

**RESOLUTION 2009-01**

1-2-09

**RESOLUTION BY THE ADMINISTRATION, PERSONNEL, POLICY AND LEGAL COMMITTEE ADOPTING A REVISED PERSONNEL MANUAL FOR VILLAGE OF STURTEVANT EMPLOYEES**

WHEREAS, the Administration, Personnel, Policy and Legal Committee has been working with staff to review and revise the Village's Personnel Manual for many months; and

WHEREAS, the Village of Sturtevant would benefit from the adoption of an updated Personnel Manual.

NOW THEREFORE, BE IT RESOLVED that the Village of Sturtevant Board of Trustees hereby adopts the "VILLAGE OF STURTEVANT PERSONNEL POLICY MANUAL updated January 6, 2009".

BE IT FURTHER RESOLVED by the Village of Sturtevant Board of Trustees that a copy of the "VILLAGE OF STURTEVANT PERSONNEL POLICY MANUAL updated January 6, 2009 " shall be kept on file with the Village Clerk and a copy shall be distributed to all Village employees in January of 2009.

Adopted by the Village Board of the Village of Sturtevant, Racine County, Wisconsin, this 6<sup>th</sup> day of January, 2009.

Village of Sturtevant

By \_\_\_\_\_  
Steven Jansen, President

Attest \_\_\_\_\_  
Mary Hanstad, Village Clerk



# VILLAGE OF STURTEVANT

## PERSONNEL POLICY MANUAL

Revised April, 1997  
Updated June, 1998  
Updated Sept 19, 2000  
Updated December 19, 2000  
Updated February 5, 2001  
Updated January 21, 2002  
Updated May 7, 2002  
**Updated January 6, 2009**

# VILLAGE OF STURTEVANT

## RECORD OF CHANGES

- I. FORM B Employee Processing Check In / Out Form: Page 38 Nov. 2003
- II. MILITARY RESERVE LEAVE – Salary Assistance (Revised December 2, 2003): Page 13
- III. MILITARY LEAVE – Reapplication (Reviewed Dec. 2, 2003): Page 13
- IV. FORM C Employee Forms Check In / Out Form: Page 39 Feb. 2004
- V. Condition of Employment Agreement / Out Form: Page 36, Dec. 2008

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# WELCOMING STATEMENT

We are pleased that you have decided to join us at the Village of Sturtevant. We hope that your association with the Village will be a long and mutually beneficial one. Our top priority is quality service to the community, and the efforts of each employee are critical to providing the service our residents deserve.

In return for your support, the Village is committed to make your employment as satisfying as possible. Our wage policies and benefit programs are designed to make the Village a good place to work. We also emphasize open and honest communications in our day-to-day contacts.

This manual has been prepared to provide you with necessary information for you to function as an effective member of our team. Please take the time to read it carefully. It should answer many of the questions which you may have. If you have any questions not answered by the manual, please contact your supervisor or the Village Administrator. We hope that your employment at the Village is both enjoyable and rewarding.

Village President

Village Administrator

## **PURPOSE**

The purpose of this manual is to establish uniform Village personnel policies and procedures to recruit, select, develop, and maintain an effective workforce for the Village.

The objectives of this manual are:

1. To give you basic information about your position and employment with the Village of Sturtevant. It is intended to provide you with general information about policies, regulation and benefits of employment for staff. Questions not answered by this handbook should be directed to your supervisor or the Administrator.
2. To provide just and equitable conditions of employment and compensation.
3. To assure fair treatment of all employees without regard to political affiliation, race, color, national origin, sex, age, religious creed, ancestry, marital status, sexual orientation or handicap.

## **AUTHORITY**

This policy manual is adopted under the authority of Wisconsin Statute §61.34, as amended.

This manual sets forth employment guidelines. It is not intended to be construed as and does not constitute an employment contract. The final interpretation and implementation of any of the policies and procedures in this manual are vested solely in the Village Board. The policies and procedures are subject to review and change from time to time by the Village Board with or without notice. All employees who are not covered by a collective bargaining agreement or who are not covered by specific state statutes are considered to be “employment at will” employees. These “employment at will” employees may be involuntarily terminated at any time with or without cause.

Should any provision of this manual be declared illegal by a court of law, the balance shall remain intact.

## **SCOPE**

This policy manual shall cover personnel administration for all employees and departments of the Village of Sturtevant except:

1. Members of the Village Board and appointed members of governing sub-groups.
2. Employees with an employment contract or those subject to a collective bargaining agreement with the Village. In either case the specific provisions of the employment contract or collective bargaining agreement shall govern to the extent these provisions are inconsistent with or are meant to supersede the provisions or policies of this policy manual.
3. Members of Boards, Commissions and Committees.
4. Individuals under contract to perform specific services or conduct temporary and special inquiries on behalf of the Village.
5. Court-appointed employees.

## **DISTRIBUTION AND RESPONSIBILITY**

A copy of the policy manual and all amendments will be provided to every employee and members of the Administration, Personnel, Policy and Legal Committee. The Administration, Personnel, Policy and Legal Committee or its designee(s) shall be responsible for the interpretation, administration, and enforcement of this manual.

The Village Board of Trustees may amend this manual in the same manner as adopted. Department Heads and other Village employees are encouraged to provide recommendations for improvements or changes in this manual.

## **VILLAGE MEETINGS**

The Village Board and its Committees encourage Department Heads to attend Village Board and/or Committee/Commission meetings where business will be conducted in which that individual may serve as a resource to assist and/or clarify issues under consideration.

## **DEFINITION OF EMPLOYEE STATUS**

### PERMANENT - FULL TIME

An employee, who fills a full-time position (40 hours or more per week) and is scheduled to work at least 2,080 hours per calendar year, is designated permanent full-time. These employees are eligible for all fringe benefits pursuant to Village policy.

### PERMANENT - PART TIME

An employee who fills a part-time position (scheduled to work at least 1040 hours, but less than 2,080 hours per year) is designated permanent part-time. These employees are eligible for limited fringe benefits pursuant to Village policy.

### ON-CALL/CASUAL PART TIME

An individual whose service is not regularly scheduled, but who fills in on an "as needed" basis for permanent employees, is designated on-call. On-call employees are not eligible for fringe benefits. An on-call employee may not be placed in a permanent position unless placement follows the recruitment policy. Should an on-call employee be successful in gaining a permanent position, no credit is given in regard to any benefits for the time worked on an on-call basis.

Casual part time refers to an employee scheduled irregularly or for less than 1,040 hours per year. Casual part-time employees are not eligible for fringe benefits.

### LIMITED TERM EMPLOYEE (LTE)

An employee who fills a vacancy for a temporary period not to exceed 1040 hours in a 12 month period is designated a limited term employee (LTE). These employees are not eligible for fringe benefits. Workers hired through a temporary worker service are not considered Village employees.

### NON-EXEMPT EMPLOYEES (HOURLY)

Employees who must be paid according to the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA) are described as non-exempt employees. These employees are normally paid on

an hourly basis and must receive overtime, premium pay or compensatory time off when working over forty (40) hours in a week. Non-exempt non-represented employees shall not work overtime without the advance authorization of the Department Head and the Village Administrator.

#### EXEMPT EMPLOYEES (SALARIED)

Employees who are exempt from the minimum wage and overtime provisions of the FLSA are described as exempt employees. These may include executive, administrative and supervisory employees, who are normally salaried and do not receive overtime pay.

#### CONTRACTED EMPLOYEE

The Village, at times may decide to enter into an agreement for employment with a prospective employee. The Administration, Personnel, Policy and Legal Committee shall be responsible for the hiring of any personnel by contract. Prior to offering the contract to an individual, the contract must be approved by the Village Attorney, the Administration, Personnel, Policy and Legal Committee and the Village Board.

## **SENIORITY**

Seniority shall apply only to Permanent Full-time and Permanent Part-time employees and shall consist of the total calendar time of continuous employment elapsed since the latest date of hire with the Village. Such seniority shall be used for fringe benefit determination. Classification seniority shall be maintained for all other purposes. An employee's employment relationship with the Village shall end, and an employee shall lose his/her seniority, for any of the following reasons:

1. Involuntary Termination
2. Resignation
3. Retirement
4. Unexcused failure to return to work after the expiration of an approved leave of absence
5. On lay-off for a continuous period of more than twelve (12) months.

