have been paid for least 1000 hours in the previous 52-week period.

(3) Basic Leave Entitlement Under the Federal Family and Medical Leave Act: The Federal Family Medical Leave Act requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees in a 12-month period for the following reasons:

- (a) For incapacity due to pregnancy, prenatal medical care or childbirth;
- (b) To care for the employee's child after birth, or placement for adoption or foster care;
- (c) To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or

- (d) For a serious health condition that makes the employee unable to perform the employee's job.
- (4) Basic Leave Entitlement Under the Wisconsin Family and Medical Leave Act: Wisconsin Family Medical Leave law requires covered employers to provide:
 - (a) Up to 2 weeks of leave in a calendar year for the employee's own serious health condition.
 - (b) Up to 2 weeks of leave in a calendar year for the serious health condition of an employee's spouse, domestic partner, dependent child, parent or parent-in-law or domestic partner's parent. Same-sex and opposite-sex domestic partners can be eligible for Wisconsin leave either by registering as domestic partners in their county of residence, or if both individuals meet the following criteria:
 - (1) Are at least 18 years of age and capable of consenting to the relationship;
 - (2) Are not married to, or in a domestic partnership with, another individual;
 - (3) Share a common residence;
 - (4) Are not related by blood in a way that would prohibit marriage under Wisconsin law;
 - (5) Consider themselves to be members of each other's immediate family; and
 - (6) Agree to be responsible for each other's basic living expenses.
 - (c) Up to 6 weeks of leave in a calendar year for the birth or adoption of the employee's child.
- (5) Both Wisconsin and Federal Family Medical Leave is administered on a calendar year basis. Leaves that qualify under both federal and Wisconsin law will run concurrently.
- (6) Military Family Leave Entitlements (Federal leave only): Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation 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.
- (7) Benefits and Protections: During FMLA leave, Manitowoc County will maintain

the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. The employee must continue to pay the required employee premium contribution, if any. If a required employee contribution is more than 30 days late, the employee's health care coverage will terminate at the discretion of Manitowoc County. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

(8) **Definition of Serious Health Condition – Federal Family Medical Leave Act:** A serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

(9) **Definition of Serious Health Condition - Wisconsin Family Medical Leave:** A serious health condition means a disabling physical or mental illness, injury, impairment or condition involving inpatient care in a hospital, nursing home or hospice; or outpatient care that requires continuing treatment or supervision by a health care provider.

(10) **Use of Leave:** An employee does not need to use their FMLA entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt Manitowoc County's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis. Manitowoc County may transfer an employee on intermittent or reduced-schedule leave to a different position that would better accommodate the employee's leave.

(11) **Use of Paid Leave While on Family Medical Leave:** An employee taking leave under the Wisconsin Family and Medical Leave Act (including leave taken concurrently under the federal Family and Medical Leave Act) may choose to use available paid leave or may choose to have the leave unpaid. An employee using only federal FMLA will be required to use available paid leave while taking leave. Once the available paid leave is exhausted, the employee may apply for short term disability benefits.

(12) **Employee Responsibilities:** Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with Manitowoc County's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions; the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees may be required to provide a certification and periodic recertification supporting the need for leave.

If an employee wishes to return to work before the leave was to end, the employee must notify the Personnel Department at least two days prior to the desired return date. If an employee, without approval from the Personnel Department, does not return from FMLA leave on the day indicated on the original application (or any approved change of that date), or within three days of release by the employee's health care provider if such release is required, the employee will be considered to have voluntarily resigned from employment with Manitowoc County as of the day on which the employee's FMLA was to end. In the event this occurs, Manitowoc County reserves the right to collect from the employee any employer-paid benefits payments made while employee was on leave, unless the employee's failure to return to work is due to circumstances outside of the employee's control (e.g., the continued serious health condition prevents returning to work).

If an employee fails to meet any employer requirements for federal or Wisconsin leave, the request for leave may be denied or delayed until the requirements are met.

(13) Employer Responsibilities: Manitowoc County will inform employees requesting leave whether they are eligible under FMLA. If they are, the notice will specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, Manitowoc County will provide a reason for the ineligibility.

Manitowoc County will inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If Manitowoc County determines that the leave is not FMLA-protected, Manitowoc County must notify the employee.

(14) Unlawful Acts by Employers: FMLA makes it unlawful for any employer to:

- (a) Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- (b) Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

(15) FMLA does not affect any federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

Service on a jury is an important responsibility in our society. Employees summoned for jury duty are allowed to serve without loss of pay.

- (1) If an employee elects to take paid jury duty leave, any jury fee shall be turned over to the County.
- (2) If an employee elects to serve on a jury and be paid using vacation, compensatory time or undesignated holiday, the employee may retain the jury fee.
- (3) All employee benefits shall continue to accrue during jury leave.

12.08 Military Leave

- (1) Leaves of absence without pay shall automatically be granted for all employees who are called or volunteer for military service, including training duty in the Army Reserves or National Guard. All employee benefits shall continue to accrue during military leave. Employees entering the military service shall be allowed the opportunity to continue to participate in Manitowoc County's group health insurance plan by utilizing their Federal COBRA rights.
- (2) Employees drafted or ordered into the military service shall be entitled to return to his/her former position at the current rate of pay with no loss in seniority and benefits, providing said employee returns to work within ninety (90) days of discharge from military service. Seniority shall accrue while in the service on active duty.
- (3) An individual returning from initial active training duty is entitled to reemployment if the following conditions have been met:
 - (a) Reservist was called for initial active duty training for at least twelve (12) weeks and was called to active duty for at least ninety (90) days.
 - (b) Reservist applies for reemployment within thirty-one (31) days after release from active duty for training after satisfactory service or from discharge from hospitalization from military injury provided it is less than one year after scheduled release from duty.
- (4) Employees granted a leave of absence for participation in training with the Army Reserves or National Guard need not apply for reemployment, but must report to work at the beginning of the next scheduled working period, unless prevented by circumstances beyond the employee's control. If the employee does not report to work, he/she may be subject to just progressive discipline, but does not forfeit entitlement to reemployment.

12.09 Sick Leave

- (1) A probationary employee hired prior to January 1, 2013 will earn sick leave up until December 31, 2012, and the accumulated sick leave will be credited to the employee's accumulated sick leave bank upon completion of his or her probationary period.

- (2) An employee hired after January 1, 2013 will be credited with a prorated amount of annual sick leave based on his or her date of hire.
- (3) A probationary employee may use annual sick leave after he or she has been employed for at least 90 days.
- (4) An employee who transfers from one department to another will retain his or her accumulated sick leave and annual sick leave balances.
- (5) Accumulated sick leave earned prior to January 1, 2013 must be exhausted before using any annual sick leave credited on or after January 1, 2013.
- (6) Annual sick leave that is not used during the calendar year in which it is credited to an employee will be transferred to a family medical leave bank for the employee. An employee's family medical leave bank is capped at 200 hours for positions required to be staffed at all times and positions with 2080 budgeted hours and 187.50 hours for all other positions.
- (7) Annual sick leave and banked family medical leave are not subject to any payout.
- (8) An employee may use banked family medical leave for absences for which the employee is eligible for leave under the Federal and Wisconsin Family and Medical Leave Acts.

12.10 Eligibility for Sick Leave. Sick leave may be used for any period of absence due to illness or injury, or in the event of critical illness or required attendance upon an employee's father, mother, spouse or child. Sick leave may also be used for medical, dental, and optical appointments when it is not possible to schedule those appointments outside of the workday. When used for medical, dental, and optical appointments, sick leave is limited to the amount of time required for travel and the actual appointment.

12.11 Regulation of Sick Leave

- (1) The department director may require a medical certificate to justify the granting of sick leave in excess of 3 days duration or after 5 occurrences in the calendar year.
- (2) Sick leave may be withheld in cases where there is reasonable suspicion that sick leave fraud, deceit, or abuse is occurring. An employee will be allowed a reasonable period of time to provide medical certification to refute the suspicion prior to sick leave being withheld. Sick leave fraud, deceit, or abuse may subject the employee to appropriate disciplinary action, up to and including termination of employment.

- (3) If the department director believes the medical excuse presented by the employee is inadequate or improper, the director shall consult with the Personnel Department to discuss the possibility of seeking an independent medical opinion. If an independent opinion is sought, it will be at the expense of the County.

12.12 Sick Leave on Holidays or When Suspended From Work

- (1) If a designated holiday falls on a regular work day on which an employee is on sick leave, the day will be paid as holiday time, not sick leave.
- (2) If a designated holiday falls on a day when the employee is serving a disciplinary suspension from work without pay, the employee may not use sick leave to offset the loss of pay.

12.13 Sick Leave Payout upon Retirement

- (1) An employee separating from employment who is immediately eligible for a retirement benefit as defined by the Wisconsin Retirement System will be paid 58% of the number of hours of accrued but unused sick leave earned prior to January 1, 2013. The payout will be computed using the employee's hourly rate at the time of retirement, and the payment will be made into the Manitowoc County Retiree Medical Savings Account.
- (2) If an elected official retires, he or she will be paid for 58% of the hours of any sick leave which was earned but not used in County employment prior to election to office. The payout will be computed using the elected official's hourly rate at the time of retirement, and the payment will be made into the Manitowoc County Retiree Medical Savings Account.

12.14 Short Term Disability Income and Employment Continuation

- (1) Regular employees who have been employed for a minimum of six months who become disabled for a minimum of 5 consecutive calendar days may be eligible to receive short term disability income and employment continuation.
- (2) Short term disability income and employment continuation begins on the date that all other paid time off is exhausted or after 5 consecutive calendar days of certified disability, whichever is later.
- (3) In the case of an inpatient hospitalization, short term disability income and employment continuation begins on the day that all other paid time is exhausted or on the first day of inpatient hospitalization, whichever is later.

- (4) Short term disability income and employment continuation may be provided for a maximum of 15 calendar weeks per medical incident and any condition(s) relating to that medical incident that continues disability. A later, but separate, reoccurrence of the medical incident will be treated as a separate medical incident.
- (5) For hourly employees, short term disability income continuation is calculated by multiplying the standard hours for the employee by the base hourly rate in effect when the employee becomes eligible for short term disability income continuation by 60%.
- (6) For salaried employees, short term disability income continuation is calculated by multiplying the weekly salary in effect when the employee becomes eligible for short term disability income continuation by 60%.
- (7) Health, dental, and life insurance will continue to be provided to an employee who is receiving short term disability income and employment continuation benefits on the same basis as when the employee was actively at work.
- (8) Eligibility for short term disability income and employment continuation is contingent upon the employee providing medical certification of a condition that prevents the employee from performing the essential functions of his or her position. Medical certification must be updated every 30 days.
- (9) An employee may be required to obtain a second medical opinion. Any out-of-pocket cost for the second opinion would be reimbursed to the employee. Short term disability income and employment continuation would continue to be provided during the time required to obtain the second medical opinion.

12.15 Vacation

- (1) Vacation will not accrue in any month in which an employee is unpaid.
- (2) Vacation shall become available as of the anniversary date of the employee. Employees shall schedule their vacation time with the consent of their department director or designee. Department directors shall schedule their vacation time subject to the approval of the County Executive.
- (3) Vacation should be used prior to the employee's next anniversary date. Vacation which is not used by that time will be forfeited unless an extension is obtained. The employee is responsible for submitting the vacation extension request prior to their anniversary date or end of an extension period that has been granted. As of January 1, 2023, vacation extensions are limited to 50 hours.
- (4) Department directors may extend an employee's vacation up to 135 days. The County Executive may grant an extension beyond 135 days up to a maximum of 180 days.

- (5) An employee who forfeits vacation because he or she fails to request an extension prior to their anniversary date may appeal the loss to the County Executive. The County Executive must receive the appeal within 14 calendar days after the loss occurs. The County Executive shall evaluate each appeal on a case-by-case basis and may reinstate some or all of an employee's forfeited vacation if the loss occurs because of unusual or unavoidable circumstances.
- (6) If a designated holiday falls within a week taken as vacation, the employee shall receive holiday pay for the designated holiday. Employees on an unpaid suspension may not use vacation. No sick leave shall be granted while an employee is on vacation.
- (7) Employees who terminate or retire from employment shall be paid out on their last paycheck any earned but unused vacation. Accumulated vacation time shall not be used to extend the last day worked

12.16 Determination of Years of Service

Continuous service shall include all the time the employee has been in continuous employment status in a regular position. The continuous service of an employee shall not be considered interrupted if the employee was on an approved leave status.

END OF SECTION

Section 13
EMPLOYEE BENEFITS

13.01	Death Benefits	13.04	Worker's Compensation
13.02	Health Care Coverage	13.05	Wisconsin Retirement System
1.03	Life Insurance	13.06	Employee Assistance Program

13.01 Death Benefits

Upon the death of an employee, the Employer shall pay to the employee's spouse or their estate all accumulated unused sick leave, available and accrued vacation, and any earnings due the employee at the time of his/her death.

13.02 Health Care Coverage

- (1) Manitowoc County shall offer group health care coverage to its regular employees and elected officials.
- (2) All regular employees are eligible for health care coverage. If both spouses are employed by Manitowoc County they may choose either one family plan, or two single plans.
- (3) Health insurance benefits for part-time employees shall be pro-rated along with all other benefits
- (4) **Retiree Continuation Coverage:** Retiring employees may continue participation in Manitowoc County's group health plan
 - (a) Retirees are responsible for the entire cost of health care coverage.
 - (b) Retirees are responsible for paying for the coverage no later than the 20th of the month preceding the month for which coverage is extended.
 - (c) A retired employee, his or her spouse, and eligible dependent children may continue health insurance coverage at their own expense. Spouses of deceased retired employees may continue health insurance coverage at their own expense.
- (5) **Termination of Coverage.** Health care coverage provided by Manitowoc County ends on the last day of the month in which separation from employment occurs.
- (6) **Privacy Practices:** Manitowoc County's Privacy Practices are included in the Health Plan Summary Plan Description.
- (7) **Designation of Privacy Officer:** Manitowoc County's Corporation Counsel shall be designated as Manitowoc County's Privacy Officer.
- (8) **Complaint Procedure:** The Complaint Procedure is as provided in the Health Plan Summary Plan Description.

13.03 Life Insurance

- (1) All regular employees who are participants under the Wisconsin Retirement System may elect to become covered by life insurance through the Wisconsin Group Life Insurance Program.
- (2) Eligibility for coverage is defined by the Wisconsin Group Life Insurance Program.
- (3) For full-time employees, Manitowoc County pays 11 months of the premium, and the employee is required to pay one month of the premium. Benefits for part-time employees are pro-rated.
- (4) Employees who elect to not participate in the life insurance program shall complete the written waiver, documenting their refusal of such policy.
- (5) Employees who have life insurance coverage are eligible for both additional and spouse and dependent coverage. Employees are responsible for the cost of additional and spouse and dependent insurance. Premiums for these insurance plans are paid through payroll deduction.
- (6) Employees on an approved unpaid leave of absence may continue life insurance coverage at their expense.

13.04 Worker's Compensation

- (1) Employees shall report all injuries to their supervisor and complete the Initial Report of Injury form as soon as possible.
- (2) All claims will be treated as work related until a determination is made by the worker's compensation administrator.
- (3) Pursuant to Wisconsin Statutes 102.13, fraudulent claims filed shall be referred to the District Attorney for prosecution.
- (4) Employees unable to return to their regular position due to a work related injury shall be required to return to restricted duty as authorized by their treating physician whenever restricted duty is available. Failure to return to work on restricted duty as authorized by the treating physician will result in the loss of temporary disability benefits.
- (5) Temporary disability benefits are paid in accordance with Wis. Statutes 102.43 and provide two-thirds of the average weekly earnings during the period of disability. Manitowoc County will supplement the temporary disability benefit to continue the employee in full pay status for the first 30 scheduled work days following the work related injury.
- (6) Employees remaining off of work for more than 30 scheduled work days will be required to substitute available accrued leave to remain in full pay status until accrued leave is exhausted. Employees may select which accrued leave to use and in what order.

- (7) The third party administrator will notify the employee in writing if the determination is made that the claim is not compensable. The written notice will provide information about the right to appeal this determination.
- (8) If the claim is determined to be not compensable Manitowoc County will recover all temporary disability benefits paid. The method of recovery will be discussed with the employee and may be accomplished through deductions in other accrued paid time or through payroll deduction.
- (9) Fringe benefits will continue to accrue while an employee is receiving worker's compensation benefits. The employee shall remain responsible for payment of the employee share of any fringe benefit.

13.05 Wisconsin Retirement System

Manitowoc County is a participant in the Wisconsin Retirement System. All benefit questions must be handled through the WRS Office directly.

13.06 Employee Assistance Program

The goal of Manitowoc County's Employee Assistance Program is to provide early intervention to help employees deal with any problems in their personal lives before those problems jeopardize the employee's health, family life, or job performance. The program offers free, confidential, and professional support to Manitowoc County employees, spouses, and eligible dependents.

There is no charge for the initial pre-screen and assessment and the two follow-up sessions.

More information about the services provided by the Employee Assistance Program and how to access those services can be found on the intranet site. Informational posters are also posted in all County buildings.

END OF SECTION

**Section 14
EMPLOYEE GRIEVANCES**

14.01	Policy	14.06	General Guidelines
14.02	Applicability	14.07	Written Grievance
14.03	Definitions	14.08	Impartial Hearing
14.04	Limitations	14.09	County Board Appeal
14.05	Administration		

14.01 Policy

- (1) All employees shall be treated fairly and equitably.
- (2) An employee has the right to bring a grievance without fear of reprisal. Filing a grievance will not reflect unfavorably on an employee's loyalty or adversely affect an employee's employment status.
- (3) Nothing in this section abrogates any legal means of redress available to an employee, including the right to seek redress in a court of law.

14.02 Applicability

With the exception of those employee classifications listed in Section 14.04 (Limitations), this Section 14 shall be applicable to regular full-time and regular part-time employees as defined in Section 4.10 of this Employee Policy Manual. Temporary, seasonal, casual or other type of non-benefit eligible employee classification does not have access to this Section 14.

This policy 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. Manitowoc County's employment relationship with employees eligible to use this procedure is at-will. The purpose and intent of this grievance procedure is to comply with the requirements of Wis. Stat. §66.509 and to provide the procedure by which an employee may file a grievance.

14.03 Definitions

- (1) "Abuse of discretion" means the failure to exercise sound, reasonable, and legal decision-making.
- (2) "Clearly erroneous" means a finding of material fact that is contrary to the weight of the evidence or that is not reasonably supported by the evidence as a whole, but a mistake that does not interfere with rights or remedies will be considered harmless and may be disregarded.
- (3) "Day" means a calendar day unless otherwise specified.
- (4) "Discipline" means suspension or termination.

- (5) “Grievance” means a complaint by an employee regarding suspension, termination, or a workplace safety issue.
- (6) “Just cause” means a legally sufficient reason for discipline. A reason is legally sufficient if it is supported by the preponderance of the evidence. The elements of just cause are:
 - (a) Whether the employee could reasonably be expected to know the probable consequences of his or her conduct.
 - (b) Whether the rule or order that the employee allegedly violated is reasonable.
 - (c) Whether the employer made a reasonable effort to investigate whether the employee violated the rule or order.
 - (d) Whether the employer’s investigation was fair and objective.
 - (e) Whether the employer’s investigation produced substantial evidence that the employee violated the rule or order.
 - (f) Whether the employer applied the rule or order reasonably and without discrimination.
 - (g) Whether the discipline imposed reasonably relates to either: a) the seriousness of the offense; or b) the employee’s overall record.
- (7) “Law enforcement officer” means a person employed by the county for the purpose of detecting and preventing crime and enforcing laws or ordinances, who is authorized to make arrests for violations of the laws or ordinances that he or she is employed to enforce.
- (8) “Preponderance of the evidence” means the greater weight of the evidence; though not sufficient to free the mind wholly from doubt, is still sufficient to incline a fair and impartial mind to one side of the issue rather than the other.
- (9) “Suspension” means the employer’s temporary withdrawal without pay of an employee from employment.
- (10) “Termination” means a separation from employment for disciplinary or performance reasons. Termination does not include a separation from employment because of abandonment of a position; completion of a contract, seasonal, or temporary assignment or employment; death; furlough; job restructuring; layoff; non-disciplinary demotion; reduction in force; resignation; retirement; transfer; or other similar reason for separation from employment.
- (11) “Workplace safety issue” means a condition of employment related to the physical health and safety of the employee bringing the grievance which is not otherwise regulated by federal or state law, regulation, rule, or standard. It includes, but is not limited to, accident and risk prevention, provision of protective equipment, safety of the physical work environment, safe operation of workplace equipment and tools,

safety training, and workplace violence prevention. It does not include conditions of employment related to general working conditions that are unrelated to physical health or safety, such as breaks, compensation, family leave, and hours of work, medical leave, overtime, performance reviews, sick leave, vacation leave, vacation scheduling, or work schedules.

14.04 Limitations

- (1) A grievance that may be brought by or on behalf of a law enforcement officer using the procedure specified in Wis. Stat. § 59.26(8) may not be brought under this section.
- (2) A grievance that may be brought by or on behalf of an employee under a grievance procedure contained in a collective bargaining agreement may not be brought under this section.
- (3) A department head who is appointed by the county executive pursuant to Wis. Stat. § 59.17(2) (br) may not bring a grievance under this section regarding the suspension or termination of his or her employment.
- (4) A circuit court commissioner who is appointed pursuant to Wis. Stat. § 757.68 may not bring a grievance under this section regarding the suspension or termination of his or her employment.
- (5) A corporation counsel who is appointed pursuant to Wis. Stat. § 59.42(1) (b) may not bring a grievance under this section regarding the suspension or termination of his or her employment.
- (6) A register in probate who is appointed pursuant to Wis. Stat. § 851.71(1) may not bring a grievance under this section regarding the suspension or termination of his or her employment.
- (7) Discipline for any of the following reasons shall be presumed to meet the just cause standard:
 - (a) Dishonest statements or actions during employment. Including falsification of records, dishonest statements to supervisors, or dishonest statements to others of authority during an investigation.
 - (b) Theft of county property.
 - (c) Physical assault toward another during employment, which shall include making credible threats of physical assault towards another.
 - (d) Inappropriate conduct or relationships with clients. This includes developing or sustaining personal relationships outside of professional need.
 - (e) Behavior during employment that violates local, state, or federal criminal law.

- (f) Deliberately violating county policies that could pose safety risks or damage the county's reputation.

14.05 Administration

- (1) The Personnel Director shall supervise and administer the grievance process.
- (2) Department directors, managers, and supervisors shall keep the Personnel Director informed of the status of all grievances.

14.06 General Guidelines

- (1) An employee's grievance should be handled following the procedure contained in Section 14 of the Manitowoc County Employee Policy Manual.
- (2) Every effort should be made to resolve a grievance as quickly as possible and as early in the process as is practicable.
- (3) Grievance meetings, hearings, and appeals will be scheduled at mutually agreeable times.
- (4) An employee may advance the grievance to the next step if a response is not provided with the specified time limit.
- (5) The failure to file a written grievance, request a hearing, or file an appeal within the specified time limit terminates the grievance unless the time limit is extended by mutual agreement.
- (6) The employee has the right to be represented throughout the grievance process, at the employee's expense, by a person of the employee's choosing. The employee's representative may not be a material witness to the dispute.

14.07 Written Grievance

- (1) An employee must initiate a grievance within seven (7) days of being suspended or terminated, or if the grievance is based on a workplace safety issue within (7) days of discovery of the action or condition that gives rise to the grievance, by filing a written grievance with the employee's department director.
- (2) The written grievance must contain a statement explaining the reason for the grievance, provide any information that the employee wants the department director to consider in connection with the grievance, and describe the remedy being sought.
- (3) The department director shall meet with the employee within seven (7) days of receipt of the written grievance to discuss the grievance and attempt to resolve the grievance whenever possible.
- (4) The department director shall promptly notify the Personnel Director of any written grievance, provide a copy of any written materials received in connection with the grievance, and keep the Personnel Director informed of the status of the grievance.

- (5) The department director shall provide a written reply to the employee within seven (7) days following the meeting and shall provide a copy of the written reply to the Personnel Director at the time it is provided to the employee.

14.08 Impartial Hearing

- (1) An employee may, within 7 days of the department director's reply, request a hearing before an impartial hearing officer by filing a written hearing request with the Personnel Director.
- (2) The Personnel Director shall appoint a hearing officer upon receipt of a written hearing request.
- (3) The hearing officer shall be impartial and may not have any prior knowledge of the grievance.
- (4) A hearing will be scheduled within twenty-eight (28) days of the appointment of a hearing officer. The hearing officer may reschedule the hearing with the mutual consent of the parties.
- (5) Not less than 7 days prior to the hearing, the grievant and the county shall exchange lists of the witnesses and exhibits that they intend to introduce at the hearing.
- (6) The hearing officer may, with consent of the parties, use his or her best efforts to mediate the grievance.
- (7) The burden of proof in a grievance hearing before a hearing examiner shall be as follows:
 - (a) In termination cases due to failure to meet performance standards, the county must only demonstrate that it complied with the procedural requirements of Section 8.15 of this Employee Policy Manual.
 - (b) In suspension or termination cases for disciplinary reasons, the employee must show that the county did not have just cause for its action.
 - (c) In workplace safety cases, the employee must show that an actual health or safety risk exists as a result of the action or inaction of the county.
 - (d) In termination cases for an employee during his or her probationary period, the employee must demonstrate that the county did not meet the at-will standard for termination.

The standard required of the party with the burden of proof in all cases shall be a preponderance of the evidence.

- (8) The hearing officer is authorized to administer oaths and affirmations, conduct the proceedings, and take the testimony of witnesses. The hearing officer is not bound by the strict rules of evidence, but shall exclude irrelevant, immaterial or unduly

repetitious evidence. Hearsay that is probative, trustworthy, and credible may be received into evidence and given such weight as the hearing officer deems appropriate. However, no factual finding may be made solely on the basis of hearsay evidence.

- (9) The hearing officer may request oral or written arguments, or both. If written arguments are requested, the hearing officer shall set a briefing schedule.
- (10) The hearing officer has the authority to order a reasonable remedy as follows:
 - (a) In a suspension case, the hearing officer may reduce or withdraw the suspension, without back pay.
 - (b) In a termination case, the hearing officer may order reinstatement, without back pay.
 - (c) In a workplace safety case, the hearing officer may recommend the steps the county must take to abate the safety risk.

Notwithstanding the foregoing, in a suspension or termination case for a disciplinary reason, once it is determined that there is just cause the hearing examiner shall not have the authority to alter the suspension or termination imposed.

- (11) The hearing officer may not add to, modify, or strike any provision in the county's personnel policy manual.
- (12) In a suspension or termination case, the hearing officer shall provide a written decision within twenty-eight (28) days following the close of the record. The written decision shall include a case caption; the parties and appearances; a statement of the issue(s); findings of fact; any necessary conclusions of law; the final decision and order; and any other information the hearing officer deems appropriate.
- (13) In a workplace safety case, the hearing officer shall provide a written recommendation of what steps the county must take to abate the safety risk within twenty-eight (28) days following the close of the record.
- (14) Following issuance of the decision or recommendation, the hearing officer shall provide the record to the Personnel Director for preservation.