## **EQUAL EMPLOYMENT OPPORTUNITY**

It is the policy of the Village of Sturtevant to be fair and impartial in all its relations with its employees and applicants for employment without regard to their race, color, religion, age, sex, marital status, handicap, sexual orientation, national origin or other protected category. The Village's employment practices have been designed to provide that all individuals be recruited, hired, assigned, advanced, compensated and retained on an individual basis because of qualifications for employment and treated equally in these and all other respects without regard to race, color, religion, age, sex, marital status, handicap, sexual orientation, national origin or any other protected category.

The Village will insure that promotion, training, and transfer decisions are made in accord with principles of equal employment opportunity and will impose only valid qualification requirements. The Village also will insure that all other personnel actions, such as decisions concerning compensation, benefits, transfers, layoffs, return from layoff, termination, Village-sponsored education and training, and tuition assistance programs will be administered without regard to race, color, religion, age, sex, marital status, handicap, sexual orientation, national origin or any other protected category.

## Responsibility

The Village considers it the responsibility of every supervisory employee to further the implementation of this policy and insure the support of their subordinates. The Department Head shall be responsible for writing job descriptions for all positions and for keeping them up-to-date. The Department Head and/or Village Administrator Administrative, Personnel, Policy & Legal Committee shall be responsible for taking applications, testing and/or screening potential employees according to individual department guidelines.

## **NEPOTISM**

All applicants for a Village position shall be required to state if he/she has any relative employed by the Village and what the relationship is to such employee. If the relative is an immediate family member and is in direct supervisory capacity in the department with the vacancy, the applicant shall not be considered. No person employed by or elected to serve the Village may have any part in the screening or hiring of job applicants who are members of their immediate family. Nor may such employee or elected official, Board member, or Committee/Commission member have any part in the evaluation, promotion, demotion, lay-off, termination, assignment of benefit or supervision of any member of his/her immediate family.

Immediate family means wife, husband, son, daughter, mother, father, brother, sister, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, stepparent, and stepchild.

If two (2) persons employed in the same department marry, the Administrative, Personnel, Policy & Legal Committee shall investigate any potential areas of conflict of interest and take appropriate action, such as reassigning supervisory responsibilities, etc.

## **HIRING/MEDICAL EXAMINATIONS**

The hiring of non-department head positions shall be done by the appropriate department head with input from the Village Administrator. All such hiring's shall be approved and authorized by the Board of Trustees. The selection and hiring of department heads shall be done by the Administration, Personnel, Policy and Legal Committee with final approval and authorization by the Board of Trustees. For the purpose of this manual, the following positions are considered department heads: Building Inspector, Treasurer, Village Clerk, Public Works Director, Chief of Police and Administrator.

The Village shall require pre-employment medical examinations, including drug screening, for public safety employees and full time public works employees, but only after a job offer has been made. The Department Head or the Administrative, Personnel, Policy and Legal Committee shall condition the offer of employment to such employees on the results of the medical examination. Offers of employment may be withdrawn based upon the results of the medical exam only if the exclusionary criteria are job-related and consistent with business necessity. The results of all medical examinations shall be treated as confidential medical records. The Village shall be responsible for the costs of all required post-offer/pre-employment medical exams. All offers of employment shall be contingent upon successful completion of a thorough background check by the Police department.

Prospective Police Officers shall be required to submit to a psychological evaluation.

## **EMPLOYEE ORIENTATION**

The Department Head and Village Administrator are responsible for the proper overall orientation of new employees. Such orientation shall include, at a minimum, providing new employees with a copy of the Personnel Policy Manual and a copy of his/her job description. The Department Head or designated supervisor is responsible for new employee orientation to the department and job.

## **PROBATION**

All employees shall serve a six (6) month probationary period. The Department Head may extend the probationary period to a maximum of twelve (12) months after consultation with the Administrator. New employees may be terminated during the probationary period without recourse to appeal.

It is the responsibility of the Department Head to monitor the performance of each new employee during the probationary period. At the end of the third month of employment, the Department Head must formally evaluate the performance with the employee and report in writing to the Village Administrator. The Village Administrator shall review the employee's performance, consider the recommendations of the Department Head, and take appropriate action, either approving regular employee status or termination of employment prior to expiration of the probationary period.

## **CONDITIONS OF EMPLOYMENT**

### Hours of Work

The "normal" workweek for full-time Village Employees shall be 40 hours, depending on the department and or contract. The Department Head shall inform employees of the specific hours that the employee is to work.

### Lunches and Breaks

Each employee who works a full shift shall receive at least a one-half hour unpaid lunch break, which will normally fall midway through the shift depending on the Department Head and/or contract. Employees of some departments may receive one (1) hour unpaid lunch break depending upon the department's service hours.

All employees will be allowed a fifteen-minute break for each four hours of continuous work time.

Lunch periods and rest breaks are to be arranged between the employee and the supervisor or Department Head. It is the Department Head's responsibility to assure that breaks are scheduled so that services are not interrupted.

### Overtime/Compensatory Time

Overtime will be paid only to non-exempt (hourly) employees for hours worked in excess of forty (40) in a workweek. Paid time off, such as vacation or holiday time, is not considered as worked time for overtime purposes. Employees will be allowed to accumulate compensatory time off in lieu of overtime pay as provided by the Fair Labor Standards Act. The Village Administrator may establish additional rules and procedures for the use and accumulation of compensatory time off.

Compensatory time may only be earned by those full time hourly paid employees who have received approval from his/her supervisor to work hours in addition to regular working hours in consideration for

which the supervisor shall permit the employee to be excused from work at some time in the future. Eligibility for compensatory time is at least one half (1/2) hour overtime and must be taken in at least one- (1) hour increments. In order to receive compensatory time, one must work a minimum of (1) hour of overtime – earning 1½ hours of compensatory time. Fractional hours will be paid and must be reported on the timecard/timesheet.

**1. General Office – Full Time Hourly**

For an hour of overtime the employee is entitled to one and one-half (1 1/2) hours of compensatory time or one and one-half (1 1/2) hours of wages at the discretion of the Department Head or the Administrative, Personnel, Policy & Legal Committee.

Compensatory time for employees may never be accumulated and used in such a manner as to constitute an opportunity to be absent from work for longer than 2 continuous working days.

Compensatory time may be accumulated from pay period to pay period, but may not exceed 16 hours, and must be used within the current calendar year.

**2. All Part time employees**

Part time employees will not be given compensatory time and will be paid overtime when their authorized weekly hours exceed forty (40) hours worked in a workweek.

**Provisions listed below apply to full time hourly and part time employees:**

It is the responsibility of the employee to request time off for compensatory time which has been earned within the limits of the above rules. However, the hours during which the employee plans to be absent from work must be approved, in advance, by his/her supervisor.

The use of compensatory time shall not conflict with the needs of the department.

The Department Head shall maintain permanent records of all compensatory time earned and used during any calendar year.

Upon termination of employment an employee shall be compensated for unused compensatory time accumulated.

**No carryover shall be allowed and any remaining compensatory time will be paid with the last payroll of the calendar year.** Under no circumstances may compensatory time off be used prior to the actual earning of the compensatory time.

## **EXPENSE REIMBURSEMENT**

### Travel

An employee shall be reimbursed for reasonable travel expenses incurred while conducting official Village business or participating in authorized educational and/or professional association meetings.

An employee who uses his/her own car shall be reimbursed on a per mile rate basis at the rate established by the Village Board. Use of Village-owned vehicles for attendance at educational and/or professional association meetings is ~~not~~ permitted with department head approval.

Travel expenses must be itemized by trip monthly and reviewed by the Finance and Budgetary Committee before reimbursement shall be made.

Commuting expenses between an employee's home and normal place of employment are not reimbursable. An employee who conducts Village business while using his/her own car is responsible for showing proof of automobile liability insurance coverage consistent with the coverage outlined by Wisconsin Statutes.

#### Meals

An employee may request reimbursement for meals when on official business. The maximum reimbursement amounts for meals shall be established by resolution by the Village Board from time to time. Receipts are required for all meals.

#### Lodging

An employee may be reimbursed for reasonable lodging expenses incurred while conducting Village business outside of the Village, at the discretion of the supervisor. Receipts for lodging and other miscellaneous expenses must be provided prior to reimbursement.

#### Outside Resource Persons

Department Heads are authorized to furnish or reimburse meals, lodging, or other facilities to persons not employed by the Village of Sturtevant with the prior approval of the Administrative, Personnel, Policy & Legal Committee.

#### Professional Organization/Association Memberships

The Village will pay for two professional organization or association memberships per year for professional employees and Department Heads as approved by the Village Board.

#### Employee Liability

The Village shall protect all Village employees in carrying out the duties of their positions, unless the employee did not act within the scope of employment, all as prescribed by Wisconsin Statute 895.46.