14.09 County Board Appeal

- (1) An employee may appeal the hearing officer's decision to the county board.
- (2) An employee must file a written notice of appeal with the County Clerk within seven (7) days of the hearing officer's decision. The notice must contain a statement explaining the reason for the appeal. The employee must also provide a copy of the notice of appeal, written grievance, and hearing officer's decision for each supervisor and two (2) copies for the County Clerk at the time the notice is filed. The employee must also provide a copy of any transcript, exhibit, and written argument that he or she files for each supervisor and two copies for the County

Clerk. A minimum of twenty-seven (27) copies are required. An employee bears the cost of his or her appeal to the County Board.

- (3) The employee may submit written arguments in support of the appeal with the notice of appeal or at any time up to seven (7) days prior to the county board meeting at which the appeal will be heard.
- (4) The appeal will be placed on the agenda for the first county board meeting that is held at least fourteen (14) days after the County Clerk receives a written notice of appeal. The appeal will be noticed for consideration in closed session pursuant to Wis. Stat. § 19.85(1) (b) pertaining to the dismissal, demotion, licensing, or suspension of a public employee. However, the employee may, at any time prior to the close of business on the last business day prior to the day on which the appeal will be heard, request that the appeal be heard in open session.
- (5) The County Clerk will provide a copy of the meeting notice to the employee.
- (6) The employee and the employee's representative may speak and present oral arguments to the county board when the appeal is heard.
- (7) The Corporation Counsel, either directly or through outside counsel, shall provide any necessary legal services to the county board in connection with the appeal.
- (8) The county board's discussion and deliberation of the appeal will be conducted in closed session. The employee and the employee's representative will be excluded from the closed session during the county board's discussion or deliberation.
- (9) The county board's consideration of the appeal will be limited to a review of the record and any oral or written arguments to determine whether there was any procedural error or abuse of discretion by the hearing officer. The county board may not consider any evidence that was not admitted at the hearing.
- (10) The county board may, by a two-thirds majority of members present and voting, modify, reverse, or remand the decision to the hearing examiner for future proceedings if it finds that the hearing examiner's decision is clearly erroneous. Absent such action by the county board at the meeting that the appeal is heard, the hearing examiner's decision shall stand.
- (11) The County Board Chair shall prepare and sign a written determination reflecting the county board's decision. The County Board Chair may enlist the assistance of the County Clerk or legal counsel provided by or through the Corporation Counsel, or both, in preparing the determination. A copy of the determination will be provided to the employee within seven (7) days following the county board's decision.
- (12) The county board's decision is final and may not be appealed.

END OF SECTION

Section 15
EMPLOYEE RECORDS AND TRANSACTIONS

- 15.01 Purpose and Methods of Creating and Retaining Files
- 15.02 Duty of Employee
- 15.03 Inspection of Records
- 15.04 Reference Check by Prospective Employers
- 15.05 Destruction of Records

15.01 Purpose and Methods of Creating and Retaining Files

- (1) Manitowoc County maintains centralized personnel files on each employee. Personnel files are considered to be confidential to the extent allowed by law. Employee records and personnel files are maintained and stored by the Personnel Department. All personnel files are the property of Manitowoc County.
- (2) In obtaining and retaining employee information, the Personnel Department substantiates the job-relatedness of the information and its relevancy to specific employer decisions. State and federal laws also regulate employee information gathering and retention requirements for employers.
- (3) Manitowoc County will not tolerate any mishandling of employee information. Such occurrences may subject the party to discipline, up to and including discharge or such remedies as authorized by law.
- (4) Personnel files contain any items which bear a direct relationship to the employee/employer relationship. This includes any documents which relate to:
 - (a) The employee's recruitment, selection and retention;
 - (b) The employee's job responsibilities;
 - (c) The employee's past, present, or future ability to perform work assignments.
- (5) Supervisors are encouraged to retain working files of their employees, where the material is specifically related to the employee's current job performance. This includes any documents which relate to:
 - (a) Copies of the employee's previous performance evaluations;
 - (b) Material relating to a probationary employees progress;
 - (c) Any documentation of a supportive or investigative nature pertaining to ongoing performance or discipline. This documentation is to be gathered and held by the supervisor prior to action being taken. Once the situation is resolved, all related items shall be transferred to the employee's official personnel file.
 - (d) A supervisor's working file shall be returned to the Personnel Department upon his/her departure from that position. The Personnel Department determines the need for the new supervisor to receive such information. In making this decision, the Personnel Department weighs the job-relatedness of the specific information, the need of the new or successor supervisor to have access to this information to carry out supervisory responsibilities, and the employee's right to privacy. When an employee leaves the supervisory file must be sent to the Personnel Department.

15.02 Duty of Employee

All employees shall be responsible for notifying their supervisor of any changes which affect their employment relationship with Manitowoc County. Employees are required to disclose all necessary personal information to the County, including legal name, social security number, date of birth, sex, withholding information, address, person to be notified in emergency, educational attainment and family information necessary to determine benefit eligibility. Employees shall receive a copy of any change in status that is completed by the department director.

15.03 Inspection of Records

- (1) Inspection of records is allowed as governed by applicable laws and regulations. All requests to review personnel files shall be directed to the Personnel Department.
- (2) The County charges a fee for copying documents. The fee is established by County Board and can be found in Section 1.08 of the Manitowoc County Code.

15.04 Reference Checks by Prospective Employers.

Unless authorized by a former or present county employee in writing, no county employee or official may release any information about a former or present county employee except the fact that they were or are employed, the position in which they are or were employed and the dates of such employment. All persons seeking reference checks shall be directed to the Personnel Department.

15.05 Destruction of Records

No Personnel records shall be destroyed without the authorization of the Personnel Department.

END OF SECTION

Section 16
PAY PERIOD AND PAY DAY

- 16.01 Definition of Pay Period
- 16.02 Time Cards

16.01 **Definition of Pay Period**

The payroll period is two calendar weeks and begins on a Sunday and ends on a Saturday. Payday is every other Friday.

16.02 **Time Cards**

- (1) Employees shall record hours worked accurately and honestly. Falsification of time cards shall subject an employee to discipline, up to and including termination.
- (2) Employees shall be paid through direct deposit.

16.03 **Pay Errors**

Employees paid more than the amount to which they are entitled by their wage rate and adjustments are under a duty to report the error to the County and refund the overpayment. If the overpayment is not refunded voluntarily the matter shall be referred to the Corporation Counsel for collection.

END OF SECTION

Section 17
EMPLOYEE SUGGESTION PROGRAM

17.01	Purpose of Employee Suggestion Program	17.04	Criteria
17.02	Eligibility for Participation	17.05	Frequency of Award
17.03	Procedures	17.06	Award

17.01 Purpose of Employee Suggestion Program

The objective of the Employee Suggestion Program is to encourage employees to generate suggestions that result in tangible benefits to the County. Ideas that cut costs, improve service, increase operating efficiency, and eliminate safety and health hazards are examples of suggestions that may result in tangible benefits. The Personnel Committee reserves the right to change or terminate the Employee Suggestion Program at any time.

17.02 Eligibility

All regular County employees, except for those employees whose job description includes responsibility for development or administration of a departmental budget, are eligible for the Employee Suggestion Program.

17.03 Procedures

- (1) All entry forms shall be forwarded to the Personnel Department in a sealed envelope with the words "Employee Suggestion Program" written on the front. All suggestions become the sole property of Manitowoc County, and may be used in whole or in part at the County's discretion.
- (2) Once a suggestion has been received by the Personnel Department, a copy of the suggestion shall be sent to the Department Director. Suggestions judged to be without merit shall be returned to the employee with concerns listed.

17.04 Criteria

- (1) Eligible employees may submit suggestions at any time. The Personnel Committee reserves the right to accept or reject any and/or all suggestions.
- (2) Suggestions must be specific, i.e. tell what to do and how to do it. Elimination of a service is not an allowable item of savings for the purposes of this program. Suggestions must be original. Taking an existing idea and enhancing it is not an original idea.
- (3) The most valuable ideas are those that save time, money or materials, increase productivity, or public service, protect employees, county assets, or the public.

17.05 Frequency of Award

The suggestions shall be reviewed on a quarterly basis. The quarter is broken down as:

Suggestions Received Between	Suggestions Reviewed By
Quarter 1 : January 1 - March 31	April 30
Quarter 2 : April 1 - June 30	July 31
Quarter 3 : July 1 - September 30	October 31
Quarter 4 : October 1 - December 31	January 31

17.06 Award

- (1) An employee whose suggestion is certified by the standing Committee which supervises the department(s) involved to have saved a definite, established amount of money shall be eligible for an award. These awards shall be made by the Personnel Committee on recommendation of the standing Committee and the Department Director. Awards shall be for ten (10) percent of the amount saved up to a maximum of \$250.00. The amount of the award shall be based on the savings produced by the suggestion in one (1) year. The cost of the award shall be paid out of the allocation which is reduced as a result of the suggestion. If the award cannot be made from that appropriation, it shall be drawn from the contingency fund.
- (2) Individuals whose suggestions have proven to benefit the County will receive one half of their award after six (6) months and the balance at the end of one (1) year. No award will be issued unless documented, defined savings resulted from the employee suggestion.

END OF SECTION

Section 18
HOURS OF WORK

18.01	Hours of Work	18.06	Field Training Officer Premium
18.02	Overtime	18.07	Attendance
18.03	Compensatory Time Off	18.08	Flex Time
18.04	Adjustment Time Off	18.09	Inclement Weather
18.05	Premium Pay		

18.01 Hours of Work

- (1) All non-exempt employees shall be assigned specific hours of work.
- (2) Specific hours of employment for represented employees may be described in the respective collective bargaining agreements.
- (3) All employees shall be entitled to take a lunch break, to be scheduled with the approval of the employee's supervisor. Employees subject to call shall receive a paid lunch break. For employees not subject to call, the lunch break is unpaid and must be a minimum of 30 minutes in length.
- (4) Supervisors may authorize morning and afternoon breaks, not to exceed 15 minutes per break. The breaks shall not be cumulative and may not be used to shorten the work day

18.02 Overtime

- (1) Employees who are covered by a collective bargaining agreement shall earn overtime as provided by the applicable agreement.
- (2) Except hours worked pursuant to Section 18.08 (Flex Time) or as otherwise provided by resolution of the Manitowoc County Board of Supervisors, non-exempt employees who are not subject to overtime provisions contained in a collective bargaining agreement will be paid overtime in accordance with the Federal Fair Labor Standards Act, with the following additions:
 - (a) For hours worked in excess of 10 hours per shift;
 - (b) For hours worked on actual holidays;
 - (c) A minimum of four hours of work are guaranteed to an employee who is called in to work on a non-scheduled work day.
 - (d) For time actually worked during a call-out of the Special Operations Squad, Scuba Team, Canine Unit or other County authorized emergency response unit.
 - (e) Except for positions that are required to be staffed at all times, for hours worked as the result of a call-in with a shift starting on a Sunday.

- (3) Exempt employees are expected to complete their duties in whatever amount of time is required to perform them. The regular workweek is a presumptive guide as to the amount of time that should be worked by employees, but the total may vary depending on workload. Employees are to complete assigned work in a timely fashion as determined by supervisors.
- (4) Exempt employees may be granted time off in recognition of amounts of work in excess of their scheduled work week. Ordinarily employees are expected to work their normal work week/days.

18.03 Compensatory Time Off

- (1) Non-exempt employees may elect compensatory time off in lieu of overtime payment, subject to the mutual agreement of the employee and his/her supervisor.
- (2) Non-exempt employees shall earn compensatory time off at the rate of one and one half hours for every hour of overtime worked.
- (3) Non-exempt employees may accumulate compensatory time off up to a maximum balance of 50 hours. After an employee has accumulated 50 hours of compensatory time off, additional overtime shall be paid in cash at the rate of time and one half.
- (4) Non-exempt employees may use their compensatory time off at any time which is scheduled and approved by their department director or supervisor. Employees can request a payout of compensatory time at any time.
- (5) Employees cannot accrue or use compensatory time from the pay period including December 1st through December 31. Compensatory time balances shall be paid during December at the rate of pay in effect as of the time of payout.
- (6) Employees who separate from employment shall be paid out any compensatory time balance at the rate of pay in effect at the time the separation occurs.

18.04 Adjustment Time Off

- (1) Non-exempt employees may elect adjustment time off in lieu of payment for regular hours worked that do not constitute overtime, but are above those for which an employee is regularly scheduled, subject to the mutual agreement of the employee and his/her supervisor.
- (2) Non-exempt employees shall earn adjustment time off on a straight time basis for each regular hour worked in excess of the employee's regular work schedule.
- (3) Non-exempt employees may use their adjustment time off at any time which is scheduled and approved by their department director or supervisor. Employees can request a payout of adjustment time at any time.
- (4) Non-exempt employees may bank up to a maximum of 50 hours of adjustment time subject to annual payout pursuant to paragraph (5) of this Section 18.04

- (5) Employees cannot accrue or use adjustment time from the pay period that includes December 1st through December 31. Adjustment time balances shall be paid out in December at the rate of pay in effect as of the time of payout.
- (6) Employees who separate from employment shall be paid out any adjustment time balance at the rate of pay in effect at the time the separation occurs.

18.05 Premium Pay

- (1) A shift premium of 50¢ per hour shall be paid for all shifts beginning at or after 2:00 p.m., with no shift premiums paid for shifts beginning at or after 4:00 a.m. up until 1:59 p.m. Part-time employees required to work all shifts, including shifts beginning on or after 2:00 p.m. are also eligible for the 50¢ per hour shift premium.
- (2) A premium pay per/8-hour shift will be provided to qualified Human Services Department employees providing back up coverage for after-hours crisis workers. Premium amount to be established by the Personnel Committee.
- (3) A premium pay of per/8-hour shift will be provided to qualified Human Services Department employee providing on-site after-hours respite coverage at a respite home. Premium amount to be established by the Personnel Committee.

18.06 Field Training Officer Premium

Sheriff's Department and Joint Dispatch Center employees who are assigned by a supervisor to train others or act as a field training officers may elect to receive one hour of pay or one hour of adjustment time for every 8 hours worked as a field training officer.

18.07 Attendance

- (1) All employees are expected to be punctual and regular in attendance. Unsatisfactory attendance may be cause for disciplinary action, up to and including discharge.
- (2) An employee who will be late or absent from work is required to call his/her supervisor before the scheduled starting time unless physically unable to do so.
- (3) Any employee who is absent for three (3) consecutive days without notifying his/her supervisor is considered to have resigned.
- (4) Anticipated absences shall be reported before the day of the absence, stating the reason for the absence. Employees will not be paid for time missed from work due to tardiness, and may be required to substitute paid time off they are eligible to use to cover the time missed.
- (5) Excessive absenteeism or tardiness will subject an employee to discipline, up to and including termination.

18.08 Flex Time

Flex time is the staggering of the start and finish time of a regularly scheduled work day. Flex time may be allowed, subject to the mutual agreement of the employee and his/her supervisor. Flex time scheduling shall be done on a straight time basis only.

Manitowoc County encourages cooperation of a flexible schedule, when it is appropriate and will not result in a reduction in service, employee productivity, or result in additional overtime. Supervisors should contact the Personnel Department if they would like guidance on creating and monitoring a flexible work schedule.

18.09 Inclement Weather

- (1) It is Manitowoc County's policy to not suspend County operations because of inclement weather. Due to the varying needs of County operations an employee's responsibilities and duties to report during periods of inclement weather vary from department to department. If an employee cannot safely make it to the work site, the employee shall call in and report his/her absence as soon as possible.
- (2) Time absent due to inclement weather may be covered by available vacation or compensatory time. Departments may allow employees to work extra hours within the work week to make up the lost time, subject to the approval of the department director.

END OF SECTION

Section 19
AUTHORIZED POSITIONS

- 19.01 FTE Report
- 19.02 New Positions

19.01 FTE Report

As part of the annual budget preparation process, a FTE report is prepared by the Personnel Department. The report states the number of authorized full-time equivalents, by department. Departments may not exceed the number of positions on this report.

19.02 New Positions

Sections 5.02 and 5.03 of the County Code of Ordinances define the process for creating new positions, and refilling vacant positions.

END OF SECTION

Section 20
RETIREMENT

20.01 Definition of Retirement

“Retirement” means an employee separating from employment who is immediately eligible for a retirement benefit as determined by the Wisconsin Retirement System.

20.02 Recognition of Retiring Employees

Department Directors may arrange for recognition of retiring employees subject to the following restrictions:

- (1) Retirement recognition must be budgeted for and expensed to the designated account number.
- (2) Eligible expenses shall only include invitations, supplies, and refreshments. Cash, gift certificates, and gifts are not an eligible expense.
- (3) Recognition must be held on County property and shall be subject to the restrictions of §30.06 of this Employee Policy Manual (Compliance with Laws and Regulations – Use of Conference Rooms).
- (4) Any recognition must not violate any Manitowoc County ordinance or policy, including but not limited to, this Employee Policy Manual and Manitowoc County Code §30.13 (Ethics – Gifts and Favors).

END OF SECTION

Section 21
EXIT INTERVIEWS

21.01 Exit Interview

When an employee terminates his or her employment, the Personnel Department will conduct an exit interview.

END OF SECTION

Section 22
POLITICAL ACTIVITY

- 22.01 Definitions
- 22.02 Partisan Activity
- 22.03 Hatch Act

22.01 Definitions. As used in this section:

- (1) "Workplace" shall mean the regular office and building of an elected official or, in the case of an employee, any place in which the employee is conducting regular business of Manitowoc County, including County vehicles.
- (2) "Elected official" means the Executive, Sheriff, Coroner, Register of Deeds, County Clerk, Clerk of Circuit Court, and Treasurer.
- (3) "Employee" means every County employee except an elected official.
- (4) "Partisan" means related to an established political party within the meaning of the elections laws of the State of Wisconsin.

22.02 Partisan Activity

- (1) No County employee or elected official may engage in partisan political activity in their workplace.
- (2) No County employee or elected official may use County supplies or equipment in support of partisan political activity.
- (3) No County employee may include his or her County title in an endorsement of any candidate for partisan political office.
- (4) 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 partisan political office, or retaliate against any employee or official in any manner because of that employee or official's personal political activity.
- (5) This section does not prohibit any County official or employee from engaging in partisan 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 partisan 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.
- (6) No employee or elected official may during business hours, except as provided by law, engage in any political activities, including non-partisan activities. In the case of elected officials, this prohibition applies only to activities conducted in the

elected official's workplace. These activities include, but are not limited to, the following:

- (a) Campaigning or soliciting signatures on nomination papers for any candidate or political party;
- (b) Making campaign speeches or engaging in other activity to elect a candidate;
- (c) Collecting contributions or selling tickets to political fund-raising functions;
- (d) Distributing campaign material in any election;
- (e) Organizing or managing political meetings;
- (f) Circulating nominating petitions;
- (g) Displaying political badges, buttons or stickers in the workplace, in any County building or wearing such items during business hours.

22.03 Hatch Act

- (1) Employees whose principal employment is in a federally grant-aided program are subject to prohibitions in the Federal Hatch Political Activities Act as amended, 5 U.S.C. Secs. 1501-1508. 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.
- (2) Any employee who is contemplating running for elective office may consult with the Personnel Department before doing so to assure there is no prohibition under the Hatch Act. Such inquiries shall be kept in strict confidence.

END OF SECTION

Section 23
COMPUTER RESOURCES

23.01	Purpose	23.07	Electronic Mail
23.02	Reservation of Rights	23.08	Internet Access
23.03	Definitions	23.09	Social Media
23.04	Legal Responsibility	23.10	Prohibited Actions
23.05	Security of Computer Resources	23.11	Contractor Access to Computer Resources
23.06	Purchase and Installation of Computer Resources		

23.01 Purpose

Manitowoc County provides Computer Resources to its employees so that they can perform work necessary to the effective operation of Manitowoc County government. This Computer Resources Policy sets forth rules and guidelines for the security and use of Computer Resources. In addition to this Computer Resources Policy, the use of Manitowoc County Computer Resources is subject to all applicable County, local, state, and federal laws, policies, regulations, rules, and court orders.

23.02 Reservation of Rights

Because Computer Resources are provided for the purpose of conducting government business, Manitowoc County expressly reserves the right to monitor, access, and review the information placed on Computer Resources to ensure that no illegal or improper use occurs. Additionally, Manitowoc County expressly reserves the right to disclose such information as it deems necessary. This reservation of rights is subject to such limitations as may be imposed by County, local, state, and federal laws, policies, regulations, rules and court orders.

23.03 Definitions

- (1) “Computer Resources” means any hardware, software, data or intellectual property that is owned, managed, maintained or created by Manitowoc County. While cell phones are not considered a Computer Resource, Sections 23.07 (Electronic Mail), 23.08 (Internet Access), 23.09 (Social Media) and 23.10 (Prohibited Actions) do apply to County Business conducted using personally owned and County-issued cell phones.
- (2) “Computer User” is any person who uses a Computer Resource or personally owned device for the purpose of conducting County Business.
- (3) “County Business” means the performance of the employee’s official duties. County Business does not include purely personal actions such as utilizing the timekeeping and human resources information systems (e.g. Workforce Ready).
- (4) “Record” is as defined by Wisconsin Statutes 19.32(2), or any successor statute thereto.
- (5) “Security Incident” is a threat to the Computer Resources. Examples of security incidents include cybersecurity attacks (such as malware, worms, viruses, Trojans, etc.) and social engineering attacks (such as phishing emails and links and attempts to get the computer user to give protected information that should not be released). Unauthorized access by

someone who is not allowed to access a computer system is also considered a computer security incident.

23.04 Legal Responsibility

- (1) Computer Users are subject to and responsible for complying with all applicable County, local, state, and federal laws, policies, regulations, rules, and court orders.
- (2) Computer Users are responsible for complying with all contractual obligations related to Computer Resources, including all requirements and limitations contained in any contract, license, or agreement.
- (3) Computer Users are responsible for reporting a violation of any County, local, state, or federal policy, regulation, rule, law, or court order to the Information Systems Division.

23.05 Security of Computer Resources

- (1) Computer Users shall adhere to all Information Systems Division controls and procedures, avoid any action that would damage Computer Resources and report any Computer Resource malfunctions to the Information Systems Division.
- (2) Computer Users who experience a Security Incident are required to immediately report the Security Incident to the Information Systems Division. Self-reporting a Security Incident will not cause any adverse employment action. Failure to self-report a Security Incident may result in discipline and loss of access to Computer Resources.
- (3) Computer Users shall take reasonable precautions to prevent the disclosure of their password and are prohibited from disclosing their password to any person other than a member of the Information Systems Division. Computer Users shall immediately inform the Information Systems Division if their password becomes compromised, disclosed, lost or stolen.
- (4) Computer Users shall not use any other person's username and password. This prohibition does not apply to Information Systems employees.
- (5) Computer Users shall abide by all administrative rights setting established by the Information Systems Division. Computer Users do not have administrative rights and privileges on any Computer Resource unless specifically authorized by the Information Systems Division. Administrative rights and privileges granted by the Information Systems Division are limited to actions needed for a specific software program to function and do not allow other exceptions to this Computer Resources Policy. Computer Users exceeding the administrative rights and privileges granted may have those rights revoked.
- (6) Computer Users shall not connect personally owned devices to Computer Resources. Unauthorized personally owned devices that have been connected to Computer Resources will be removed by the Information Systems Division.

- (7) Computer Users must complete all required security training provided by the Information Systems Division.
- (8) The Information Systems Division evaluates security awareness by conducting unannounced phishing tests. Computer Users who repeatedly fail the phishing tests will be required to attend additional security training. Failure to attend the required training may result in access to Computer Resources being revoked until the training is attended. Computer Users who continue to fail phishing tests after completing the additional security training may be subject to discipline and revocation of access to Computer Resources.
- (9) Persons who do not have a County issued smartphone can either install a free authentication application on their personal smartphone or will be issued a hardware authentication device to complete the two-factor authentication process. Each person is responsible for the proper care, safekeeping and use of the hardware authentication device issued to them. If the hardware authentication device is lost or damaged a replacement hardware authentication device will be issued at the cost of materials only. Hardware authentication devices are the property of Manitowoc County and must be returned upon termination of employment, contract, or volunteer status.

23.06 Purchase and Installation of Computer Resources

- (1) The Information Systems Division is responsible for the research, selection and purchase of all Computer Resources.
- (2) Computer Users shall not purchase or install Computer Resources unless authorized by the Information Systems Division.

23.07 Electronic Mail (E-Mail)

- (1) E-Mail may not be used for any purpose that violates any Manitowoc County ordinance or policy.
- (2) Computer Users must include their signature block in all communications sent using Computer Resources and personally owned devices used to conduct County business. The signature block must contain the following: employee name, title, department and phone number.
- (3) Computer Users must clearly identify themselves as the author of any communication that they are sending on behalf of another user.
- (4) Stationary backgrounds and personal embellishments are not allowed. This prohibition includes, but is not limited to: pictures, quotations, slogans, icons or emoticons.
- (5) Manitowoc County does not normally inspect the contents of E-mail or disclose the contents of E-mail to anyone other than the sender or the intended recipient unless required to do so by County, local, state, or federal law, policy, regulation, rule, or court order. However, Manitowoc County expressly reserves all rights contained in Section 23.02 of this Computer Resources Policy. Further, Manitowoc County will

cooperate with County, local, state, and federal law enforcement officials in any investigation relating to E-mail transmitted or received using Computer Resources or personally owned devices used to conduct County Business, and may disclose such information consistent with the requirements of County, local, state, and federal laws, policies, regulations, rules, and court orders.

- (6) Computer Users receiving or transmitting HIPAA protected information and information accessed through CJIS must utilize a Computer Resource owned by Manitowoc County.
- (7) Computer Users who access County e-mail through any means other than OWA on a personally owned mobile device shall use a secure environment installed by the Information Systems Division on the Computer User's personally owned mobile device. Information Systems will install a secure environment only upon receipt of a written request from the Department Director.
- (8) Computer Users conducting County Business on a Computer Resource or personally owned device are creating a Record as described in Section 23.03(4) of this Computer Resources Policy. This includes County Business conducted on a personally owned or County issued cell/smart phone. The Record may be subject to disclosure as described in Section 23.07(5).

23.08 Internet Access

- (1) Internet access may not be used for any purpose that violates any Manitowoc County ordinance or policy.
- (2) All Internet use must be in conformity with County, local, state, and federal laws, policies, regulations, rules, and court orders.
- (3) Password protected Wi-Fi Internet Access is limited to authorized Computer Resources.