## **PHYSICAL WORKING CONDITIONS**

If in the opinion of the Department Head, physical working conditions in the work areas are hazardous to the employee's health and well-being or are such that the office or department cannot reasonably be expected to function, that office or work place shall be closed until such conditions are corrected. Employees shall be paid as usual but employees can be reassigned to other work areas within the Village by the Administrator.

## **PAID TIME OFF**

### VACATION: HOW ACCUMULATED

1 YEAR SERVICE	2 WEEKS VACATION (Prorated from date hired, can use after 6 months of employment.)
5 YEARS SERVICE	3 WEEKS AS ABOVE
10 YEARS SERVICE	4 WEEKS AS ABOVE
15 YEARS SERVICE	5 WEEKS AS ABOVE

VACATION (Permanent Part Time): HOW ACCUMULATED

Permanent part time employees will receive prorated paid vacation based on hours scheduled in the calendar year. For example, there are 2,080 work hours in the year and a permanent part time employee scheduled for 1,040 hours in the calendar year would receive 1/2 (one half) of the vacation hours specified above for permanent full time employees based on length of service.

For permanent full- and part-time employees, all vacation must be used after it is earned and within the one-year period after it is earned, except in unusual circumstances and with the approval of the Village Board.

HOLIDAYS

Full time employees will receive the following paid holidays:

NEW YEARS DAY	THANKSGIVING DAY
MEMORIAL DAY	FRIDAY AFTER THANKSGIVING
SPRING HOLIDAY	CHRISTMAS EVE DAY
INDEPENDENCE DAY	CHRISTMAS DAY
NEW YEARS EVE DAY	LABOR DAY
ONE FLOATING HOLIDAY	

If a designated holiday falls on a weekend the Administrator shall determine the appropriate compensating time off for employees.

JURY OR WITNESS DUTY

A regular full time employee or regular part time employee (including probationary employees) called for jury duty, during normal work hours, shall receive his/her regular salary for such time, provided he/she shall deposit any compensation he/she received for jury duty with the Village Treasurer and receive a receipt for said deposit.

A permanent full-time employee or permanent part-time employee (including probationary employees) called as a witness, due to circumstances related to his/her work shall be paid for time lost to appear as a witness; provided however, that said employee shall deposit any witness fees received with the Village Treasurer and receive a receipt for said deposit; and further provided, that such payment shall not apply as to hearings involving employee wrongdoing by such employee or actions by the employee against or adverse to the Village. Fees received for jury or witness duty when received for time spent outside scheduled work time, may be retained by the employee.

When jury or witness duty is completed, the employee shall return to work.

FUNERAL LEAVE

1. In the event of a death in the family of a regular full-time or regular part-time employee (including probationary employees) such employee shall be paid for the time lost from scheduled work as provided in paragraphs a and b below. An employee can be required, by the Administrator, to furnish verification of the death, date of funeral and relationship of the deceased.

- a. Up to three (3) consecutive work days for employee's spouse, parent and/or child (ren), brother, brother-in-law, sister, sister-in-law, mother-in-law, father-in-law, step-parent, step-child, grandparent, grandchild, or other members of immediate household.
  - b. In the event of a death of a family member described in paragraph "a" which will require additional time off by the employee, the Administrator may grant up to two (2) additional paid leave days.
2. In the event of the death of an employee's uncle, aunt, niece or nephew, one (1) day paid leave shall be granted.

### MILITARY RESERVE LEAVE

An employee who is a member of the National Guard or United States Military Reserve, and is ordered to attend training or activated to full service, will be granted time off from his/her position. For regular full time employees, the Village will pay the employee for time lost in an amount equaling the difference between his/her daily military pay and his/her normal Village daily wage. This wage differential will be paid for a period not to exceed ten working days in any calendar year. To receive the leave and/or pay, the employee must file a copy of his/her orders with the Village Administrator at least two weeks prior to the date of such training.

### MILITARY LEAVE – Reapplication (Reviewed Dec. 2, 2003)

In accordance with Federal and Wisconsin Statutes, leaves of absence shall be automatically granted to all regular full-time employees who are called or volunteer for military service and such employee shall, at the expiration of his/her military service, be returned to his/her former job at the prevailing salary rate without loss of seniority or employment rights providing, however, that application for re-employment shall be made within ninety (90) days after termination from said service.

### INCLEMENT WEATHER

Severe weather conditions may require some employees to leave work before they complete the full workday, or in some cases, they may arrive later in the day because of the weather conditions. The employee may charge the time absent to unused vacation, unused compensatory time, or leave without pay. Sick leave may not be used.

If the Village Offices are ruled closed by the Village Administrator or Village President, based on the advice of the Public Works Department and/or Police Department for the full day, all employees shall be paid for the entire day.

If the Village Offices are ruled closed for less than a day, only employees who worked a part of that day shall be paid for the entire day. Employees, who stay and work when the building is closed during the day, shall be given compensatory time for the time worked after the closing during the regular workday.

When the Village Offices are ruled closed for the full day, the Public Works or Police Department shall notify the radio stations that give local school closings. If the building is closed during the day, the Clerk shall notify all parties. **This section does not apply to employees covered under a collective bargaining agreement.**

# PERSONAL LEAVE

An employee who wishes to absent himself from his/her employment for any reason not otherwise provided for must make application for non-paid leave of absence. Application for personal leave of absence shall be made in writing and presented to the Department Head at least ten (10) working days prior to the date the leave is to begin unless an emergency situation exists. The granting of such leave and length of time are discretionary and shall be contingent upon the reason(s) for the request and the effect on Village operations.

The Department Head with the approval of the Administrator may grant a leave of five- (5) work days or less without further authorization.

Leave of absence for more than five (5) work days shall be discussed with the Department Head and the Administrator. Approval **must** be obtained by the Administration, Personnel, Policy and Legal Committee.

The initial personal leave of absence shall not be granted for a period of more than six months

All leaves of absence shall be without pay and without fringe benefits. Health Insurance benefits shall continue until the end of the month in which approval of the leave was granted. No benefits such as sick days or vacation days shall be earned while an employee is on un-paid leave. However, seniority for fringe benefit purposes does not lapse.

An employee whose health insurance would terminate due to a leave of absence may elect to continue insurance coverage if the employee pays the full insurance premium.

A return to work earlier than the scheduled return date may be acceptable upon advanced notification to the Administrator.

If an employee is unable to return to work on the date stipulated in the leave of absence, a written request should be submitted to extend the leave of absence, to the Administrator prior to the expiration of the original leave of absence. An extension of the initial leave of absence shall not exceed six months and no further extensions shall be granted. If, on the day following the expiration of the leave of absence, an extension has not been requested and granted or the employee has not returned to work, the employee shall be considered to have resigned from Village employment.

An employee who has exhausted his/her sick leave credits and is unable to return to work due to illness or injury not covered by worker's compensation may be granted medical leave of absence pursuant to this section. If state or federal law changes such that Village employees are covered by state or federal Family/Medical Leave law, those laws shall take precedence over this policy.

## Types of Personal Leave

1. Legal Affairs - A leave of absence without pay may be granted to the employee upon request to appear under subpoena or in his/her own behalf in litigation involving personal or private matters.
2. Parental Leave - A leave without pay may be granted for reasons related to the birth or illness of a minor child.
3. Other - Leaves of absence may be granted for personal or family emergencies, extended travel or other personal reasons.
4. Medical Leave - A leave of absence may be granted for medical reasons due to injury or illness of an employee.

# INSURANCE

All full time employees shall be granted the opportunity to participate in all insurance programs offered by the Village, where the employee is eligible and requests participation in these programs. If an employee does not enroll when first eligible after hire date, the employee must wait until the open enrollment period to enroll. Changes in coverage and the addition of beneficiaries must also be made during the open enrollment period. Coverage of a new spouse or child is effective upon, marriage, birth or adoption if application is made within 30 days of said event.

Those employees on leave of absence will be eligible to continue health insurance coverage provided the employee pays the full cost of the premium.

The Village reserves the right to change to another insurer or insurers and to change the insurance coverage from time to time.

## Health, Dental & Vision Insurance

Full-time employees shall be eligible for health insurance, dental insurance and vision insurance coverage.

The insurance plans shall be as established by the Village and shall be offered to full-time employees. Each married employee or an employee with children as dependents shall be covered by spousal plan or a family plan as appropriate.

Insurance coverage shall become effective the 1<sup>st</sup> of the month after the 1<sup>st</sup> 30 days of employment.

Except as otherwise provided herein, health, dental and vision insurance coverage shall terminate on the last day of the month the employee leaves Village employment.