23.09 Social Media

- (1) Social media may not be used for any purpose that violates any Manitowoc County ordinance or policy.
- (2) All social media accounts are the property of Manitowoc County and must grant the Information Systems Division administrator access.
- (3) The Information Systems Division must be notified prior to the creation of any social media account so that the necessary security controls and archiving can be established for the account.
- (4) All information released by the use of Social Media must be approved by the Department Director, or his or her designee.
- (5) No comments may be deleted without the express written consent of Corporation Counsel.

23.10 Prohibited Actions

The use of Computer Resources is governed by this Computer Resources Policy, the Employee Policy Manual, the Manitowoc County Code, and by other County, local, state, and federal laws, policies, regulations, and rules, and court orders. Computer Users are responsible for their use of Computer Resources and are advised that the following specific actions are expressly prohibited:

- (1) Using Computer Resources for purposes that would violate any Manitowoc County ordinance or policy.
- (2) Accessing Computer Resources without permission or proper authorization.
- (3) Taking any action with the intention of corrupting, damaging, or destroying any Computer Resource.
- (4) Using Computer Resources in any way that results in a violation of intellectual property rights, including but not limited to copyrights and software licensing agreements.
- (5) Using Computer Resources to harass or threaten any person or to invade the privacy of any person in any way.
- (6) Using Computer Resources with the intention of accessing, viewing, storing, or distributing obscene or pornographic material except when doing so is necessary to perform official duties and is authorized by the Department Director.

23.11 Contractor Access to Computer Resources

Although this Employee Policy Manual is primarily designed to establish uniform policies and procedures regarding County personnel, there are instances where the policies and procedures contained herein must necessarily apply to entities and individuals beyond just the employees of Manitowoc County. The use of Computer Resources is one such instance. Accordingly, this Section 23 shall apply to any and all individuals and entities (collectively “Contractor”) that use Computer Resources. In addition to all of the preceding subsections of this Section 23, the following shall apply to any Contractor that uses Computer Resources:

- (1) Contractor access to computer resources is contingent upon the Contractor agreeing to and incorporating the terms of this Computer Resources Policy into the contract for services between Contractor and Manitowoc County.
- (2) If Contractor violates this Computer Resources Policy, Manitowoc County may, at its sole discretion, deny Contractor access to Computer Resources. In such a case, Contractor shall still be responsible to complete its duties and obligations under any contract with Manitowoc County without delay, and any additional expense incurred in doing so shall be paid solely by Contractor.
- (3) If Contractor’s violation of the Computer Resources Policy results in any damage to Manitowoc County, including but not limited to Computer Resources, Contractor shall be responsible for payment of damages.

END OF SECTION

Section 24
WORKPLACE VIOLENCE POLICY

24.01 Purpose of Policy	24.05 Restraining Orders
24.02 Policy Statement	24.06 Reporting Procedures
24.03 Definitions	24.07 Investigation of Reports
24.04 Weapons in the Workplace	24.08 False Reports

24.01 Purpose of Policy

Manitowoc County recognizes that workplace violence is a growing concern that needs to be addressed. Employees of Manitowoc County should be provided with a work environment free from hazards that are recognized by the employer as hazardous, which have the potential for causing death or serious physical harm, and which may be abated by reasonable means.

Because of the need for public access to County facilities and services and the nature of work that certain employees perform, the County cannot provide an absolute guarantee of protection against acts of violence to its employees or citizens using its facilities. The County will, however, regulate and direct the conduct of its employees and citizens using its facilities in an effort to minimize the frequency and severity of violent incidents.

24.02 Policy Statement

Manitowoc County maintains a zero-tolerance policy towards violence in the workplace.

The use or the threat to use force or a weapon in the workplace is prohibited. However, the reasonable use or threat to use force or a weapon for self-defense or the defense of others within the limits of Wisconsin law will not be deemed to be a violation of this policy.

An employee shall notify his or her supervisor whenever the employee has become aware of, experienced, or witnessed any act of workplace violence.

Retaliation against an employee who reports any incident of workplace violence is prohibited.

Violations of this policy may lead to disciplinary action, up to and including termination. Violations of this policy that are criminal acts may result in criminal prosecution.

24.03 Definitions

- (1) “Employee” means all regular, limited term, or temporary employees, volunteers, elected, and appointed officials of Manitowoc County.
- (2) “Licensee” means a person who has a current concealed carry weapons license issued by the State of Wisconsin or a state recognized by the Wisconsin Department of Justice pursuant to Wis. Stat. § 165.25(12m).
- (3) “Weapon” means any device that is designed, used, or intended to be used in a manner that is calculated or likely to produce property damage, personal injury, or

death. It includes, but is not limited to, any ammunition; baton or Billy club; biological or chemical weapon, other than pepper spray intended for self-defense; brass knuckles; electric weapon; explosive; firearm or gun, including a pellet or BB gun; knife, other than an eating utensil, with a cutting blade longer than 3 inches; or martial arts device.

- (4) “Workplace” means all property owned or leased by the County, including vehicles and mobile equipment, and any other property under the supervision or control of the County where work is performed by County employees in an official capacity.
- (5) “Workplace Violence” means any oral, written, or physical conduct in the workplace that is intended to harm, causes a reasonable person to fear imminent harm, or actually causes harm. Workplace violence includes, but is not limited to, arson, assault, battery, bomb threats, harassment, kidnapping, murder, obscene phone calls, robbery, sexual assault, stalking, threats (direct or implied), and the unauthorized possession or inappropriate use of weapons.

24.04 Weapons in the Workplace

- (1) Concealed Carry. An employee who is a licensee may carry a concealed weapon while in the course of employment if the employee complies with the county's Weapons Policy, subject to the following additional conditions:
 - (a) The employee must first notify his or her supervisor in writing that the employee is a licensee and intends to carry the weapon in the course of employment. An employee whose license is suspended, or who is otherwise prohibited by a court from carrying a weapon, must immediately provide written notice of that fact to his or her supervisor.
 - (b) The employee's weapon must, at all times, be concealed, on his or her person, and carried in a holster or other appropriate carrying device unless the employee is lawfully using the weapon.
 - (c) The employee is solely responsible for maintaining control of his or her weapon at all times.
 - (d) The employee may not carry a concealed weapon in any of the places listed in Wis. Stat. § 175.60(16) (a), except as permitted by Wis. Stat. § 175.60(16) (b).
 - (e) The employee may not carry a concealed weapon in any area, building, or vehicle, whether public or private, where doing so is posted as prohibited or over the objection of the owner.
 - (f) If the employee stores a weapon in a county vehicle, the employee must store the weapon in a locked case, place the case out of plain view from the exterior of the vehicle, and lock the vehicle.
 - (g) If the employee stores a weapon in his or her own vehicle in a parking lot owned or controlled by the county, the employee must place the weapon out

of plain view from the exterior of the vehicle. It is strongly recommended that the weapon be placed in a locked case and that the vehicle be locked.

Nothing in this policy may be construed to support or permit intimidating, threatening, or violent behavior related to the possession of a concealed weapon. Intimidating and threatening behavior includes, but is not limited to, intentionally displaying a concealed weapon, referring to a concealed weapon, or referring to a weapon not on the employee's person with the intent to implicitly or explicitly intimidate or threaten another person. However, the mere carrying of a concealed weapon by an employee who is a licensee does not constitute an intimidating, threatening, or violent act.

(2) Open Carry. An employee, other than a law enforcement officer, may not openly carry a weapon in the course of his or her employment.

24.05 Restraining Orders

An employee who seeks an injunction or restraining order against abusive persons should notify his or her supervisor so that appropriate safety measures can be taken.

When an injunction or restraining order lists the County workplace as a protected area, an employee must provide his or her supervisor with a copy of the petition and declarations used to seek the order, a copy of any injunction or restraining order that is granted, and a copy of any injunction or restraining order that is made permanent.

24.06 Reporting Procedures

(1) Emergency. If it is reasonable to believe that an individual is acting in a manner that is of immediate threat to an employee or others, an employee should not attempt to control a violent individual. An employee should:

- (a) Warn other employees if possible.
- (b) Leave the area if possible.
- (c) Call 911 or activate panic alarms where available. When reporting the situation provide the telecommunicator with your name and location. Report any specifics of the event in a clear and concise manner, and be prepared to stay on the line to answer any questions the telecommunicator may have.
- (d) Report the incident to your supervisor.

(2) Non-Emergency. If the individual is not violent and no immediate threat is present, but the individual is acting in a suspicious or hostile aggressive manner, an employee should:

- (a) Notify his or her supervisor.
- (b) Keep a safe distance from the individual.
- (c) Become aware of escape routes.
- (d) Call the Joint Dispatch Center at 683-4200 to report non-emergency events that are not threatening but involve suspicious activity.
- (e) Call 911 if the situation escalates to an emergency situation.

- (3) Alternative To Reporting Workplace Violence To Your Supervisor. An employee may report incidents of workplace violence to his or her department director, a supervisory employee in any other County department (including the Sheriff's Department), or to the Personnel Department.
- (4) Supervisors Must Report All Acts of Workplace Violence To The Personnel Department. A supervisor who receives an employee report of workplace violence or who has knowledge of a non-emergency situation that may affect the security of Manitowoc County and its assets shall report such information to his or her department director. The department director shall verbally inform the Personnel Director, complete a confidential memorandum, and submit the memorandum to the Personnel Director. The memorandum should include:
 - (a) Identity of persons engaging in workplace violence.
 - (b) Detailed description of what happened, where it happened, and when it happened.
 - (c) Identity of persons reporting or witnessing the incident.
 - (d) How matter was resolved.
 - (e) Suggestions for minimizing the reoccurrence of this incident.
- (5) Confidentiality of Reports. 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.
- (6) Preservation of Crime Scene. Whenever it appears that criminal activity may be involved, department directors/supervisors should not take any unnecessary action that would jeopardize the outcome of any investigation or change anything at the scene of a violent incident until properly documented by those in authority.

24.07 Investigation of Reports

The Personnel Department will receive, evaluate, intervene, and respond to reports of workplace violence with the assistance of the Threat Management Team as appropriate. The Threat Management Team may include representation from the Sheriff's Department, Corporation Counsel, the affected department, as well as outside agencies.

Privacy rights will be observed in the investigation of workplace violence incidents. Only persons with a need to know of the potential risk will be notified in cases where there is a threat to others. Anonymity of employees reporting violence or threats of violence will be maintained during the investigation to the greatest extent possible. However, there is no right or guarantee of anonymity if it is necessary to make the person against whom the allegation has been made aware of the complainant in order to ascertain the facts.

24.08 False Reports

Reports of workplace threats will be taken seriously. Employees intentionally making false reports will be subject to discipline up to and including termination.

END OF SECTION

Section 25
VOLUNTEER SERVICES POLICY AND PROCEDURE

25.01 Purpose of Policy	25.04 Liability Exposures and Protection
25.02 Policy Statement	25.05 Risk Management Techniques
25.03 Definitions	25.06 Volunteer Gratuities

25.01 Purpose of Policy.

Manitowoc County recognizes that people in the community can make great contributions as volunteers. Manitowoc County also recognizes the potential liability exposure that is commensurate with engaging the services of volunteers. Proactive risk management efforts can control and minimize liability exposures to help ensure that the use of volunteers is a positive experience for both the volunteers and Manitowoc County.

25.02 Policy Statement.

It is important that Manitowoc County employees and Elected Officials who are responsible for volunteer programs familiarize themselves with the concepts of liability, responsibility, and risk management as they apply to volunteer programs. Who is liable for harm caused by a volunteer? Can a volunteer collect workers compensation benefits for injuries sustained while performing volunteer services? How can liability exposures related to volunteer services be controlled? This policy seeks to answer these questions.

25.03 Definition

Volunteer is a person recognized and authorized by Manitowoc County or one of its officials, employees, or agents to perform services for Manitowoc County without receipt of salary or compensation other than reimbursement for mileage expenses. An individual may not volunteer for Manitowoc County when the volunteer hours involve the same type of service which the individual is employed to perform for the same agency.

25.04 Liability Exposures and Protection.

(1) General Liability Insurance. The County's general liability insurance policy provides that any expressly authorized volunteer of the County is covered by the policy, subject to its terms, conditions, and exclusions.

If a volunteer's actions cause physical injury or property damage to another and the injured party files a claim against or sues the volunteer, the County or its insurer will defend the volunteer and be responsible for any financial judgment incurred, provided that the volunteer was acting within the scope of his or her responsibilities, gives notice of claim to the County, and cooperates in the defense or litigation. If the injured party sues a County employee in addition to the volunteer, the County will defend its employee and be responsible for any financial judgment incurred.

(2) Automobile Liability Insurance. The County's automobile liability insurance policy provides that anyone is an insured, subject to policy terms, conditions, and exclusions, while using a County owned vehicle with the County's permission. For automobiles owned by a volunteer, the County's automobile liability policy

provides that any volunteer expressly authorized by the County is an insured under the policy provisions with respect to the use of an automobile owned by a volunteer to conduct County business. However, such insurance protection is secondary, or excess, over any other insurance available to the volunteer.

The County does not provide protection to the volunteer for damage to his or her own automobile.

(3) Medical Expenses Incurred by Volunteers In Performance of Their Duties. Volunteers are not covered by workers compensation. Similarly, the County does not provide any coverage for medical expenses incurred as a result of an injury sustained by a volunteer.

25.05 Risk Management Techniques.

Recognizing the liability exposure inherent with volunteer programs, risk management techniques should be used to help control and minimize liability exposures. The main principles of risk management for volunteer programs are volunteer screening, volunteer instruction, performance monitoring, and recognition of volunteer service. Sections 25.05(1) and (3) are not applicable to those volunteers working under the direct supervision of a County employee for a one day a year function. These volunteers will only be required to sign a registration form prior to beginning the volunteer duty.

(1) Screening: The proper screening of volunteers serves a dual purpose. It ensures that the volunteer has the necessary skills to carry out the responsibilities of the position and that the responsibilities fit the interests of the volunteer. Proper screening will decrease the possibility of injury to the volunteer, decrease the potential of claims against the volunteer due to negligent performance of responsibilities and reduce the claims against the County by others served by the volunteer. Screening should include:

(a) Completion of Volunteer Application. Volunteer application forms can be obtained from the Personnel Department and should be completed prior to beginning performance of volunteer duties. Volunteers who will be using an automobile to perform volunteer duties should also supply a copy of their driver's license and a copy of certificate of insurance or insurance identification card. The application and supporting information should be retained by the Elected Official, Department Director, or designee.

(b) Interviews. The interview provides the County an opportunity to clarify information provided on the volunteer application and allows the volunteer an opportunity to offer additional information about their interests and skills that may be difficult to reduce to writing.

(c) Reference and Criminal Background Checks. Reference and criminal background checks are required for volunteers who will:

(1) Be responsible for providing services to the public without a County employee being present; or

(2.) Will be assisting citizens with their personal or financial matters.

The Personnel Department will conduct the criminal background check for departments. Each department will be responsible for performing the reference checks using a standard form which can be obtained from the Personnel Department.

(d) **Motor Vehicle Check.** This check is required for any volunteer who will be transporting other persons as part of their volunteer responsibilities. Contact the Personnel Department to obtain the required form.

(e) **Welcome Letter.** Issuing a welcome letter accepts the volunteer into your program area and provides a written record of the individual as a person authorized to provide services on behalf of the County.

(f) **Recognition of Volunteer Service**

A brief thank you letter is recommended upon completion of the volunteer's service to the County. A thank you letter provides a written document confirming that the volunteer's services on behalf of the County has ended and the individual is no longer authorized to act on behalf of the County. For the volunteer's benefit this thank you letter can serve as a reference for other volunteer opportunities.

(2) **Volunteer Instruction.**

Instruction of volunteers ensures that they have the necessary skills and confidence to carry out their responsibilities, will help minimize incidents involving the volunteer or persons served by the volunteer, and will deter claims against the volunteer and the County. Written documentation of all instructions given should be kept on file.

(a) **Volunteer Responsibilities Description:** Because the County will only assume liability for volunteers acting within the scope of their responsibilities, it is very important to identify, in writing, what the volunteer's responsibilities actually are.

(b) **Volunteer Instruction:** All volunteers should receive instruction on how to carry out their responsibilities. The instruction given will vary depending on the nature and complexity of the volunteer's responsibilities. Instruction methods may include informal orientation, hands-on instruction, job site performance coaching and skills training, or a formalized training program with prepared training materials.

(c) **Safety Policies and Procedures:** Volunteers should be instructed in pertinent safety policies and procedures including such items as emergency evacuation, safety rules, and proper use of equipment.

(d) **Incident/Accident Reporting:** Volunteer should be instructed to report to their supervisor as soon as possible all incidents or accidents they are involved with during the course of their volunteer responsibilities. Prompt accident investigation is critical to determine possible causal factors and possible corrective actions to prevent such accidents from occurring in the future.

(3) Performance Monitoring and Recognition.

Throughout the volunteer's service to the County, supervisors need to monitor the performance of the volunteer. If performance does not match expectations, supervisors should try to assist the volunteer to improve performance in order to better carry out their responsibilities. If performance does not improve, the volunteer should be notified in writing that their service to the County has been appreciated, but that they are no longer authorized to perform services on behalf of the County.

25.06 Volunteer Gratuities

Volunteer gratuities (e.g. lunches, certificates of appreciation and small tokens of appreciation such as candy, pens or service pins) may be provided subject to the following restrictions:

- (1) Volunteer gratuities must be budgeted for and expensed to the designated account number;
- (2) With the exception of respite care providers, distribution of cash or gift certificates is prohibited;
- (3) Respite care providers may receive gift cards sufficient to offset the expenses incurred with providing respite care;
- (4) Volunteer gratuities are restricted to volunteers only; and
- (5) Departments may not solicit donations from local businesses or individuals as a way of providing volunteer gratuities.

END OF SECTION

Section 26
TRAVEL POLICY

26.01 Purpose of Policy	26.11 Bus Travel
26.02 Policy Statement	26.12 Taxis and Airline Limousines
26.03 Definitions	26.13 Meals
26.04 Expenses Not Reimbursable	26.14 Lodging
26.05 Liability Exposures and Protections	26.15 Conf./Conv./ Seminar/Training
26.06 Required Documentation	26.16 Laundry/Cleaning/Pressing Charge
26.07 Mileage Reimbursement	26.17 Telephone
26.08 Air Travel	26.18 Parking
26.09 Vehicle Rentals	26.19 Out of State Travel
26.10 Train Travel	

26.01 Purpose of Policy.

Manitowoc County recognizes that travel is a necessary part of performing the County's business. This policy sets forth rules and guidelines for travel as well as rules and guidelines for both reimbursements of expenses incurred and authorized use of a County credit card. All travel and expenses paid, charged to Manitowoc County, or reimbursed to employees must be done in compliance with these regulations, regardless of the funding source. No request for reimbursement by an employee or elected official may be paid unless the request is submitted to the Comptroller/Auditor's Office within 60 days of the date it was incurred.

26.02 Policy Statement

An employee may be reimbursed for reasonable and necessary travel expenses actually incurred in the performance of official duties in accordance with the provisions of this Travel Policy. Only travel expenses related to the conduct of Manitowoc County business, including meetings, conferences, training, and other appropriate departmental activities may be paid, charged to Manitowoc County, or reimbursed to employees.

Use of motorcycles in the course of travel for County business is prohibited. The only exception to this prohibition is the use of the Sheriff's Department motorcycle for law enforcement duties. A Sheriff's Department employee must wear an approved safety helmet at all times when operating a motorcycle.

26.03 Definitions

- (1) "Approving Authority" is an employee at a higher organizational level than the traveler who is authorized to approve expenditures of departmental funds.
- (2) "Chief Executive Officer" is the County Executive or his or her designee or, if there is no County Executive, the County Board Chair or his or her designee.
- (3) "Department Director" is an elected or appointed official in charge of a subdivision or unit that has its own structured budget.
- (4) "Employee" is any person on the Manitowoc County payroll, including County Board Supervisors.

- (5) "Headquarters" includes the area within the city, village or town limits where an employee's work site is located and the area within a radius of 15 miles based on odometer mileage from the employee's permanent work site.
- (6) "Official Travel Status" is when an employee is required by his/her supervisor to leave the headquarters to perform official Manitowoc County business
- (7) "Out of State Travel" is travel outside of the geographical limits of the State of Wisconsin or the metropolitan areas of Minneapolis/St. Paul and Chicago.
- (8) "Permanent Work Site" is the place where the employee generally performs his/her regularly scheduled duties.
- (9) "Reasonable" means prudent or responsible judgment.
- (10) "Receipt" is an original written acknowledgment provided by a named payee that confirms payment has been received for a stated purpose.
- (11) "Supervisor" is a person to whom the employee is held accountable. This person generally approves the employee's time sheet, conducts the employee's performance evaluation, and authorizes vacation and leave requests.
- (12) "Traveler" is any person who incurs expenses on official Manitowoc County business and is entitled to reimbursement for those expenses.

26.04 Expenses Not Reimbursable

An employee shall not seek reimbursement for goods or services provided free of charge, not personally paid for by the employee, reimbursed by another source, or which will be paid or reimbursed from another source. Any reimbursement which is received by the employee from another source for the same costs reimbursed by Manitowoc County shall be deposited back to the County funding source which was initially charged.

Reimbursement is generally limited to the most reasonable cost-effective transportation available.

The following is a list of expenses that is not reimbursable. This list is not an exhaustive list; there may be other expenses which are not reimbursable if not specifically specified as reimbursable expenses elsewhere in this policy.

- Alcoholic beverages
- Snacks
- Spouse, family member, or any other accompanying individual's travel expenses
- Telephone calls which are outside the parameters of Section 26.17
- Lost or stolen cash or personal property
- Personal items and services, such as toiletries, luggage, clothes, haircuts, shoe shines
- Laundry, cleaning and pressing charges outside the parameters of Section 26.16
- Avoidable expenses for nonbusiness related activities, such as sightseeing tours
- Traffic citations, parking tickets, and other fines, except when the fleet or rental vehicle has a mechanical problem which results in an equipment citation

- Additional charges incurred for personal reasons involving vehicle rentals
- Locksmith charges on either fleet, rental, or personal vehicle, except when fleet or rental vehicles experience mechanical problems
- Cost of side trips or circuitous trips for personal reasons
- Repairs, towing service, lubrication, or maintenance for personal vehicles. (Note: this does not apply to car allowances paid for regular use of a personal vehicle)
- Pay for view movies in hotel/motel rooms
- Personal entertainment
- Extra costs for additional person(s) in the room
- Additional charges for late checkout or uncancelled guaranteed reservations (unless justified)
- Tips for porter/skycaps (unless justified)
- Trip/flight insurance
- Extra baggage charges for personal items such as golf clubs or skis
- Airline, car, hotel, or corporate card club membership dues
- Childcare costs
- Kennel fees

26.05 Liability Exposures and Protection

Because of potential liability implications all Manitowoc County business travel should be specifically authorized and approved by the employee's supervisor in advance of departure. The supervisor, along with any other approving authority, is responsible for ensuring that the travel is appropriate and necessary to the mission, responsibility, or duties of the department.

Use of personal protective equipment is mandatory in all cases. Use of motorcycles in the course of travel for County business is prohibited. The only exception to this prohibition is the use of the Sheriff's Department motorcycle for law enforcement duties. A Sheriff's Department employee must wear an approved safety helmet at all times when operating a motorcycle.

26.06 Required Documentation

Unless specified elsewhere, all travel expenses shall be reimbursed to the employee by the County through completion of the Manitowoc County Expense Reimbursement Claim Voucher form. All claims for reimbursement must be accompanied by receipts for expenses incurred or a statement explaining the absence of a receipt. This form must be signed by the employee affirming the accuracy of the claim and by the department director or designee. The department director is responsible for the validity of all claims signed by his/her designee. Claims for reimbursement of expenses incurred by the department director must be approved by the appropriate committee of jurisdiction.

26.07 Personal Vehicle Mileage Reimbursement

Employees shall receive mileage reimbursement at the Internal Revenue standard per mile for all authorized travel in their personal vehicle, except where a different rate is set by a collective bargaining agreement. Mileage from your home to your permanent work site is not reimbursable under this policy. This section does not apply to car allowances provided as a result of regular use of a personal vehicle.

Reimbursement for mileage that occurs as a result of attendance at conventions, conferences, seminars, or other authorized business travel shall be limited to the lesser of:

- Your permanent work site to the travel destination or
- your home to the travel destination (if you are leaving from home);
And
- the travel destination to your permanent work site or
- The travel destination to your home (if you are going directly home).

26.08 Air Travel

Reimbursement for commercial air travel shall generally be limited to the least costly coach fare that uses a regularly scheduled commercial carrier and that prohibits preference for any airline, type of aircraft, and connecting airports.

The additional cost of premium (first class or business class) travel is not reimbursable. If a situation should arise where premium class travel is the only alternative available, such travel must be cleared through the County's Chief Executive Officer prior to booking the flight.

If a more favorable price can be obtained for airfare by adding additional days to the trip, such as staying over on a weekend or flying on a particular day, reasonable expenses for lodging and meals for the minimum necessary additional days may be claimed if the total cost of the reduced fare plus the additional days expenses are less than the lowest available airfare would have been without the additional days of travel.

26.09 Vehicle Rentals

A rental vehicle may be used in situations where it is the most cost-effective means of transportation or when the efficient conduct of county business precludes the use of other means of transportation.

The vehicle rented should be reasonable in terms of size, cost, and number of passengers, and cargo to be transported. Claims for reimbursement of other than subcompact, compact, or mid-size models for reasons such as three or more passengers or bulky equipment must be documented.

Charges incurred for personal use by the employee when using a rented vehicle are not reimbursable.

Employees should fill the gas tank of the rental car prior to returning the rented car, unless the contract specifies other options that are less costly to the County.

26.10 Train Travel

Travel by train must be limited to coach unless overnight, where accommodations must be limited to roomette. Reimbursement shall not exceed the lowest cost of the most reasonable form of other public transportation.

26.11 Bus Travel

Reimbursement for travel by bus shall not exceed the lowest cost of the most reasonable form of other public transportation.

26.12 Taxis and Airline Limousines

Reasonable and necessary charges for taxi and airline limousines, including tips, are reimbursable when other modes of travel are not available or practical. To avoid unnecessary taxi expenses, employees should utilize regularly scheduled airport bus or limousine service between terminal facilities and hotels, when available.

26.13 Meals

Whether or not a meal is eligible for reimbursement is determined by this Travel Policy. Internal Revenue Service regulations determine which meals are taxable.

In order for meals consumed outside of the county to be reimbursable, one of the following criteria must be met:

- Meals consumed in conjunction with a business meeting that includes a third party or non-county employee during which county business is conducted; or
- Meals consumed while at conferences/conventions/seminars that are not included in the registration fee; or
- Meals consumed while transporting county inmates or evidence; or
- Meals consumed while traveling to and from authorized training/conventions/conferences, or similar events; or
- Meals consumed while traveling to and from authorized business meetings.

In order for meals consumed within the County to be reimbursable, there must be a business meeting that includes a third-party or non-county employee during which county business is conducted. A third party or non-county employee would generally include, but is not limited to the following: outside experts (consultants, lawyers, auditors, and the like), visiting dignitaries (state and local officials or members of commissions, committees or boards) and interviewees.