The Village requires non-represented employees who receive health insurance to pay 7.5% of the cost of the health insurance premium effective December 31, 2008. The percentage rate of employee contribution shall be reviewed on an annual basis.

## POST RETIREMENT HEALTH CARE COVERAGE

All Village Employees not covered by a collective bargaining agreement who retire from the Municipality between the ages of 57 and 65, with twenty (20) years of service with the Municipality, will be eligible to receive the type of health insurance benefits they were receiving at the time of their retirement (single/family) until they are 65 years old, at the same percentage contribution that the employee was paying at the time of retirement. The Municipality shall make a good faith effort to purchase insurance of a similar nature as to that they received at the time of retirement. If the Village is not able to reasonably purchase those benefits, the 'village will purchase available benefits through the state uninsurable pool.

## Pre-tax (IRS Section 125)

The Village has established a pre-tax IRS Section 125 plan which can be used to cover certain medical and health related expenses that are not covered by insurance. The Village Administrator shall establish rules for the use of the 125 account.

The Section 125 Plan will allow full time Village employees a means to recover deductible and co-pay expenses up to \$520 per employee/family in a 12-month period. The 12-month period shall run by calendar year. The \$520 annual contribution to the Section 125 Plan is a flex spending account that the employee may use to cover deductible medical expense.

This annual contribution of \$520 is not the employee's money and if any remains at the end of a 12-month period, that money will be refunded to the Village.

#### SHORT TERM DISABILITY

All full time employees are covered under the Village short term disability policy at no cost to the employee.

#### Continuation of Health Insurance

Each "Qualified Beneficiary" who loses health insurance coverage under the Villages health insurance plan as a result of a "Qualifying Event" may elect continuation coverage. Continuation coverage shall be identical to the coverage then being provided to similarly situated beneficiaries who have not had a Qualifying Event.

A covered employee is a Qualified Beneficiary in case of the following Qualifying Events: (1) termination of employment (except where due to gross misconduct), (2) reduction of hours resulting in loss of health benefits and retirement where the Village has filed a bankruptcy petition under chapter 11 of the Bankruptcy Code. A spouse or child of a covered employee is a "Qualified Beneficiary if the spouse or child was a beneficiary under the Village health plan on the day before the Qualifying Event.

Subject to certain qualifications as provided by law, Qualified Beneficiaries may elect continued coverage for 18 months for any of the following Qualifying Events:

Termination of employment for any reason other than gross misconduct;

Reduction in work hours which results in loss of health benefits; or

Retirement from the Village where the Village files a proceeding under Chapter 11 of the United States Bankruptcy Code.

Qualified Beneficiaries may elect continued coverage for 18 months for any of the following Qualifying Events:

Death of the employee;

Divorce or legal separation;

Eligibility of the employee for Medicare; or

A dependent child ceases to be a dependent child under the generally applicable requirements of the health plan.

Date Coverage Begins - Continuation coverage begins on the date of the Qualifying Event and continues throughout the applicable period, unless a disqualifying event occurs.

A Qualified Beneficiary's period of continuation coverage shall terminate if any of the following disqualifying events occur:

The Village terminates all group health plans;

The Beneficiary fails to make timely payments for continued coverage;

The Beneficiary begins coverage under another group health plan, unless the new group health plan excludes or limits pre-existing conditions; or

The Beneficiary becomes entitled to Medicare benefits.

A Qualified Beneficiary must make an election within 60 days of the later of (1) the date of the Qualifying Event or (2) the date of the notice of the employee's rights.

Each new covered employee and the employee's spouse, if covered, shall receive notice of his or her rights under the Consolidated Omnibus Budget Reconciliation Act of 1986 ("COBRA") at the time coverage begins.

The Village shall notify the health plan administrator, within 30 days of the event, of an employee's death, termination (except where due to gross misconduct), reduction of hours where the reduction may result in a loss of health insurance coverage, and Medicare eligibility.

A Qualified Beneficiary shall notify the plan administrator, within 60 days of the event, in the event of divorce, legal separation or a child's cessation of dependent status under the plan.

Each Qualified Beneficiary who is disabled for purposes of Social Security at the time of the qualifying Event of termination or reduction of hours shall notify the plan administrator within 60 days after the date of the determination of disability and within 30 days after the date of any final determination that the Qualified Beneficiary is no longer disabled.

The plan administrator shall notify Qualified Beneficiaries of COBRA rights within 14 days of receiving the above notices from the Village or Qualified Beneficiary.

A Qualified Beneficiary is responsible for payment of 100% of the premiums for continuation coverage. The first payment shall be due 45 days after the day on which the Qualified Beneficiary made the initial election for continuation coverage. The premium payments may be made in monthly installments.

The plan shall provide the option of enrollment in a conversion health plan otherwise generally available under the plan. This option shall be available during the last 180 days of the period of continuation coverage.

If any provision of this policy is not consistent with COBRA as it was enacted or amended COBRA shall control and take precedence.

### Life Insurance

The Village agrees to provide each full time employee with life insurance in the amount of \$75,000 at no cost to the employee. The excess of \$50,000 is taxable.

## **SICK DAYS**

### How Earned

Full-time employees may earn up to 12 sick days per year which are earned one sick day per month of employment.

Unused sick days may accumulate to a maximum of one hundred and fifty (150) workdays.

As a matter of policy it should be emphasized that sick days shall be construed as a form of insurance against a loss of income during a short-term illness rather than a free leave. Sick day's do not vest in an employee the right to a certain number of days off each year with pay as do vacation days or holidays. At its option the Village may require the employee to be examined by a physician designated by the Village, and at Village expense.

All sick day credits shall be computed on the whole month basis depending on the date of hire, per the following formula:

- a. On or before the 16th - 1st day of month hired.
- b. On the 17th and thereafter - 1st day of month following month hired.

### How Used

To earn sick days and to be eligible to use sick day benefits, an employee must have been employed for a period of six (6) months and must be unable to work because of sickness or off-the-job injury (not covered by Worker's Compensation). An employee off work due to sick days or off-the-job injury must give notice to the office no later than 8:30 AM on the first day of absence, unless impossible to do so, then as soon as possible.

Sick day benefits shall begin with the first day of absence. An employee must provide a doctor's statement to their department head for absences of more than three (3) days. In the event the physician's statement is not obtained, the Village shall treat such absence as a leave without pay.

An employee who has exhausted his/her sick day credits and is unable to return to work due to illness or injury not covered by Worker's Compensation may be granted medical leave of absence, pursuant to the procedures set forth in this manual, until such time as he/she is able to return to work and is so certified by a physician or chiropractor.

Upon layoff, retirement, death or resignation (where such resigning employee has given the employer a minimum of ten (10) working days notice of such resignation) an employee shall receive, as a severance bonus, \$40 per day for unused sick days he/she has accumulated, not to exceed one hundred fifty (150) days. Upon retirement an employee may elect to receive \$40 per day for his/her accumulated sick days up to a maximum of one hundred fifty days or the retiree may elect to have this amount paid towards continuing health insurance under the Village's plan. An employee who moves from one position to another in the Village by transfer, promotion, or reassignment shall be credited with accumulated sick days in the new position. Employees shall be permitted to use accumulated sick days for doctor, dentist, and optical appointments. Sick days granted shall be in minimum time spans of one (1) hour.

Willful misuse of sick days or the willful making of false reports regarding illness shall subject an employee to disciplinary action.

Sick days may not be used until earned.

While an employee is on paid sick days, the accrual of sick day benefits shall continue during the period of sick day absence.

Employees shall be allowed to use sick days if they become ill while on vacation. However, a doctor's certificate to support this illness shall be required.

When an insufficient sick days balance remains to cover the absence of an employee, the remainder shall be charged either to the accumulated vacation, available compensatory time or leave without pay, if granted pursuant to the Village's leave policy as set forth in this manual, at the employee's option.

Department Heads are required to maintain a current file of all sick days taken in their department.

Consistent with the Wisconsin Statutes, Chapter 111.31 and 111.37, paid sick days shall be granted according to the "Sex Discrimination Guidelines" which state:

"Disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth and recoveries there from are, for all job related purposes, temporary disabilities and should be treated as such under any health or temporary disability insurance or sick leave plan available in connection with employment."

## **WORKER'S COMPENSATION**

All employees are entitled to Worker's Compensation coverage as provided by Wisconsin law.

Employees shall report all injuries immediately after occurrence or knowledge of possible compensable illness to the Department Head.