Claims for meals shall represent actual, reasonable, and necessary expenses. The maximum daily amount permitted, including tax and tip, for all meal reimbursements within the State of Wisconsin, is based upon the prevailing daily standard meal allowance established by the IRS. The meal reimbursement for meals outside of the State of Wisconsin will be based upon the IRS allowable rate for that particular region. The amount allocated to each meal shall be based upon a percentage of the IRS standard daily allowance rounded to the nearest dollar as follows:

Breakfast	=	20%
Lunch	=	30%
Dinner	=	<u>50%</u>
		100%

When an employee claims reimbursement for two meals in a day and exceeds the maximum on one meal, the claim may be divided between the allowable meals as desired, as long as the total allowable for those particular meals is not exceeded. To receive the full daily per

diem rate the employee must request reimbursement for three meals in a day. Each day is considered separately for application of this policy. If meal maximums are not reached on one day, the savings do not accrue and cannot be applied to expenses claimed on another day or for other costs such as lodging.

Expenditures for alcoholic beverages are not reimbursable. Meals included in the cost of airfare or registration fees are not reimbursable, except to the extent that they are included in the cost of airfare or registration fee.

26.14 Lodging

Employees are expected to seek standard lodging accommodations that are convenient, safe, appropriate to business needs, and offer good value. Reimbursement is limited to the single rate for a standard single room if one is available.

Reimbursement for lodging within 50 miles of the Manitowoc County Courthouse is not permitted unless approved in advance by the appropriate committee of jurisdiction. Whenever possible, reservations within the State of Wisconsin shall be made using a County purchase order or tax exempt certificate to avoid State sales tax and to obtain the State governmental rate.

26.15 Conference/Convention/Seminar/Training Registration Fees

Registration fee claims are reimbursable provided:

- Evidence of payment, along with applicable page from the brochure, application, or registration form is provided.
- Documentation includes actual dates, location, title of the conference/seminar/training/convention and the amount of the fee. When available, a breakdown of specific costs, such as meals, included in the fee should be provided.

Expenses for nonbusiness-related activities, such as sightseeing tours are not reimbursable. Expenses for these non-business related activities that are included as a specific charge in the registration fee are not reimbursable unless specifically authorized by this Travel Policy.

26.16 Laundry, Cleaning, and Pressing Charges

If the employee is away from home for more than five days on authorized County business, reasonable amounts will be allowed for laundry, cleaning, and pressing services. Only one charge per calendar week is reimbursable for each type of actual and necessary service. Routine cleaning of clothes is not considered a travel-related expense and is therefore not reimbursable. Reimbursement claims for laundry, cleaning, and pressing must be supported by receipts.

26.17 Telephone

Business telephone calls (both local and long distance) may be reimbursed. To avoid excessive service charges charged by most hotels/motels, employees are encouraged to use telephone credit cards. Business-related facsimile charges are also reimbursable. Employees must provide documentation of official business for long distance and fax charges.

One personal call of up to five minutes is reimbursable for each of the following:

- For each night in official travel status;
- As the result of each unscheduled geographical location change;
- As the result of an unscheduled change in travel status which results in more than a one hour extension to the employee's originally scheduled return time.

26.18 Parking

Reasonable and necessary parking fees are reimbursable.

26.19 Out of State Travel

- (1) All requests for out of state travel must be submitted to the County Executive for his or her approval. If approved by the County Executive, the County Executive will forward the request to the County Board Chairperson for his or her approval.
- (2) Out of state travel requests denied by the County Board Chairperson may be appealed to the Personnel Committee of the County Board of Supervisors.
- (3) The County Board Chair will provide a quarterly summary of out of state travel to the County Board. This summary will not include personally identifiable information or specific dates of travel.

END OF SECTION

Section 27
NOTICE OF PRIVACY PRACTICES

Repealed 09/20/2016
Per County Board Resolution 2016/2017-35

END OF SECTION

Section 28
SAFETY POLICY

28.01 Purpose of Safety Policy	28.06 Safety Devices Provided
28.02 Policy Statement	28.07 Accident Investigation
28.03 Responsibility of the Employee	28.08 Office Safety
28.04 Hazard Communication Policy	28.09 Vehicle Operation
28.05 General Safety Rules	28.10 Emergency Evacuation Plans

28.01 Purpose of Safety Policy

Manitowoc County is committed to providing its employees with a safe work environment. The personal safety of all employees is a major concern of Manitowoc County. Safety is the responsibility of every employee. All employees have a shared responsibility to work in compliance with the rules and standards set forth in this policy. This policy sets forth minimum requirements and is intended to cover average conditions. Employees must remain vigilant in monitoring the work environment for changing conditions, and are expected to use good judgment in dealing with conditions not covered by this policy.

28.02 Policy Statement

Manitowoc County's safety policy includes the following:

- Providing mechanical and physical safeguarding whenever possible;
- Conducting a series of periodic, random safety inspections to find, correct and eliminate unsafe working conditions and practices.
- Training for all employees in good safety practices.
- Providing for all necessary protective equipment and instructions on the use and care of this equipment.
- Developing, implementing, and enforcing safety rules.
- Investigating, promptly and thoroughly, every reportable accident to determine the cause of the injury and taking corrective action to keep future injuries from occurring.

28.03 Responsibility of the Employee

- (1) It is the responsibility of every employee to perform assigned duties in a manner which provides safety to themselves and to their fellow workers, and in a manner which provides protection of the public and County property.
- (2) Every employee is expected to follow the safety policies applicable to their work. Compliance with the rules and regulations listed in this policy is mandatory. Failure to follow these rules and regulations may result in just progressive discipline, up to and including termination of employment.
- (3) Employees are expected to take an active part in Manitowoc County's safety program and to apply it to their everyday work. Before proceeding with an assignment employees shall satisfy themselves that they can perform the job safely. In the absence of specific instructions the employee shall use their best judgment to do the work safely. If the employee is in doubt as to the safe performance of work assigned they shall consult with their supervisor prior to proceeding. Employees must

immediately report to the nearest supervisor any defective apparatus, tool or other condition which in their judgment may be dangerous to either persons or property.

- (4) It is the responsibility of every employee to report injuries, no matter how slight, to the employee's supervisor as soon as practical. An accident/injury report shall be completed and submitted to the Personnel Department as soon as possible, but in no event later than three calendar days after the incident.

28.04 Hazard Communication Policy

- (1) Manufacturers of hazardous materials are required to convey information to the users of their products through the use of Material Safety Data Sheets and container labeling. The following are general regulations to be followed when working with hazardous materials. Additional information can be obtained by referencing OSHA Standard 29 CFR 1910, Subpart Z, and 29 CFR 1910.120.
- (2) A list of hazardous materials can be obtained from your supervisor. Material safety data sheets are kept in a central location and are accessible to all employees.
- (3) Employees shall not use materials found in unlabeled containers. Employees shall report unlabeled containers and containers with damaged labels to their supervisor.
- (4) Employees shall not transfer a hazardous substance from a labeled container to an unlabeled container, unless the unlabeled container shall be under the exclusive control of the employee and used during the employee's current shift.
- (5) Employees shall report all hazardous material spills to their supervisor. Unless properly trained and possessing required protective equipment employees shall not attempt to clean up the spills.

28.05 General Safety Rules

- (1) Smoking in county buildings and facilities is prohibited as defined in Section 6.35 of the Manitowoc County Code of Ordinances.
- (2) Horseplay and practical jokes are forbidden.
- (3) Do not use common solvents (such as gasoline, kerosene, acetone, and the like) for cleaning.
- (4) Access to safety and emergency equipment must never be blocked.
- (5) Running is prohibited, except in emergency situations.
- (6) Stair handrails are to be used at all times.
- (7) Only designated employees with 40 hour HazMat Spill Response training should clean up hazardous chemical spills.

- (8) All employees are responsible for knowing where emergency safety showers, eye wash units, fire extinguishers, and other safety equipment is located in the work place.
- (9) Barricaded areas are not to be entered without permission, except in an emergency. Any area under construction or equipment that is being repaired that could cause a hazard to employees must be barricaded so that no employee or other person may enter the area inadvertently.
- (10) All employees are expected to keep their work area in a neat and orderly fashion.
- (11) Persons operating County owned vehicles or their own personal vehicle for County business, must possess a valid state driver's license. All employees must wear seat belts at all times while operating a vehicle for County business.
- (12) All working and walking surfaces must be kept clean and free of tripping hazards. Areas that cannot be kept this way (for example, construction areas) must be properly barricaded.
- (13) Keep clear of moving fans and fan belts. Do not wear loose clothing around machinery.

28.06 Safety Devices Provided

- (1) Employees shall wear clothing (including gloves) and shoes suitable for the particular type of work that they are doing. Required protective equipment shall be provided by Manitowoc County. Where safety footwear is required it shall meet the requirements of OSHA standard 29 CFR 1910.136.
- (2) An employee who had been provided protective equipment by the county and whose protective equipment has become so worn or damaged that its effectiveness is compromised will be provided with replacement equipment at no cost to the employee if the worn or damaged equipment is returned to the county at the time of replacement. An employee may purchase protective equipment for use in the course of his or her county employment at any time at the county's cost.
- (3) Approved hard hats shall be worn by all employees in areas where falling objects, electrical contact, or other hazards may cause a head injury. Safety head gear shall not be defaced or altered in any manner without supervisory approval.
- (4) If length or style of hair, beard or mustache may result in injury or accident, it is the employee's responsibility to provide a means by which the hair may be contained to prevent injury.

28.07 Accident Investigation

- (1) An accident investigation will be conducted anytime an accident occurs. The investigation shall result in the production of a written account of the accident based on factual data gathered by a thorough exam of the factors involved in the accident, including gathering information from affected workers, witnesses, physical evidence and existing records. The focus of the investigation shall be fact finding, not fault-

finding. The purpose of conducting the accident investigation shall be to look for methods of correction and improvement to prevent future accidents from occurring, and to help to identify trends and problem areas.

- (2) All of the following areas shall be considered when conducting the accident investigation, along with the primary (direct) causes of the accident and an identification of all secondary (indirect) causes of the accident:
 - (a) Equipment related (mechanical, hydraulic, electrical and the like);
 - (b) Kinesthetic causes (improper lifting, twisting, turning, and the like);
 - (c) Behavioral causes (horseplay, attention paid to task being performed);
 - (d) Conditions related to work area (wet or slippery floors and the like);
 - (e) Causes inherent to task performed (dangerous nature of the job);
 - (f) Causes inherent to the individual (any pre-existing medical condition).

28.08 Office Safety

- (1) Proper body mechanics shall be displayed when lifting (back is erect and leg muscles are used to do the lifting.)
- (2) Large boxes or bundles of supplies shall be moved by hand truck, be unpacked and delivered in smaller parcels, or be carried with another person.
- (3) Bulky objects shall not be carried in such a way as to obstruct the view ahead or interfere with the free use of handrails on the stairways. Employees should get help as necessary.
- (4) Use care to prevent slipping hazards when floors are polished or waxed. Clean all spills up immediately.
- (5) Loose objects such as pencils, paperclips and the like shall not be left on the stairs or floors.
- (6) Electrical, communication, or other cords shall not be strung across aisles or walkways where someone may trip or fall over them.
- (7) Boxes, chairs, or other makeshift supports shall not be used in place of ladders.
- (8) Doors shall be opened slowly to prevent striking someone on the other side.
- (9) Desk drawers, file drawers, or drawer slides shall be closed when unattended or not in use.
- (10) Only one drawer of a filing cabinet shall be opened at a time. Avoid heavily loading upper drawers to prevent tipping.
- (11) Materials shall be stored on shelves in a manner to prevent falling. Heavy objects shall be placed on lower shelves.

- (12) Electrical office machines shall be grounded or double insulated. Electrically defective machines or machines with defective cords shall be tagged out of service and not used.
- (13) When sitting in a straight chair do not tilt back. Avoid sitting on the edge of a chair.
- (14) All emergency exits and equipment shall be kept free of all obstructions. All fire exits and escape routes shall be visibly marked and shall be kept free of obstructions. Fire exits or doors shall not be locked, chained, or barricaded at any time.
- (15) Solvents or other volatile or toxic substances shall be used only with adequate personal protection or in well-ventilated areas.
- (16) Unless properly trained, employees are not to attempt to clear, oil, or adjust any machine that is running. If the machine is not equipped with a starting switch that can be locked in the off position, it shall be disconnected from the power source.
- (17) Unsafe electrical cords, faulty electrical equipment, or any other hazardous condition shall be reported to the supervisor.
- (18) Broken glass and other sharp objects shall be placed in a secondary container, such as a box, before placing in wastepaper containers.
- (19) Video Display Terminals: Employees using video display terminals for an extended period of time shall observe the following:
 - (a) Keep feet resting firmly on the ground.
 - (b) Use proper back support. Adjust body frequently to avoid muscle stiffness.
 - (c) Position video display terminal so that the top of the screen is even with or below the operator's eye level.
 - (d) Position the video display terminal directly in front of the user to avoid glare.
 - (e) The proper position of the keyboard and mouse is essential in creating a comfortable workstation. Improper height and angle of the keyboard, mouse, or working surface may cause employees to bend their wrists or lift their arms for extended periods. Keyboards should be placed directly in front of user, and the employee should not have to reach to use the mouse. Avoid bending wrists sideways or up and down while keying.

28.09 Vehicle Operation

- (1) In the case that this policy conflicts with departmental policies regarding vehicle operation, the departmental policy shall prevail.
- (2) Only employees who possess a valid license or permit for the equipment being used shall operate County owned vehicles or personally owned vehicles in the performance of official duties.
- (3) Employees may be responsible for damage to County owned vehicles resulting from reckless or abusive handling or operation.
- (4) Employees shall know and obey all state and local motor vehicle laws applicable to the operation of their vehicle. Car insurance must be maintained at least at the

minimum level required by state law. Remember that inattentive driving is a violation of law. Avoid distractions while driving. Employees are encouraged to include information on their cell phone message to indicate that they are unavailable to talk while driving.

- (5) Use of alcohol, drugs or other substances, including over the counter medications that in any way may impair driving ability, is prohibited.
- (6) Employees shall drive at safe speeds, no greater than that permitted by law. Traffic, road and weather conditions shall be given consideration in determining safe speed, within the legal limit, at which the vehicle shall be operated.
- (7) Employees shall not allow unauthorized persons to drive, operate, or ride in or on a County vehicle. Employees should never allow anyone to ride in any part of the vehicle not specifically intended for passenger use.
- (8) Employees are expected to wear seat belts at all times while in a moving vehicle whether they are the driver or a passenger. Employees should never allow anyone to ride in a seat that does not have a working seat belt. Properly installed car seats or booster seats must be used for all children under 80 pounds. It is understood that employees may not be able to comply with these requirements in situations involving emergency transportation.
- (9) Never leave keys in a vehicle. Avoid leaving materials or inventory in plain view where they will be susceptible to theft or damage when possible. Drivers are responsible for the security of the vehicle and cargo.
- (10) Employees are required to immediately report to their supervisor any crashes and moving violations received while driving in the performance of official duties.

28.10 Emergency Evacuation Plans

Emergency evacuation plans have been developed for all building locations to assist citizens and employees during an emergency. These plans serve as a reference guide in dealing with emergency situations. Not all conditions can be anticipated; everyone must use common sense. All employees shall know the location of the emergency evacuation plan, know the contents of the plan, and be able to follow the plan in the event of an emergency.

In any emergency circumstance, life is more important than property. The safety of employees and citizens during an event is of the utmost importance.

END OF SECTION

Section 29
WELLNESS PROGRAM

29.01 Purpose of Wellness Policy
29.03 Incentive Program

29.02 Policy Statement

29.01 Purpose of Wellness Policy

Manitowoc County has established a Wellness Program to assist employees in improving their quality of life and to support employees in their efforts to become informed consumers of health care. The Wellness Program will do this by encouraging the adoption of healthy lifestyles, promoting the utilization of preventative care, providing information and support to assist in the management of chronic illnesses, and providing information about how to best secure cost and quality information for health services.

29.02 Policy Statement

Manitowoc County's Wellness Program includes the following:

- (1) Distribution of written material to employees regarding a variety of physical, mental, and emotional wellness issues.
- (2) Provide on-site educational opportunities as well as informing employees about community resources.
- (3) Provide an incentive program that encourages and rewards employees for adopting healthy lifestyle practices and for participating in educational programs.
- (4) Participation in the Wellness Program is strictly voluntary, at the sole discretion of the individual, and may begin or end at any time for any reason.
- (5) The Wellness Program is not a substitute for appropriate medical care. Employees are encouraged to contact their physician anytime they have a question about their health.
- (6) The Personnel Department is responsible for the development, implementation, and reporting of all Wellness Programs.
- (7) Employees may volunteer to serve on a Wellness Committee which acts as an advisory committee for the Personnel Department. Wellness Committee members act as building location liaisons for distribution and collection of wellness information.

29.03 Incentive Program

- (1) The objective of the Incentive Program is to encourage and support positive health practices and to reward those employees who adopt those practices. The incentive program provides rewards for both active and non-active positive health practices.
- (2) The type and amount of incentive varies from program to program, and are limited to the wellness budget authorized.

Section 30
CONFERENCE ROOM USAGE

30.01	Purpose	30.05	Procedure For Scheduling Room
30.02	Definitions	30.06	Compliance With Laws and Regulations
30.03	Preference in Scheduling Rooms	30.07	Non-Governmental Group Req
30.04	Services Provided and Fees Charged		

30.01 Purpose

Manitowoc County has limited physical resources and conference and meeting room space is at a premium. This policy is designed to assure that adequate space is available to perform county and other government-related business.

30.02 Definitions

- (1) “Activity Related to County Government” means an activity that is authorized or sponsored by a county department or if county employees, officials, or officers participate in the activity in the course of their official duties.
- (2) “Rooms” means conference and meeting rooms

30.03 Preference in Scheduling Rooms

County departments will be given preference in scheduling the use of Rooms. Other government entities may be permitted to use Rooms only when they are not being used by county departments. The only time that non-government groups may use Rooms is when they are engaged in activities that are related to county government, when they provide voluntary services to another governmental entity, or when they have rented space at the Manitowoc County Expo Center.

Room use by another governmental entity or a non-government group must not conflict with county business or interfere with the principal use of the facility.

Rooms will generally be scheduled on a “first-come, first-served” basis, but the county reserves the right to make changes when necessary and has full discretion when permitting use of Rooms.

30.04 Services Provided and Fees Charged

Granting permission to use a Room does not obligate the county to furnish any services, personnel, equipment, or supplies. The county may furnish assistance and may charge for any expense arising out of the use of a Room. The county may inspect any equipment or apparatus brought into a Room and may limit or prohibit the use of any items that might affect safety or the normal operation of its facilities.

30.05 Procedure For Scheduling Room

When requesting a Room, the following information should be available: the Room being requested, the date and time that the Room will be used; the department, governmental agency, or group that will be using the Room; the intended activity; and the name of the

county employee, official, or officer that has authorized the activity. The requestor must provide the name of the county employee, official, or officer who will be responsible for the set-up, use, and take down of the Room; arranging for any equipment, material, and supplies; and for securing the building if the Room is used outside normal business hours.

30.06 Compliance With Laws and Regulations

Smoking and alcoholic beverages are not permitted in any Room. Use of Rooms will be subject to any rules or regulations established by the Public Works Department and any rules or regulations that may be imposed by the department which controls the space in which the Room is located. Room usage must not present a hazard to the safety of the public, or expose the county to liability for damages that cannot be recovered. Room use must be appropriate to the physical context of the building or facility.

All entities that use a Room must comply with all orders, laws, regulations, and rules of any and all federal, state, and local governments and must not discriminate against any individual on the basis of age, ancestry, arrest or conviction record, creed, race, sex, color, handicap, the presence of a disability, or any other legally protected status.

30.07 Non-Government Group Requirements

Any non-governmental group that uses a Room must agree to defend, hold harmless, indemnify, and release Manitowoc County, its agents, boards, commissions, committees, departments, employees, officials, and officers from any and all liability, including actions, causes of action, costs, charges, claims, damages, debts, demands, expenses, fees, judgments, liens, losses, obligations, penalties, proceedings, settlements, suits of every kind and character, including attorney's fees, for injury to persons (including Workers Compensation), death, or damage to property arising in connection with or directly or indirectly out of the use of the Room. Manitowoc County specifically reserves its right to assert any and all affirmative defenses and limitations of liability as specifically set forth in Wisconsin Statutes, Chapter 893 and related statutes.

A non-government group will be liable for any damage to the Room or its contents and may be asked to provide the county with proof of insurance as deemed appropriate by the County Clerk.

END OF SECTION

Section 31
IDENTIFICATION CARD POLICY

31.01	Purpose of Policy	31.02	Policy Statement
31.03	Definitions	31.04	Issuance of Identification Cards
31.05	Format of Identification Cards	31.06	Display of Identification Cards
31.07	Replacement of Identification Cards	31.08	Unauthorized Use
31.09	Return of Identification Cards		

31.01 Purpose of Policy

Manitowoc County is committed to providing a safe and secure work environment. Requiring Manitowoc County employees, officials, interns, contracted employees and volunteers to wear a photo ID while conducting official County business will assist Manitowoc County in meeting that commitment.

Photo ID will assist persons in the exercise of their duties when they are working in the community, and will provide assurance to members of the public that the person providing these services is authorized to do so by Manitowoc County.

31.02 Policy Statement

An employee, official, intern, volunteer, and contracted employee of Manitowoc County is issued an identification card through the Personnel Department. Identification cards must be worn whenever a person is performing duties related to his or her official capacity with Manitowoc County.

31.03 Definitions

- (1) “Department Director” is an elected or appointed official in charge of a subdivision or unit that has its own structured budget.
- (2) “Employee” is any person on the Manitowoc County payroll other than an official.
- (3) “Official” means the Executive, Sheriff, Coroner, Register of Deeds, County Clerk, Clerk of Circuit Court, Treasurer, and County Board Supervisor.
- (4) “Contracted Employee” is any arrangement which results in the placement of an individual through an agency to perform services under the direction and control of a Manitowoc County official or employee for or on behalf of Manitowoc County. Employees of another company working on site for Manitowoc County for a limited time and for a specific project (for example, employees of a construction company, electrician, plumber, information systems specialist, etc.) are not considered to be contracted employees for the purposes of this policy. Contracted employees working at the Manitowoc Recycling Facility in the plant operation are specifically excluded from this policy as they do not work under the direction or control of a Manitowoc County employee.
- (5) “Identification Card” is the photographic identification card issued by the Personnel Department.

(6) "Volunteer" and "Intern" are persons recognized and authorized by Manitowoc County or one of its officials, employees, or agents to perform services for Manitowoc County without receipt of salary or compensation.

31.04 Issuance of Identification Cards

The Personnel Department is responsible for issuing identification cards. Identification cards will be issued at time of hire for all employees, and at the time of election or appointment of officials. Department Directors or their designee should contact the Personnel Department to arrange for identification cards to be created for contracted employees, volunteers, and interns prior to beginning their official duties, when those official duties are expected to last more than one month.

Each person is responsible for the proper care, safekeeping, and use of his or her identification card. No person may alter or intentionally mutilate his or her identification card.

31.05 Format of Identification Cards

The front of the identification card will show the person's photograph, personal identification information and the department the person is affiliated with. Personal identification information will be displayed on two lines, with the first line in a larger font than the second line. The default format is for the full legal first name on the first line and the full legal last name on the second line. A person may request to have the full legal last name on the first line and the full legal first name on the second line, or to have the full first and last name as shown on the relevant professional certification or license. A person who elects to use his or her professional name on the identification card must provide the Personnel Department with a copy of the professional certification or license.

31.06 Display of Identification Cards

The identification card must be worn above the waist with the name and photograph visible from the front. The identification card must be displayed using the clip or lanyard provided by the Personnel Department, and a Department Director may specify which of these means of display may be used by persons representing his or her department.

Department Directors may make exceptions to this policy based on safety or uniform requirements, when an employee is participating in court or other formal proceedings when the employee is specifically identified on the record, or when the employee participates in scheduled off-site meetings where the participants are known to each other. However, an employee is required to carry the identification card with them at all times when performing their official duties, and must provide the card upon request, except when doing so compromises safety.

Sworn law enforcement, auxiliary, or reserve personnel will carry an identification card issued by the Sheriff's Department at all times while on-duty or acting in an official capacity, except when doing so is impractical, dangerous to any person's safety, would impede the performance of law enforcement duties, or otherwise compromise an investigation.

31.07 Replacement of Identification Cards

Persons needing a replacement identification card due to a name change, department change,

or who present a damaged identification card will have the identification card replaced at no cost. A person who loses their identification card must report the loss of the card to their supervisor immediately. A replacement card will be issued at the cost of materials only.

31.08 Unauthorized Use

An identification card may only be used for official county business. Use of identification cards is limited to employee official use only. Persons may not allow anyone else to use their identification card, and no person may use another person's identification card.

31.09 Return of Identification Cards

Identification cards are the property of Manitowoc County and must be returned to the person's supervisor upon termination of employment, contract, elected, intern, or volunteer status.

END OF SECTION

Section 32
PREGNANT WORKERS FAIRNESS ACT

32.01 Policy

32.02 Definitions

32.03 PWFA Request

32.04 Leave

32.05 Relationship to Federal Law

32.01 Policy

As required by the federal Pregnant Workers Fairness Act (PWFA), Manitowoc County will provide reasonable accommodations to employees with known limitations (physical or mental) related to, affected by, or arising out of pregnancy, childbirth, or related medical conditions, unless the accommodation will cause undue hardship to the County's operations.

32.02 Definitions

Where a term used in this Section 32 (Pregnant Workers Fairness Act) is defined in the PWFA, that term shall have the meaning set forth in the PWFA.

32.03 PWFA Request

An employee may request an accommodation due to pregnancy, childbirth, or a related medical condition by communicating with a supervisor, a manager, someone who has supervisory authority for the employee, someone who regularly directs the employee's tasks, or the Personnel Department. If the communication is to someone other than the Personnel Department, the individual receiving the communication shall immediately notify the Personnel Director of the request, but in no case shall such notification take more than 24 hours. The employee is encouraged, but not required, to complete the PWFA Accommodation Request form. This form can be obtained from the Personnel Department or on Manitowoc County's intranet site. Depending on the nature of the accommodation, the individual may be requested to submit a statement from a health care provider substantiating the need for the accommodation.

Upon receipt of a request for accommodation, the Personnel Department will contact the employee or applicant to discuss the request and determine if an accommodation is reasonable and can be provided without undue hardship to Manitowoc County.

32.04 Leave

An employee may request paid or unpaid leave as a reasonable accommodation under this policy; however, the County will not require an employee to take time off if another reasonable accommodation can be provided that will allow the employee to continue to work.

32.05 Relationship to Federal Law

To the extent any portion of this policy does not comply with or conflicts with the PWFA, the requirements of the PWFA shall supersede this policy and the provisions of the PWFA shall apply.

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