Any employee who is absent from work due to illness or injury caused while carrying out his/her duties as an employee, which absence is of sufficient duration to result in payment of Worker's Compensation, shall suffer no loss of income for a period of ninety (90) days and the absences are not chargeable to sick day credits. Beyond this ninety-day period, the employee will be allowed to exercise one of the following options:

1. Receive the Worker's Compensation benefit with no deduction from the accumulated sick days;
2. Receive the Worker's Compensation benefit and be paid the difference between his/her regular pay based upon a normal work week and the Worker's Compensation benefit with the Village, charging the employee's sick day account with the apportioned amount that equals the cash differential between the Worker's Compensation and regular pay;
3. Receive the employee's regular pay based upon a normal workweek. To qualify, the employee must turn over his/her compensation check to the Village and the employee's sick day account shall be charged with the apportioned amount to make up the difference between the employee's regular pay and Worker's Compensation.

Benefits supplementing Worker's Compensation under this section shall terminate when the employee is able to return to work or one (1) year from the date of the disabling injury or illness, whichever occurs first. Benefits under option No. 2 or No. 3 shall be available only to the extent of the employee's accumulated sick day credits. During the benefit period provided for herein, the disabled employee will be granted fringe benefits as if working at his/her regular full-time or part-time position.

**This section shall not apply to the Chief of Police. The Worker's Compensation for the Chief of Police shall be consistent with the provisions provided to the Sturtevant Police Officers.**

## **UNEMPLOYMENT COMPENSATION**

All eligible employees of the Village of Sturtevant are covered under the State administered program. There is no cost to the employee.

## **SOCIAL SECURITY**

All employees are covered by Social Security. The employee's share will be in accordance with current Federal Social Security laws.

## **RETIREMENT BENEFITS**

The Village of Sturtevant participates in the Wisconsin Deferred Compensation Program. Upon completion of six (6) months of continuous full time permanent employment the Village of Sturtevant will commence making payments to the Wisconsin Deferred Compensation Program for each eligible employee. The Village shall pay the full amount of the employee's share of the contribution to the Wisconsin Deferred Compensation Program. Said payments shall be based on the employee's years of service:

- A. 0 to 5 years of employment - 9.0 % of gross wages
- B. Over 5 years of employment - 11.5% of gross wages
- C. Over 10 years of employment - 14.0% of gross wages
- D. Over 15 years of employment - 16.0% of gross wages

Such sums shall be held by and invested under the Plan and shall be disbursed in accordance with the terms of the Plan.

## **RULES OF CONDUCT**

Rules of conduct are not for the sole purpose of restricting the rights and activities of employees but are intended to help employees by defining and protecting the rights and safety of all persons. General rules of conduct are essential to the safety and well being of those in the Village of Sturtevant and to the efficiency of Village services. Violations of rules of conduct may subject the violator to disciplinary action which can include termination.

### Conflict of Interest/Political Activity

Employment shall not be offered as consideration or required for the political support of any political party or candidate for a public office.

No employee is prohibited from engaging in political activity, provided that such activity does not interfere with normal work performance, is not conducted during working hours, and does not involve the use of Village equipment or property.

### Outside Employment

The policy on outside duties or employment shall be as follows:

1. Village employees may engage in outside employment unless, in the judgment of the Department Head or governing Committee/Commission, such employment conflicts with or affects the performance of their duties. The employee's Department Head shall be notified at the time any outside employment is taken by the employee.
2. All fees, gratuities, honorarium, or any other form of compensation for outside services performed during normal Village work hours or while being paid by the Village shall be turned over to the Village. This shall not be so construed to apply to activities performed after regular working hours, while an employee is on a bona fide vacation or taking a

floating or other holiday or to part-time employees except during those times they are actually providing services to the Village.

### Confidentiality

No employee shall use or disclose privileged or confidential information gained in the course of work or by reason of his/her official position or activities. No confidential information concerning any citizen may be released to an unauthorized person or agency without the signed consent of the citizen.

### Gifts and Gratuities

Employees are advised that solicitation and/or acceptance of gifts, gratuities, and offers of employment or other items of value may constitute a violation of Chapter 946 of the Wisconsin Statutes and is not permitted. Violation of the Statute or the intent of this rule may result in criminal prosecution and/or disciplinary action. Employees are also subject to ordinance 2.40 (7)

### Village Property

Village Employees are prohibited from using Village-owned equipment, vehicles, materials, or property for personal reasons without prior approval from the Village Board.

### Accommodations/Purchases

Employees may not purchase, through the Village, any material, equipment, or services not normally available to the public.

### Favoritism

Village employees are prohibited from giving special treatment to any citizen beyond that available to any other citizen.

### Dress

Employees will be expected to dress in an appropriate manner in accordance with the nature of the position held as approved by the Department Head or the Administrative, Personnel, Policy & Legal Committee.

### Personal Telephone Calls

Employees should make and receive personal calls only of an emergency nature during working hours. Other calls should be made during breaks or lunch periods and from public phones if at all possible. Personal long distance calls shall be charged to the employee's home phone number/credit cards.

### Sexual and Other Unlawful Harassment

1. Introduction. The Village is committed to maintaining a pleasant work environment. Harassment for any discriminatory reason, such as race, creed, color, sex, sexual orientation, national origin, ancestry, disability, age or religion, is prohibited by state and federal laws, may subject the Village and the individual harasser to liability for any such unlawful conduct. With this policy, the Village expressly prohibits such unlawful harassment. Harassment includes but is not limited to verbal or physical conduct that degrades, belittles, or shows hostility or aversion to an individual in one of the protected classes and that:

(1) Has the purpose or effect of creating an intimidating, hostile, or offensive working environment.

(2) Has the purpose or effect of unreasonably interfering with an individual's work performance.

(3) Adversely affects an individual's employment opportunities.

2. Sexual and Related Harassment Prohibited.

- a. Sexual harassment which is prohibited by this policy includes but is not limited to unwelcome sexual advances, requests for sexual favors, or any other visual, verbal, or physical conduct of a sexual nature when:
  - (1) Submission to the conduct is made either implicitly or explicitly a condition of the individual's employment;
  - (2) Submission to or rejection of the conduct is used as the basis for an employment decision affecting the harassed employee; or
  - (3) The harassment has the purpose or effect of unreasonably interfering with the employee's work performance or creating an environment which is intimidating, hostile, or offensive to the employee.
- b. Each employee must exercise his or her own good judgment to avoid engaging in conduct that may be perceived by others as harassment. Forms of prohibited conduct include, but are not limited to:
  - (1) Verbal: repeated sexual innuendoes, derogatory racial, ethnic, religious, age, sexual or other inappropriate remarks, epithets, slurs, proposition, threats, suggestive or insulting sounds or jokes
  - (2) Visual/Non-verbal: derogatory posters, cartoons, or drawings; suggestive objects or pictures; graphic commentaries or e-mail messages; leering; or obscene gestures;
  - (3) Physical: unwanted physical contact including touching, interference with an individual's normal work movement, or assault; and
  - (4) Other: making or threatening reprisals as a result of a negative response to harassment.
- c. Harassment will not be tolerated in the workplace or in any work-related environment, such as business trips or office parties.

3. Complaints of Harassment.

- a. The Village is committed to preventing harassment, to investigating complaints of inappropriate conduct and remedying violations of this policy. Any employee who believes that he/she is or may be subjected to objectionable conduct must report it immediately to his/her supervisor, to the Administrator, to a member of the Administrative, Personnel, Policy and Legal Committee or to the Village Attorney at (262) 632-7541. All employees have an obligation to report harassment, whether as a victim or as an observer. Employees should not allow an inappropriate situation to continue by not reporting it, regardless of who is creating that situation.
- b. In response to every complaint of unlawful harassment, the Village will investigate promptly and thoroughly. If an investigation discloses a violation of this policy, the Village will undertake appropriate corrective action designed to rectify the conduct and prevent any recurrence. The results of the investigation will be communicated to the complaining employee subject to confidentiality rights of third parties.
- c. Every effort will be made to keep all complaints (and their details) as confidential as possible. Often, however, some disclosure in these types of investigations is inevitable.

4. Retaliation is Prohibited. Under no circumstances will the Village tolerate any retaliation against an individual for making a complaint in good faith under this policy.
5. Discipline. Any employee who engages in conduct prohibited by this policy is subject to discipline up to and including termination.

#### Prohibited Conduct

The following are examples of specific conduct that is prohibited and may result in disciplinary action. This list is not intended to be all-inclusive and other circumstances that may warrant disciplinary action will be reviewed on a case-by-case basis.

1. Dishonesty
2. Falsification or unauthorized altering of records, employment applications, time sheets, time cards, etc.
3. Violation of privileged information or its use for private gain.
4. Use of official positions or authority for personal or political profit or advantage.
5. Habitual tardiness, unauthorized absence, or abuse of sick days.
6. Inefficient performance of duties, incompetence or neglect of duty or misconduct.
7. Rudeness and/or discourteous conduct toward supervisors, other employees or the public.
8. Inability to perform assigned tasks.
9. Insubordination or refusal to comply with the proper order of an authorized supervisor.
10. Sleeping while on duty.
11. Work stoppages such as strikes or slow-downs.
12. Being under the influence of alcoholic beverages and/or narcotics or dangerous drugs while on duty or refusal to undergo or cooperate with alcohol and/or drug testing as required pursuant to the drug free work place policy within this manual
13. Use and/or possession of intoxicating beverages and/or narcotics or dangerous drugs while on duty.
14. Personal use or abuse of Village equipment or property, including motor vehicles, telephones, computers or mail service. Personal use of motor vehicles includes commuting to and from one's residence. The Chief of Police is allowed to take his assigned vehicle to and from his residence to allow for responses in emergency situations.
15. Theft or destruction of Village equipment or property.
16. Unauthorized use, lending, borrowing, or duplication of Village keys.
17. Disregard or repeated violations of safety rules and regulations.

18. Fighting, gambling, horse play which creates a disturbance or hazard, or the use of profane, obscene or abusive language during working hours.
19. Threatening, intimidating, or coercing others while on duty or carrying unauthorized weapons.
20. Conduct constituting sexual or other prohibited harassment.
21. Unlawful conduct defined as a violation of or refusal to comply with pertinent laws and regulation.
22. Failure to assist a citizen or another employee in an emergency situation where such assistance is within the normal scope of the employee's duties.
23. Violation of any other commonly accepted reasonable rule of conduct, including departmental rules and procedures, or other behavior that might interfere with the proper conduct of Village business.
24. Smoking on Village property where smoking is prohibited. Smoking is prohibited in all Village owned buildings and motor vehicles.

## **ATTENDANCE GUIDELINES**

Poor attendance is to be corrected, not just improved. Employees are expected to report to work each scheduled day at the scheduled start time and are expected to work until the end of the work period.

### **DEFINITIONS:**

1. Absence - any time off other than scheduled vacation, holidays or personal time.
2. Tardiness - employee is not at workstation at designated start time.
3. Occurrence - any continuous period of time off work for the same reason (exception: unreported absences).
4. Pattern - absent or sick days occurring around other time off such as vacations, holidays, and/or weekends or always on the same day of the week.
5. Unreported Absence - employee fails to report for work or call in his/her absence. Each unreported absence is a separate occurrence, even if it is for consecutive days.
6. Availability for work - validity of medical or other reasons for absence is not considered relevant for disciplinary purposes. The employee must be available for work.

### **NOT TO BE CONSIDERED FOR DISCIPLINARY PURPOSES:**

Vacation, funeral leave, authorized leaves of absence, holidays, personal days, statutory Family/ Medical Leave, if applicable, and any other authorized scheduled time off requested and approved by a supervisor in advance of the requested day off.

### **DISCIPLINE MAY OCCUR:**

1. If an employee has one or more occurrences of absence per month.

2. If employee has less than one occurrence of absence per month but has a pattern of absences.
3. If employee has less than one occurrence of absence per month but also has a tardiness problem.
4. A single occurrence of unreported absence may result in immediate disciplinary action.
5. Tardiness:
  - a. If all occurrences of late time are under three minutes - discipline is only administered if there are a large number\* of occurrences. The employee must be at his/her workstation and ready to work at the start of the shift.  
\*An average of one or more per week.
  - b. If late time is more than three minutes, discipline may depend upon the number of times late and also the length of each tardiness (such as 15 minutes late, one hour late, etc.).

The tardiness discipline requires discretion in terms of the length of the tardiness versus the number of times tardy. There is no set rule but every attempt to be consistent will be made.

**FORMAL DISCIPLINARY STEPS:**

1st Step – VERBAL REPRIMAND

2nd Step – WRITTEN REPRIMAND

3rd Step - 3 DAY UNPAID SUSPENSION

4th Step - TERMINATION

**INFORMAL STEPS:**

1. Pre-suspension conference
2. Pre-termination conference

A conference is used as an informal step prior to Steps 3 and 4 to let employee know his/her attendance has not been corrected and to remind the employee of the next step in the process. The conference is documented in writing with the employee signature.

**FOR ATTENDANCE PROBLEMS THAT SPAN MORE THAN ONE YEAR:**

If the last discipline was more than one year ago but less than two years- repeat the last disciplinary step, i.e., if suspended during the past 1-2 years, re-suspend the employee.

If more than 2 years has elapsed since the last discipline - back up one step, i.e., if suspension was the last step, a written warning will be given.

More than 3 years since the last discipline - a verbal warning.

Some discretion may be required under some circumstances. For example, an employee who has numerous occurrences of absence, but then is off work on an extended disability may have the time limit extended beyond one year. The steps taken will still be progressive instead of repeating a step.

# DRUG-FREE WORKPLACE POLICY

It is the policy of the Village that employees must be free of the influence of alcohol and drugs to insure their own health and safety and that of their co-workers. Therefore, whenever there is reasonable cause to believe that an employee is under the influence of alcohol or drugs, the employee may be required to submit to a drug or alcohol-screening test. Employees who have a drug or alcohol problem will be encouraged to voluntarily seek help. The Village of Sturtevant is committed to preserving personal dignity and rights and affirms that this drug testing policy is designed to protect the rights of all employees and is part of a system to provide a safe and productive place to work.

## Policy Statement

1. Employees are expected and required to report to work on time and in appropriate mental and physical condition for work. It is the Village's intent and obligation to provide a drug and alcohol free, helpful, safe and secure work environment.
2. The Village recognizes drug and alcohol dependency as an illness and a major health problem. The Village also recognizes drug and alcohol abuse as a potential health, safety and security problem. Employees needing help in dealing with such problems are encouraged to seek professional help. Conscientious efforts to seek such help will not jeopardize an employee's job and it will not be noted in any personnel record.
3. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance on Village premises, or while conducting Village business off Village premises, is absolutely prohibited. Violations of this policy will result in disciplinary action up to and including termination and may be reported to law enforcement authorities.

## Reasonable Cause Testing

An employee is subject to testing when there is reasonable cause to believe the worker is under the influence of alcohol or a drug, or whose performance gives rise to a reasonable suspicion that alcohol or drugs are the cause of the poor performance.

Employees will not be terminated for voluntarily seeking assistance for a substance abuse problem. However, continued performance, attendance, or behavioral problems may result in termination of employment.

If the employee's supervisor or the Village Administrator has reasonable suspicion to believe that an employee is under the influence of drugs or alcohol or that drug or alcohol use is responsible for performance problems, the supervisor, or Administrator may order the employee to submit to a drug and/or alcohol screening test.

Upon being informed that a drug or alcohol test is being ordered, the employee may admit to being under the influence, or to having a problem, and seek referral to appropriate professional help. In this circumstance, the drug or alcohol test will not be conducted. If the employee denies the allegation, the drug test will be ordered. If the employee refuses to accompany the supervisor, or other management person, to the testing site or if the employee refuses to sign the consent form, such refusal will be considered insubordination and will result in termination of employment. The supervisor or other management person will transport the employee to the test site, will provide identification of the employee, and will wait for the process to be completed. After the test is completed, the employee will be provided transportation home and will be suspended with pay, pending the results of the test. If the order for a test occurs when the test site is not open, the employee will be provided with transportation to his/her home and will be required to report to the test site as soon as it is open. If it is suspected that the employee is under the influence of alcohol, the employee will be given a Blood Alcohol Content test.

Employees arrested for off-the-job drug involvement may be considered to be in violation of the Village's substance abuse policy. Where available evidence warrants, the Village will bring matters of illegal drug or alcohol use to the attention of the appropriate law enforcement authorities.

Employees on physician-prescribed medication must notify their supervisor if there is a possibility that such medication could affect job performance or safety.

Drug Testing Procedure (Need to look into a contract for drug testing, i.e. hospital or clinic)

The collection, transportation, and testing of the specimen will be done in compliance with the protocols established by the U.S. Department of Health and Human Services under the "mandatory guidelines for federal workplace drug testing programs." These guidelines require the use of confirmatory tests, the establishment of strict chains of custody and specimen control, the utilization of testing procedures and testing laboratories that have clear records of reliability and validity, and providing the right to review all aspects of the drug testing procedures.

If the test result is negative, the employee will be immediately notified and returned to work on the next scheduled shift.

When a result is reported as positive, the employee may request a retest of the specimen at his/her expense. The testing laboratory selected by the employee must be federally certified and the specimen will be sent directly from the original testing lab using appropriate chain of custody protocol. If the retest produces a negative test result, the original test will be considered to have been negative and the Village will take no adverse action. In addition, the Village will reimburse the employee for the cost of the retest.

#### Disciplinary Actions

##### First Incident.

1. The employee denies any problems, but the alcohol or drug screening is reported as positive.

Action: Termination of employment.

2. The employee admits to being under the influence of alcohol or drugs but does not seek referral to professional help.

Action: Termination of employment.

3. The employee admits to being under the influence of alcohol or drugs and seeks referral to professional help.

Action: The employee will be referred to professional drug or alcohol counseling and a written disciplinary notice will be placed in the employee's personnel file.

##### Second Incident.

Action: Termination of employment.

All information related to the drug testing and results, whether positive or negative will be kept in a file separate from the employee's personnel file so that any future personnel actions are not influenced by such information. Written disciplinary actions, however, will be part of the personnel file.

# PERFORMANCE EVALUATION

The goal of this policy is to promote the utmost productivity of all Village employees under direct supervision of Department Heads, the Village Administrator and the Administrative, Personnel, Policy & Legal Committee.

The performance evaluation process is intended to:

1. Assess an employee's effectiveness.
2. Help improve individual performance and set goals.
3. Identify training needs.
4. Recognize employee accomplishments and good work.
5. Identify job requirements and standards.
6. Guide in decisions affecting placement, transfers, salary advancement, promotions, demotions, dismissal, and reclassifications.

The performance evaluation process should be continuous, involving informal day to day communication. Annually, in order to help assure that the informal process is meeting its objective and to reinforce it, a formal evaluation process is used. The performance evaluation process is one of the main responsibilities of The Administrator, Department Heads and the Administrative, Personnel, Policy & Legal Committee.

## Schedule

Each employee shall be formally evaluated at the following times:

- A. At the end of the third month and before the end of the sixth month for newly hired full-time and part-time employees.
- B. Annually, not later than January 31st, for full-time and part-time employees.

## Evaluation

The employee's immediate supervisor will perform evaluations. The evaluator will be responsible for completing the performance evaluation for each employee under his/her supervision. In the case of a Department Head, the evaluator will be the Village Administrator. The Administrative, Personnel, Policy & Legal committee shall be responsible for the Village Administrator's Evaluation.

### Employee Review

Every department head shall complete an annual evaluation of their employees prior to January 31st of each year. The evaluation shall be completed on a form provided by the Village. Each year after the budget has been approved; the Administrator shall have a "Goal Setting" meeting with each department head to set goals for the coming year. The APP&L Committee shall have a "Goal Setting" meeting with the Administrator to develop the goals for the Village for the coming year.

Each completed evaluation report shall be reviewed with the employee. The employee shall be given the opportunity to comment on any aspect of the report and shall receive a copy of the report. The employee shall sign the evaluation report. If the employee refuses to sign, it shall be so noted on the report.

# DISCIPLINE

## Disciplinary Procedures

It is expected that supervisory personnel will uniformly enforce rules and regulations as outlined in the Personnel Policy Manual and document the date and specific instances of misconduct on appropriate forms. In all instances, this must be done with the employee's knowledge. The degree of disciplinary action shall be tailored to the offense and must be consistent with Village Policy. It would not be appropriate, for example, to suspend an employee for being tardy the first time, when a verbal or written warning would suffice. Occasionally the severe nature of an offense is such that some or all of the steps below may be omitted and suspension or termination of employment may be considered immediately.

The disciplinary procedure should take into consideration:

1. The seriousness of the offense.
2. The employee's prior work record.
3. Whether the employee has been disciplined in the past for the same infraction.
4. The employee's attitude.

## **FORMAL DISCIPLINARY STEPS:**

1st Step – VERBAL REPRIMAND

2nd Step – WRITTEN REPRIMAND

3rd Step - 3 DAY UNPAID SUSPENSION

4th Step - TERMINATION

## Reprimands

A reprimand to the employee from the immediate supervisor or Department Head shall contain the specific reasons for the warning, the action necessary to correct the problem and the effect of failure to correct the problem.

Employees may request their response to the reprimand be placed permanently in the personnel file.

Reprimands shall be signed by the employee and supervisor and placed in the employee's personnel file with a copy given to the employee if so desired. If the employee refuses to sign the document, it should be clearly noted on the face of the document when placed in the personnel file.

At the supervisor's discretion, the reprimand may be witnessed and signed by a responsible third party on the employer's behalf. The employee may also have a witness.

## **Suspension**

When, in the judgment of the Department Head, discipline beyond reprimand is necessary, the Department Head, with the prior approval of the Village Administrator, shall suspend the employee. Administrative, Personnel, Policy & Legal Committee Any employee charged with or alleged to have committed a criminal act may be suspended immediately by the Department Head.

All suspensions must be in writing informing the employee of the reasons for such suspension with a copy given to the employee. A disciplinary suspension shall be for three (3) days. All suspensions are without pay except in specific instances where suspension is made pending investigation. All suspensions result in either reinstatement or termination.

An employee on suspension is to leave work and not report to work until instructed to do so in writing. All suspensions may be appealed to the Administrator following the Grievance Procedure of this Policy.

### **Involuntary Termination**

An employee's Department Head/immediate Supervisor may recommend involuntary termination of employment to the Village Administrator. If the Village Administrator agrees with the recommendation, the termination notice shall be in writing to the affected employee. Non-probationary employees shall be given the specific reasons for employment termination. All involuntary terminations may be appealed according to the terms of the grievance procedure. A terminated employee shall receive payment for accrued vacation time and all hours worked. Terminated employees will not be eligible for payment of accrued, unused sick leave benefits.

## **GRIEVANCE PROCEDURE**

It is the policy of the Village of Sturtevant to treat all employees equitably in all matters concerning their employment. It is the intent of the following grievance procedure for employee questions and complaints to be resolved fairly and promptly.

A grievance shall mean a dispute concerning the interpretation or application of a portion of written Village policies or written or expressed procedures and objectives of the Village and its departments. Only one subject matter shall be covered in any one (1) grievance. A written grievance shall contain:

1. The name and position of the grievant;
2. A clear and concise statement of the grievance;
3. The issue involved;
4. The relief sought;
5. The date the incident or violation took place;
6. The specific section of the Personnel Policy Manual or departmental policy alleged to have been violated;
7. The signature of the grievant and the date.

All employee grievances must be filed by the aggrieved employee.

The grievance must be filed within five (5) working days after the employee knew or should have known of the cause of such grievance. The grievance shall be filed on proper forms. If it is impossible to comply with the time limits specified in the procedure because of work schedules, illness, vacations, etc., these limits may be extended by mutual consent in writing.

Grievances, which are presented in the following order and are presented reasonably, shall not prejudice the employee's status.

### **Steps in Grievance Procedure**

The following steps in the grievance procedure are to be followed by all non-represented employees, except where otherwise statutorily provided for.

The employee shall present the grievance to the immediate supervisor. In the event of a grievance, the employee shall perform the assigned task and grieve the complaint later. The supervisor shall, within five (5) working days, inform the employee in writing of the decision.

If the employee is dissatisfied with the decision, he/she may appeal by filing a notice thereof with the Administration, Personnel, Policy and Legal Committee within five (5) working days.

The Administration, Personnel, Policy and Legal Committee shall discuss the grievance with the employee within fifteen (15) working days. The Administration, Personnel, Policy and Legal Committee may call in resource persons as necessary to assist the Committee in deliberation. Following the conference, the Administration, Personnel, Policy and Legal Committee shall respond in writing within five (5) working days. The decision of the Administration, Personnel, Policy and Legal Committee shall be final.

If the Administrative, Personnel, Policy and Legal Committee fail to act upon an appealed decision, that decision shall stand.

## **PERSONNEL RECORDS**

### Purpose

It is the policy of the Village of Sturtevant that an efficient personnel records management system be developed and maintained. The purpose of these systems and procedures shall be to:

1. Establish, maintain and coordinate a personnel file for each Village employee including such pertinent information as is necessary to meet Village needs and comply with Federal and State laws.
2. Establish and maintain uniform and complete employment records of all Village employees and employee transactions.
3. Provide a basis for personnel planning, evaluation, and budgeting by the Village Board.

The Village Administrator shall:

1. Establish, maintain and coordinate a personnel file for each Village employee including such pertinent information as is necessary to meet Village needs and comply with Federal and State Law.
2. Advise and assist Department Heads on all personnel transactions and records procedures.
3. Develop and implement forms necessary to accomplish the foregoing responsibilities.

### Department Head

The Department Head shall:

1. Initiate and process personnel transactions using proper forms.
2. Collect and maintain the following records in a separate file for each Village employee:
  - a. Application form (at time of employment).
  - b. Medical history and physical examination form (at time of employment, upon request in cases of medical leave of absence and during extension of employment beyond

retirement age), if applicable. Such medical records will be kept in a secured file separate from the employee's personnel file.

- c. Record of vacation time, sick leave, other leaves, and compensatory time accrued and taken, if applicable.
- d. Employment contract or agreement, if applicable.
  - e. Changes in classification.
  - f. Wage records (annually, at time of job change, etc.)
  - g. Performance evaluations.
  - h. Disciplinary actions taken.
  - i. Congratulatory letters.
  - j. Termination notices.
  - k. Employee responses to performance evaluations or disciplinary actions and any other documents that the employee requests are included in the file.
3. Forward employee's personnel file to appropriate Department Head if employee transfers to another Department.

### Employee

The employee shall be responsible for notifying his/her supervisor of any changes, which affect his/her employment status, including but not limited to change in:

1. Address
2. Tax status
3. Telephone number
4. Name
5. Military status
6. Person to notify in case of an emergency

### Employee Inspection

All information contained in an employee's personnel file is available for inspection by the employee, per State of Wisconsin Open Records Law provisions. This can be done by appointment with the Department Head. The employee may remove no employee personnel records from the office.

Employees who question or dispute information contained in their personnel file may submit a written statement of explanation to be included with the file. Such statement shall be signed by the Department Head in acknowledgment of receipt and a copy of the signed statement retained by the employee.

### Public Inspection

Most documents contained in employee personnel files are considered public records. Therefore, when receiving a request for such records, the custodian will disclose the information unless there is an appropriate basis for denying access to the requester. While there are specific statutory exemptions for certain types of documents, in most instances a balancing test will be applied, and only if the reasons for nondisclosure outweigh the public policy in favor of disclosure, will the custodian refuse access to the

records? Before releasing any records that may affect an individual's reputation or privacy interests, the custodian will notify the individual affected by the release of the records, and allow him/her the opportunity to obtain judicial review of the decision to release the records.

File drawers containing personnel information shall remain locked except when accessed by persons with good reason authorized by the appropriate Department Head.

#### Destruction of Records

Employee service records shall be kept permanently. Applications, examinations, and other records may be destroyed as otherwise provided by law.

## **LEAVING VILLAGE EMPLOYMENT**

#### Resignations

An employee wishing to leave Village employment shall submit a resignation in writing stating the last day the employee will be available to work for the Village of Sturtevant at least two (2) weeks in advance of the planned departure, unless the resignation is necessitated by an unexpected emergency which precluded giving the requisite notice. In the latter event, the employee should notify the Village as soon as reasonably possible of his/her resignation.

This notice is to be given to the employee's Department Head. It is expected that employees will give as much notice as possible in order to facilitate the orientation and implementation of new staff members. The period of notice must be completed as actual time worked, unless the Village Administrator authorizes a shorter notice period.

**FAILURE TO GIVE AT LEAST TEN (10) WORKING DAYS' NOTICE OF TERMINATION MAY CAUSE FORFEITURE OF ALL SICK LEAVE BENEFITS OTHERWISE AVAILABLE TO THE EMPLOYEE.**

Employees not complying with this requirement will not be considered for re-employment except for unusual reasons and with the consent of the Village Board.

Termination pay consisting of all accrued vacation and eligible sick leave shall be included in the last paycheck to the employee.

#### Lay-Offs

Employees may be laid off by action of the Department Head with the approval of the Village Administrator for lack of work or any other legitimate reason. In reducing personnel, seniority shall be considered, but may not necessarily be the determining factor in a lay-off, depending on the needs of the department and the various abilities of the employees.

The lay-off may be temporary or permanent. However, no regular employee shall be laid off while temporary employees in the same classification are still employed. Lay-offs shall be determined and approved by the Department Head with the approval of the Village Administrator before they are implemented.

Seniority shall not be diminished by lay-off due to lack of work or funds for up to one (1) year. Whenever it becomes necessary to employ additional staff either in vacancies or new positions, former qualified employees, who have been laid off within one (1) year, shall be considered for reemployment within that department.

### Exit Interview

Whenever possible and appropriate, the Department Head and/or Village Administrator may conduct exit interviews with all departing staff. Exit interview results will be analyzed to determine the effectiveness of Village personnel and managerial practices, to determine where personnel policies and procedures are in need of review or revision and to determine where supervisory or managerial practices or working conditions need modification or improvement.

### Return of Village Property

All employees leaving Village employment shall return all Village keys, tools and any equipment on or before their last day of work.

Failure to return any Village-owned property by the last day of work shall result in notification to the Village Police Department.

# PERSONNEL POLICY MANUAL ACKNOWLEDGMENT

My signature below confirms that I have received my copy of the Village of Sturtevant Personnel Policy Manual. As an employee, I have an obligation to read the manual and become familiar with the policies.

I accept that this document is not a contract and the Village reserves the right to delete or modify these policies without prior notice to me. The methods for resolving employment problems that are described in this manual are only procedures designed to promote fair and equitable employment practices and does not represent a specific contract between the Village and me.

I understand that questions I may have can be directed to my supervisor or the Village Administrator.

\_\_\_\_\_  
Name (Please Print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

**RM B**  
**Village of Sturtevant**  
**EMPLOYEE CHECK IN / OUT FORM**

The Village of Sturtevant uses an equipment check IN / OUT form to make sure that an employee's introduction into the Village and exit meet certain goals for successful introduction of new employee into service for the community. The purposes of the employee orientation is to set down the standards and expectation of employment expected and to introduce the new employee to the staff, facilities and safety issues as quickly as possible.

EMPLOYEE: \_\_\_\_\_

EMPLOYEE PROCESSING ITEMS	ENTRY		EXIT	
	Sup Initial	Emp. Initial	Sup. Initial	Emp. Initials
A.) Employee Identification				
B.) Facility Keys				
Village Hall - Exterior Doors				
Village Public Safety - Police				
Village Public Safety - Fire				
Village Public Works				
Special Keys: Water / Wastewater / Etc.				
Vehicle Keys				
Internal Doors Keys				
Desk Keys				
C.) Books, literature, Etc.				
Personnel Manual				
Other				
D.) Computers / Lap Tops / PDA's / Etc.				
Other Equipment: _____ Etc.				
<b>Supervisor Signature:</b>				
E.) Entrance Orientation: Assignment to Orientation Staff member or Supervisor. Employees should attempt to Ride Along with DWP or the PSD within 6 months of employment.				
F.) Exit Survey: I, _____, fully understand the exit interview is a voluntary appointment, I must set with the Village Administrator prior to the last day of employment.				
COBRA: I, (elect / Do not elect) to take advantage through reimbursement, of the Village of Sturtevant: <input type="checkbox"/> Medical, <input type="checkbox"/> Dental, <input type="checkbox"/> Vision plans under Federal COBRA.				
DATE REVIEWED: _____ Employee: _____ Supervisor: _____				
REMARKS:				

**FORM C**  
**Village of Sturtevant**  
**EMPLOYEE FORMS CHECK IN / OUT FORM**

The Village of Sturtevant uses a forms check IN / OUT sheet to make sure that an employee's introduction into the Village and exit meet take advantage of all services available.

EMPLOYEE: \_\_\_\_\_

EMPLOYEE PROCESSING ITEMS	ENTRY		EXIT	
	Sup Initial	Emp. Initial	Sup. Initial	Emp. Initials
A.) FORMS - ENTRY				
FEDERAL:				
I-9 (Federal – INS)				
W4 (Federal IRS)				
W-9 (Federal – IRS) As required				
STATE:				
WT4 (State DOR)				
W-204 (State Workforce Development)				
LOCAL FORMS:				
Drivers License (Copy)				
Medical (FTE Only)				
Dental (FTE Only)				
Vision (FTE Only)				
Life / AD&D / STD (FTE&PTE if >30 hours)				
Village Payroll Deduction Form				
B.) FORMS – EXIT				
Village Medical Continuation (Cobra)				
<b>ACCOUNTANT / TREASURER:</b>			<b>DATE:</b>	
DATE REVIEWED: _____ Employee: _____ Supervisor: _____				
REMARKS:				

